

**MINUTES**  
**Regular Council Meeting**  
**April 21, 2026**  
**6:30 p.m.**  
**Government Center**  
**6601 Main Street**  
**Miami Lakes, Florida 33014**

**1. PROCLAMATIONS, RECOGNITIONS AND AWARDS:**

Mayor Dieguez presented a proclamation to Dr. Gabriel Fernandez from Comfort Med Care. He explained that Comfort Med Care has established itself as a trusted primary care provider practice dedicated to improving the health and well-being of the residents of the Town of Miami Lakes. He further explained that Comfort Med Care has been awarded the 2025 Top Doctor's Achievement and is the only primary care practice within the town that provides an integrated model of primary care, IV hydration therapy and medical weight loss services at an affordable cost. Mayor Dieguez proclaimed April 1<sup>st</sup>, 2026, as Comfort Med Care Day in the Town of Miami Lakes. Dr. Fernandez thanked the Town Council for this recognition.

Mayor Dieguez presented a proclamation to the owners of Chela's Miami, celebrating the restaurant's five-year anniversary. He explained that Chela's was among the first businesses to open following the COVID-19 pandemic and revitalized the downtown Main Street area of Miami Lakes. He further explained that Chela's Miami has been proudly recognized for its vibrant weekly events and uniquely themed celebrations that contribute to the cultural life of the community. Mayor Dieguez proclaimed April 2026 as Chela's Month in the Town of Miami Lakes. The owners of Chela's Miami thanked the Town Council for this recognition.

**2. CALL TO ORDER:**

The Town Clerk, Gina M. Inguanzo, called the roll at 6:30 pm. Councilmember Fernandez, Councilmember Cuadra Garcia, Councilmember Garcia, Councilmember Herzberg, Councilmember Sanchez, Vice Mayor Morera and Mayor Dieguez were present.

**3. MOMENT OF SILENCE:**

Prior to the Moment of Silence, Mayor Dieguez invited Commissioner Raquel Regalado to come forward and make an announcement pertaining to Autism Acceptance Month and the Florida Neuro Inclusion Toolkit.

The moment of silence was led by Councilmember Sanchez.

#### **4. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance and the National Anthem were sung by the kindergarten students from Bob Graham Education Center.

Mayor Dieguez presented a proclamation to Mr. Pablo Millares. He explained that Mr. Millares has dedicated 36 years of his life to the noble profession of education demonstrating unwavering commitment, passion and excellence in teaching. He further explained that Mr. Millares faithfully served as a kindergarten teacher at Bob Graham Education Center, where he has played a vital role in shaping the minds, hearts, and futures of countless young learners during their most formative years. Mayor Dieguez proclaimed April 21<sup>st</sup>, 2026, as Pablo Millares Day in the Town of Miami Lakes. Mr. Millares thanked the Town Council for this recognition.

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

Councilmember Herzberg moved to pull item 12B from the Consent Calendar. Mayor Dieguez moved to add Item 17A and Item 17B under Mayor and Councilmember Reports. Councilmember Sanchez moved Item 10A and Item 16B to be discussed after Public Comments. Councilmember Garcia moved items 10B and 10C to after Public Comments.

Councilmember Garcia made a motion to approve the New Order of Business, as amended. Vice Mayor Morera seconded the motion. The motion passed unanimously.

#### **6. PUBLIC COMMENTS: (Youtube 1:45:38)**

*(Phonetic spelling of each speaker's name will be used throughout the minutes unless correct spelling is known.)*

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

Ms. Bonnie Cintron came before the Town Council to participate in Public Comments. She stated that she hopes the Town Council has taken the time to review the Live Local Laws before voting.

Dr. David Bennett came before the Town Council to participate in Public Comments. He explained his concerns regarding the Par 3 agreement. He then explained his concerns

regarding new developments and potential traffic effects. He stated that he hopes the Town Council and The Graham's Companies can come to an acceptable compromise.

Mr. Carlos Andres came before the Town Council to participate in Public Comments. He thanked Town Staff for assisting the town residents. He explained his concerns regarding the Par 3 agreement. He then explained his concerns regarding the Carry Forward Agreement. He stated that Optimist Park needs improvement and he urged the Town Council to invest in the Optimist Park improvements.

Ms. Hilda Fernandez came before the Town Council to participate in Public Comments. She explained her concerns regarding the Par 3 agreement. She then explained her concerns regarding the restricted covenant. She urged the Town Council to defer tonight's vote regarding the FLUM and Rezoning items.

Ms. Susana Herrera came before the Town Council to participate in Public Comments. She thanked the Town Council for taking the time to listen to the residents. She explained her concerns regarding the Par 3 agreement.

Mr. William Perez came before the Town Council to participate in Public Comments. He stated that he was very touched and impressed by the students who sung the pledge of allegiance and the national anthem.

Ms. Claudia Luces participated in Public Comments via Zoom. She explained her concerns regarding the change in the Senior Center Agreement. She then explained her concerns regarding the new developments and traffic. She stated that the Town Council should take a stance on the Live Local agreement. She urged the Town Council to defer tonight's vote regarding the FLUM and the Rezoning items.

Ms. Amy Libson Morales participated in Public Comments via Zoom. She urged the Town Council to defer tonight's vote regarding the FLUM and the Rezoning items.

The Town Clerk stated for the record that the Office of the Clerk received written Public Comments from the following individuals: Ms. Georgina Luces, Mr. Abel Fernandez, Ms. Bonnie Cintron, Ms. Ezperanza Reynolds, Ms. Susana Herrera, Ms. Esther Colon, Mr. Albert Aguiar, Ms. Roly Mayton and Ms. Claudia Luces.

There being no further public comments, public comments were closed.

## **7. APPOINTMENTS:**

Mayor Dieguez announced the following appointments:

Mr. Brian Hing to the Youth Activities Task Force by Councilmember Garcia.

Ms. Carolina Perez to the Youth Activities Task Force by Councilmember Cuadra Garcia.

Dr. David Bennett to the Blasting Advisory Board by Councilmember Herzberg.

Vice Mayor Morera moved to waive the qualification requirements of the Land Development Code for appointments to the Planning and Zoning Board to appoint Mr. Fred Senra to the Planning and Zoning Board. Councilmember Fernandez seconded the motion. The motion passed unanimously.

## **8. MANAGER'S REPORTS:**

### **A. Presentation of the Annual Comprehensive Financial Report for the Fiscal Year 2024-2025 (Grant)**

Chief Financial Officer Ms. Kay Grant presented the item. She stated the report tells us how the Town managed their funds in 2025; where they came from, how they were spent and the overall financial health of the town. She recognized Town Staff and the Finance Department for their contributions and highlighted that for the 13<sup>th</sup> consecutive year the town received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA). Ms. Grant introduced Mr. Gerry Donates, partner at GEMRT, who provided a summary of the audit results and the key takeaways and highlights of this year's financial report.

### **B. Monthly Police Report (Ulloa)**

Lieutenant Ulloa presented the Police Report and answered questions posed by the Town Council.

### **C. Public Works Monthly Infrastructure Report (Santos)**

Public Works Director, Mr. Omar Santos, presented the report and answered questions posed by the Town Council.

Councilmember Garcia requested Town staff to provide the cost of pressure washing the sidewalks in the area part of the Montrose Road Drainage Project, to make sure it is not a slip hazard situation.

Town Manager Pidermann provided feedback regarding areas that were damaged on the Canal Bank Stabilization Project and requested Town Council make a motion, a green light to move forward with that routine maintenance. He stated that the product

needs to fill in the cells of the canal bank, that way we will have clear direction through our stormwater program to do the routine maintenance. Public Works Director Santos stated they will continue to work with our Legal department to address residents that have caused damage to the canal bank and find a way to get that corrected.

After brief discussion, Vice Mayor Morera requested for Town staff to come back to Town Council to give the numbers on a year over year basis of how many phases we are paying for as we go, how much each phase costs, give us more details on the numbers and then with that we can make a decision on which option to go with regarding the Canal Bank Phase I Repair Estimate. Public Works Director Santos stated he can prepare a proposal for \$50,000 a year that will be part of our Repair and Maintenance Stormwater line in the Stormwater Fund. Vice Mayor Morera stated he is happy to have a meeting with Director Santos soon.

Councilmember Cuadra Garcia stated irrigation is not the main factor of the cause of this issue, the cause is of a defected product on phase 1, phase 2 and phase 3 of the Canal Bank Stabilization and requested through the Town Manager, to have our Legal Department look to see what legal recourse is there to go after the contractor for phase 2 and phase 3.

Councilmember Herzberg stated he does not see harm in getting a legal opinion for Town Council at least in phase 2 and 3. He further stated there are a lot of things that the engineers probably did not take into consideration and that canal banks shake a few times a week due to blasting.

Deputy Town Attorney Cobiella stated that they will provide a legal opinion on phase 2 and 3.

Public Works Director Santos answered further questions posed by Town Council. No motions were made.

#### **D. Miami Lakes Tree Nursery (Dieguez, Bajdaun)**

Parks & Recreation Director Mr. Bajdaun presented the item and answered questions posed by Town Council. He stated the report looks at analyzing the possibilities for instituting a tree nursery within the Town of Miami Lakes, goes over the options and anticipated cost for each option, and locations were listed to go ahead and analyze further. Director Bajdaun explained as far as efficiency and being able to guarantee trees, that it is very close to being either the same cost, or potentially a little bit higher in the long run.

Mayor Dieguez stated he would continue to evaluate this and would reach out to Director Bajdaun, if he has further questions.

No motions were made.

## **9. ATTORNEY'S REPORT**

### **A. Budget Transfer for Legal Fees for Charter Review**

Town Attorney Raul Gastesi presented the report and requested money to be transferred from one budget line to another budget line for the Charter Revision Commission, so they can get paid for their fees. Deputy Town Attorney Cobiella stated it is from the blasting account.

Chief Finance Officer Grant provided clarification stating Town had \$50,000 budgeted this year for blasting legal fees, and she explained that we only used \$3,400 this year. She stated that Town Council will no longer be paying legal fees for blasting and suggested that the funds from the blasting account could be used towards the Charter account for the legal fees.

Town Attorney Gastesi stated the amount we want to see transferred is \$26,500 of which \$11,000 is already owed to the Town Attorneys and he also stated that the 2015 amount was \$25,000 and this may be less than 2015 amount. Vice Mayor Morera moved to approve the transfer of funds. Mayor Dieguez seconded the motion. The motion passed unanimously.

## **10. COMMITTEE REPORTS:**

### **A. Mental Health Task Force Report**

Chairperson Lindsay Wallick presented the report and went over the initiatives and events that the committee has been working on. She requested feedback from the Town Council regarding the placement of the 988 signage across Town Parks.

Vice Mayor Morera moved to allow the committee to put up the 988 signage with the recommendation of the Parks Director Bajdaun. Councilmember Garcia seconded the motion. The motion passed unanimously.

Chairperson Wallick stated that the committee would like to do a ribbon cutting for the 988 signage. She explained that they currently have 10 organizations that want to participate in the Mental Health Fall Festival. She then answered questions posed by the Town Council.

Chairperson Wallick stated that they would like to add one extra member to the committee.

## **B. Cultural Affairs Committee Report**

Chairperson Felicia Salazar presented the report and went over the initiatives and events that the committee has been working on. She explained that the committee would like to allocate \$3,000 to host a “Men of Distinction” Award Ceremony Luncheon. She stated that the Main Street Live events have been growing in popularity. She also stated that the committee has a few upcoming events including the Paint a Picture for Mom event on May 9<sup>th</sup> and the Father’s Day Fishing Tournament on June 20<sup>th</sup>. She stated that the committee has requested Freedom Truck for the Veterans Day Parade. She then answered questions posed by the Town Council.

Councilmember Herzberg stated that due to state legislature, the Town Council may not be able to approve the “Men of Distinction” luncheon. He stated that he would rather the committee allocate the \$3,000 to the Hispanic Heritage event.

Chairperson Salazar explained that the committee has been working on creating a commemorative plaque for Architect Hilario Candela with Councilmember Fernandez. Councilmember Fernandez stated that the committee is waiting on the property owner to approve the plaque.

Councilmember Fernandez then moved to have the plaque manufactured, once the committee gets approval from the property owner and for the cost of the plaque to be covered by a sponsor. Vice Mayor Morera seconded the motion. The motion passed unanimously.

## **C. Neighborhood Improvement Committee**

Vice Chairman, Mario Pinera presented the report and went over the initiatives and events that the committee has been working on. Committee Member Juan Estrada provided updates on the beautification project under the Palmetto Expressway at NW 154<sup>th</sup> St. He stated that the committee would need a resolution and letter from the Town Council to move forward with the process. He then answered questions posed by the Town Council.

Town Manager Pidermann stated that the committee should discuss any concerns regarding this project with the Public Works Department.

Vice Mayor Morera stated that the committee should also discuss any possible grant opportunities with the Town’s Grants Manager.

Committee Member Estrada explained that the Town would be required to follow through after the final phase which includes final permitting and drawings. Mayor Dieguez stated that he would not want the Town to commit to this project until all the moving parts are settled.

Councilmember Cuadra Garcia stated that he is in support of the initiative. Councilmember Fernandez moved for the Town Council to submit the application for the Beautification Project to FDOT. Councilmember Sanchez seconded the motion. The motion passed unanimously.

Committee Member Felicia Salazar introduced the Lake Awareness and Waterway Protection Initiative which is focused on educating the community about lake awareness and protecting local waterways. She then answered questions posed by the Town Council.

Vice Mayor Morera asked if the committee would need approval from Town Council to move forward with this initiative. Committee Member Salazar stated that the committee would like to work with Town staff to develop a proposed ordinance.

Vice Chair Pinera stated that the committee is still working on the Proposed Green Space at NW Ave and NW 141<sup>st</sup> St with FDOT. Secretary Helen Roldan introduced and thanked Town Council for their support in funding the Adam Perry Life Ring Initiative. She explained that the committee will be partnering with the Public Safety Committee to create a video explaining to Town Residents how to properly use the life rings. She stated that the committee would like to request \$200 to film the video.

Town Manager Pidermann recommended that the committee get in contact with the Town's Communication Department as they may be able to film the video at no cost.

Vice Chair Pinera stated that the committee would like to request a \$200 allocation to support the Back to Nature Event, in collaboration with the Public Safety Committee. He explained that the committee would like to bring back the Town of Miami Lakes Historical Tour. He stated that the committee would like to request \$3,200 in funding from Town Police Services overtime funds (Acct. 2102534035) to support a Community Bike Ride event in partnership with Town Police Services. He then answered questions posed by the Town Council.

Councilmember Garcia stated that he would like to see the committees collaborate and condense the bike rides to one major bike ride a year. Vice Mayor Morera stated that the committees should focus on planning one major bike ride and come back to the council with a proposal. Councilmember Sanchez stated that he would like to see collaboration with other committees regarding Town events. Mayor Dieguez stated that he is not in support of broadening every committee's jurisdiction to include events.

Councilmember Herzberg then stated that the Town Council will be having a special call meeting for all the committees to present their budget. He stated he would be

in support of the Community Bike Ride, if the committee can find the funding through the Police Department. The Town Clerk Inguanzo stated that the Special Call Meeting will take place on June 4<sup>th</sup>.

Councilmember Herzberg then moved to approve the public safety video. Councilmember Sanchez seconded the motion. The motion passed unanimously.

Councilmember Herzberg moved to approve the funds for the Back to Nature Event. Councilmember Sanchez seconded the motion. Town Manager Pidermann asked if the event needs funding. Councilmember Herzberg stated that he would take care of the funding.

## **11. SPECIAL PRESENTATIONS:**

None.

## **12. CONSENT CALENDAR:**

Councilmember Garcia moved to approve the Consent Calendar. The motion was seconded by Vice Mayor Morera. The motion passed unanimously.

### **A. Approval of Minutes**

March 17, 2026 Regular Council Meeting  
April 1, 2026 Special Call Meeting  
April 7, 2026 Strategic Planning Budget Town Council Workshop

The minutes were approved in the Consent Calendar.

### **B. Par 3 – Covenant (Pidermann, Gastesi)**

A RESOLUTION OF THE TOWN OF MIAMI LAKES, FLORIDA RATIFYING AND APPROVING A RESTRICTIVE COVENANT AND OPTION TO REQUIRE DONATION AGREEMENT BETWEEN THE TOWN OF MIAMI LAKES AND THE GRAHAM COMPANIES, A FLORIDA CORPORATION; PROVIDING FOR AUTHORITY TO THE CITY OFFICIALS, PROVIDING FOR IMPLEMENTATION, PROVIDING FOR AND EFFECTIVE DATE.

This item was pulled by Councilmember Herzberg. He stated it is our job to assure this generational piece of potential property, that this covenant does not say we are taking this today, but it gives us the option to take it for a 10-year

period, upon a vote of this Town Council. Councilmember Herzberg moved to accept the resolution so we can move forward with signatures and recording of the covenant and that the recording should be done by Town staff. Vice Mayor Morera seconded the motion. Town Attorney Gastesi clarified the recording will be done by the Town Attorneys.

During discussion, Town Manager Pidermann provided clarification on the environmental conditions and the proposed legislation for the land.

The Town Clerk called the roll and the motion passed 5-2; Councilmember Cuadra Garcia and Councilmember Garcia voted in opposition.

### **13. ORDINANCE- FIRST READING:**

#### **a. Code Enforcement Liens (Angel)**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 8, ARTICLE I, SECTION 8-7 OF THE TOWN CODE, ENTITLED "RECOVERY OF UNPAID CIVIL PENALTIES; UNPAID PENALTY TO CONSTITUTE A LIEN; INTEREST TO BE PAID ON LIENS; FORECLOSURE; PROHIBITION OF THE ISSUANCE OF PERMITS, LICENSES, CERTIFICATES OF USE AND OCCUPANCY OR ZONING APPROVALS TO VIOLATORS WITH UNPAID CIVIL PENALTIES OR LIENS; CIVIL PENALTY REDUCTION," TO PROVIDE FOR A TEMPORARY LIEN REDUCTION PROGRAM AND RELATED PROCEDURES; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Town Manager Pidermann presented the item and answered questions posed by Town Council. He stated this is a follow up to last month's action, that this Town Council elected to open one final window of opportunity for people to mitigate their liens on their properties both homestead and non-homestead. He explained this is an ordinance change, to allow for a 6-month window, and as soon as second reading is completed, we will issue notices.

During discussion, some councilmembers expressed frustration with granting this additional amnesty period because they think it undercuts Town efforts to get compliance. Some councilmembers stated they wanted to provide a 6-month window as a final window of opportunity. After further discussion, Councilmember Garcia moved the item. Vice Mayor Morera seconded the motion. After brief discussion, Mayor Dieguez moved to call the question.

The Town Clerk called the roll and the motion failed 3-4. Councilmember Sanchez, Councilmember Fernandez, Councilmember Cuadra Garcia and Mayor Dieguez voted in opposition.

**b. First Amendment Activity in Parks (Bajdaun)**

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING CHAPTER 18, PARKS AND RECREATION, Sec. 18-94. - PUBLIC DEMONSTRATION, GATHERINGS, PERFORMANCES, SPEECHES., OF THE TOWN CODE OF ORDINANCES BY ADDING SEC.18-94(c) "FIRST AMENDMENT PROTECTED ACTIVITIES"; PROVIDING FOR PURPOSE, PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

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

Councilmember Herzberg presented the item and stated this ordinance makes it clear that there will be no insurance requirements, no fees and no police coverage for gatherings that are protected by the First Amendment and not put any constraints to it. Councilmember Herzberg moved the item and Vice Mayor Morera seconded the motion.

The Town Clerk called the roll and the item adopting the ordinance in first reading passed 7-0.

**14. ORDINANCE IN SECOND READING (PUBLIC HEARING)**

**a. Mid-Year Budget Amendment (Hernandez, Pidermann)**

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA, AMENDING THE TOWN'S FISCAL YEAR 2025-2026 BUDGET ESTABLISHED BY ORDINANCE NO.25-346; PROVIDING FOR EXPENDITURE OF FUNDS; PROVIDING FOR AMENDMENTS; PROVIDING FOR CONFLICTS; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTION NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Mayor Dieguez opened the Public Hearing. There being no public comments, the Public Hearing was closed.

Mayor Dieguez moved to adopt the ordinance. Councilmember Garcia seconded the motion.

Councilmember Garcia stated that he has been contacted by numerous residents regarding town needs. He explained that many town residents have expressed concerns about the backstops at Optimist Park. He stated that the Town Council should consider adding at least \$150,000 for Optimist Park Maintenance.

Councilmember Garcia moved to amend the ordinance to include \$150,000 for Optimist Park Maintenance. Councilmember Herzberg seconded the motion. Councilmember Herzberg stated that he agrees with Councilmember Garcia, however, he stated that there is already funding for park maintenance within the budget.

Town Manager Pidermann explained that the Town Council would have to have a conversation with the School Board regarding the JUA. Councilmember Garcia stated that replacing the backstops at Optimist Park is basic park maintenance that needs to be done. Parks and Recreation Director Bajdaun explained that field #2 at Optimist Park has some extreme damage through Hurricane Irma and that FEMA funded the repairs to the affected areas.

Councilmember Garcia stated that basic park maintenance is a simple decision and that the Town Council should not overcomplicate it. Mayor Dieguez stated that the Town Council needs to follow procedure by communicating with the School Board. Councilmember Garcia explained that his amended motion is to take the money that already exists, present it to the School Board and let them know that the Town will be performing maintenance on all the backstops. Mayor Dieguez asked Councilmember Garcia where he would like to pull the funds from for the park maintenance. Councilmember Garcia stated that he would like to pull the funds from the mid-year Budget Amendment. Town Manager Pidermann explained that currently, the town's priorities are replacing the wooden poles, placing led lighting and placing a bathroom facility somewhere in the middle of the field.

Mayor Dieguez asked Councilmember Garcia to restate his motion. Councilmember Garcia stated that his motion is to take the money for the Optimist Park maintenance from the funds available and then replace the funds with the 1.5 million to authorize the transfer to make that whole. Councilmember Herzberg seconded the motion. During discussion, Councilmember Herzberg asked if it would be possible to take \$150,000 from the capital improvement fund.

Town Manager Pidermann stated that the town can take \$150,000 from the Miami Lakes Optimist Park (MLOP) part of the fund. After some discussion, Councilmember Herzberg asked if this item could be deferred to the May Regular Council Meeting.

Vice Mayor Morera stated that he is in support of the park maintenance updates but would like to defer the item until May to have more definite numbers. Town Manager Pidermann stated that he will come back in May once they have the exact cost for both the field and backstop maintenance.

Councilmember Garcia stated that the replacement of the weak lights should be the town's first priority. He stated that he would like the Town Manager and the Parks and Recreation Director to come back in May with a detailed report on the maintenance costs.

Councilmember Garcia moved to defer his proposed amendment to the May Regular Council Meeting. Councilmember Sanchez seconded the motion. The motion passed unanimously.

During discussion on the main motion, Councilmember Sanchez asked if the amount for lights within the budget amendment is enough to ensure that most of the lighting around town is functioning properly. Public Works Director Santos explained that the \$87,000 set aside for street lighting in the Carry Forward Amendment is based on what the Town has used so far in the current fiscal year. Town Manager Pidermann stated that Town staff will bring forth an item in the next couple of months.

After further discussion, the Town Clerk called the roll and the ordinance in second reading, Item 14A passed 7-0.

**b. ZONE 2026-0007 Lakeside FLUM Amendment (Alonso)**

**HEARING NUMBER: ZONE2026-0007**

**APPLICANT: The Graham Companies**

**FOLIO: 32-2022-070-0010**

**32-2022-068-0010**

**32-2022-068-0020**

**32-2022-068-0030**

**LOCATION: 14610 Oak Ln. Miami Lakes, Florida 33016**

Town Attorney Raul Gastesi, read the title of the ordinance in second reading into the record.

The Town Clerk swore in all individuals wishing to speak present in Council Chambers. She stated that there was an individual showing up via Zoom, by the name of Amy, but that the individual did not wish to speak.

Mr. Javier L. Vazquez, attorney from Gunster, Yoakley & Stewart, P.A. Law Firm, spoke on behalf of the Applicant, The Graham Companies. He stated that Town Council passed the FLUM Amendment and the Rezoning application on

first reading earlier in the month of April. He stated that at the April 14<sup>th</sup> Planning & Zoning Board Meeting, the P&Z Board Members recommended approval of the FLUM Amendment and of the Rezoning applications. He stated that the FLUM and Rezoning applications on second reading were presented to the Town Council on this April 21<sup>st</sup> Regular Council meeting, and that the Site Plan approval resolution also accompanies the two ordinances.

He emphasized a couple of revisions that were made and stated that an additional condition was added to all three (3) items, and he explained that the conditions only become effective if the companion applications are approved. He explained that this is the way this property has been dealt with and provides reassurance to the Town and reassurance to The Grahams. He emphasized that these items all travel together and if one does not pass, then none become effective.

Mr. Vazquez then stated that he wanted to make a correction to the ordinance. He stated that the ordinance states that the Applicant is offering a covenant to be recorded in the public records of Miami-Dade County, restricting the development to no more than 541 units. Mr. Vazquez stated that the Applicant has agreed to that, and the Applicant will submit the covenant within the time prescribed, but he stated that they want to make sure that is part of the resolution for the Site Plan approval. To this matter, he explained that there is no need for this to be part of the FLUM Amendment nor part of the Rezoning Amendment, but he emphasized that it will be a condition on the Site Plan approval and that they are now all tied together. Mr. Vazquez then respectfully requested, on behalf of his clients, that the condition be part of the Site Plan approval resolution and for that condition to be deleted from the ordinance of the FLUM.

Mr. Vazquez incorporated by reference into the record his previous presentation for the FLUM Amendment and stated that he was incorporating the correction explained earlier. He asked the Town Council to make the motion with that revision.

Mayor Dieguez then opened the public hearing, and the following individuals provided public comments.

Ms. Hilda Fernandez came before the Town Council to participate in Public Comments. She stated that in 2015, the Town Council formally accepted the donation of the former Par 3, via Resolution 15-1304 and emphasized that eleven (11) year later, it still needs remediation; that any discussion relating to the Par 3 and this application should be divorced from each other, because in 2017, the Applicant submitted the Rezoning request. She stated that in her opinion, Par 3 is a potential solution to the issue of the Senior Center being removed from the proposed rezoning application and encompasses the 1.3 acres and Senior Center and she stated it is not a magical solution and that the environmental issues will probably not be resolved soon. Ms. Fernandez then referenced section 5.1.1 of the Code, referenced on page 24 of the Staff's Report of the April 1<sup>st</sup> Special Call

Meeting, and stated that the Town has insufficient parkland per capita per staff, so she explained that the Applicant is required to mitigate the proportionate share of parkland prior to final approval of their request. Ms. Fernandez emphasized that the developer has a right to develop their property and stated that they have a right to develop 662 units and that if we were to exclude the 1.3 acres, that would be for the Senior Center; that the Applicant would still be able to develop 623 units, which is 82 units more than by covenant. She stated that by the Applicant submitting a site plan and a zoning change that requests less than legally zoned, it suggests that Live Local is a possibility legally but not a reality for the Applicant. She stated that if the Town Council approves this request, as presented, it is a minus for this community. Ms. Fernandez asked the Town Council to defer this matter until further discussion and for them to research further on the legal implications of underlying covenants and the Live Local Act. She stated that she wants a solution that is good for everyone.

Ms. Susana Herrera came before the Town Council to participate in Public Comments. She stated the Applicant and the Town Council have recognized that we have covenants in place that affect three (3) out of the 4 folios. She emphasized there was a need for the Senior Center project back in 2017, that there is a need for it today and that negotiations with The Graham family should continue. She mentioned that in 2024, the Town Council denied reversing the 2017 Ordinance commitment. Mayor Dieguez clarified that Ms. Herrera's statement was not accurate and the Town Council deferred the item. Ms. Herrera stated it was a deferral because Town Council said they were not willing to delete the items as part of the application and read an email sent from Attorney Mr. Javier Vazquez to Deputy Town Attorney Lorenzo Cobiella. Ms. Herrera asked the Town Council to defer this item. She recognized The Grahams right to develop. She then questioned if Live Local supersedes existing ordinances and covenants within the attached parcels. She further stated that they can coexist; Live Local does not act as a blanket nullification of private or quasi-judicial covenants, both the 2017 ordinance and 2019 resolution passed under quasi-judicial, she explained under the threat of Live Local we are governed and covered by the State of Florida. Ms. Herrera asked Town Council to legally look at the proposals that were proffered.

There being no further public comments, Mayor Dieguez closed the public hearing. The Town Clerk asked participants Amy and Mr. Abel Fernandez who were participating via zoom if they wished to speak. Ms. Amy did speak and Mayor Dieguez reopened the public hearing on account of some technical difficulties related to those that are appearing virtually.

Ms. Amy participated via zoom before the Town Council to participate in Public Comments. She shared her thoughts on how Ms. Hilda Fernandez and Ms. Susana Herrera spoke, representing how many of our residents feel in the town. She requested the Town Council to defer this vote and to do our due diligence and

contact and speak with Land Use attorneys and find out what our rights are and investigate this further because it does not benefit our town or our elders.

There being no other public comments, Mayor Dieguez reclosed the public hearing.

Mayor Dieguez moved to adopt the proposed FLUM Amendment, Ordinance in second reading. Councilmember Herzberg seconded the motion.

Mr. Javier L. Vazquez stated there is no rebuttal and he closed his presentation. He explained that this item comes before the Town Council with a recommendation of approval from the Planning staff, Planning and Zoning Board and that he respectfully requested the approval from Town Council.

Mayor Dieguez began discussion and asked Deputy Town Attorney Cobiella to come up to the podium. He referenced the two (2) Ordinances, 17-206 and 17-207 that were mentioned by Ms. Susana Herrera and Mrs. Hilda Fernandez, regarding the rights that the Town has with respect to approvals that were given in the past. Mayor Dieguez stated Ordinance 17-206 dealt with the FLUM Amendment and Ordinance 17-207 dealt with the Rezoning item.

Mayor Dieguez then read into the record condition #5 from Ordinance 17-206,

“As proffered in the applicant’s letter of interest attached to their application, they shall donate 1.3 acres of land to include the completion of an appropriate 6,000 square foot building with completed exterior finishes in fulfillment of the small park concurrency requirement prior to the issuance of any certificate of occupancy issued to the property described in exhibit A herein.”

Mayor Dieguez then added that if you look at Ordinance 17-207 in the same paragraph, condition #5, it contains the exact same condition. Mayor Dieguez asked Deputy Town Attorney Cobiella if that is still enforceable today. Deputy Town Attorney Cobiella explained that the provisions that you see there, were done by another legal counsel that was representing the Town Council, that they cut and pasted those sections, seen again in the resolution that approved the site plan and that is really a condition for, germane to the site plan, where it stated for the applicant to meet what was at that time, considered the requirement for the small park concurrency and the large park concurrency, which was the donation of the land and the build out of the Senior Center. He explained that was for the applicant to be able to build and obtain the Certificate of Occupancy and since they did not move forward on that Site Plan, those conditions then extinguish, they are not covenants that run with the land.

Mayor Dieguez referenced Resolution 17-455 where that condition also appears as condition #5 and clarified what Deputy Town Attorney Cobiella stated; that the legal counsel at the time copied and pasted all these conditions across all these documents, the two (2) ordinances and resolutions even though you cannot condition rezoning. Deputy Town Attorney Cobiella provided an explanation regarding the Certificate of Occupancy. Mayor Dieguez asked if there was anything that would have extended the Site Plan approval that would have expired June 6, 2019. Deputy Town Attorney Cobiella, Town Manager Pidermann and Mr. Javier L. Vazquez affirmed they were not aware of any extensions. Mayor Dieguez confirmed these provisions are no longer applicable.

Mayor Dieguez stated there is a draft of declaration of restrictive covenants for senior housing and asked if there are any other covenants that Deputy Town Attorney Cobiella or Ms. Nancy Strouse or anyone else handled in that time. Deputy Town Attorney Cobiella stated he was not aware of any other covenants. Mayor Dieguez stated this covenant is strictly on the housing and has nothing to do with the small park land or the small park concurrency. Attorney Cobiella added that based on Florida case law and how it views a covenant, that he strongly believes that that would be enforceable, as to the age restriction not related to the senior center. Deputy Town Attorney Cobiella further confirmed that no covenants were recorded to his knowledge and that stated that is why future documents will be recorded by the legal firm.

Mayor Dieguez stated that under the circumstances in the legal framework that they find themselves, the best thing to do is to approve the FLUM Amendment, along with what has been proffered. He explained everything the Applicant is offering is a public benefit, that they have come up all the way to the full, asking for the full value of the appraisal, that money will help get the seniors their Senior Center now, instead of waiting for the money to come in from somewhere else. Secondly, Mayor Dieguez mentioned in respect to the down zone and the agreeing to the additional covenant now with respect to the total number of units, it is a very fair concession to the town. Mayor Dieguez stated that the Applicant, by keeping this footprint, allows them to keep the heights to no more than five stories. Mayor Dieguez mentioned that under Live Local Act, depending on what the Applicant does, we lose 75% of the property tax revenues that we can generate. He added this is in the best interest of our town and those rights that those residents are asking us to enforce just do not exist.

Mayor Dieguez reiterated his motion to move to approve the FLUM Amendment and why he will be voting, along with the reasons provided by the Town staff report and by the Planning and Zoning Board, to go ahead and advance all aspects of this approval.

Councilmember Herzberg stated he agrees with the Town attorneys that the only thing we have that is enforceable is the 55 and over age restriction and spoke about voting no on the item and the gamble not being worth, and spending

hundreds of dollars on litigation. He further added, it makes sense to approve the item because we are getting a down zoning with what the Applicant is allowed to do and that they are providing a benefit with the Senior Center funding.

Councilmember Fernandez shared his opposition to the project but that if there was a way to avoid this project, it would have been found. He mentioned staff and town attorneys being affected by the traffic, but the Applicant has rights.

Councilmember Garcia spoke about the original plan for the Senior Village, traffic concerns, the promise to the residents of the Senior Center and comprises the Applicant can make to change his vote.

Councilmember Cuadra Garcia echoed what Councilmember Garcia stated and requested a traffic study to be done because this will affect the Applicant and The Grahams once they build. He mentioned we must prepare correctly for traffic coming out in the morning and going in at night and that we should give the item more consideration.

Councilmember Fernandez moved to extend the meeting by an hour. Councilmember Garcia seconded the motion. All were in favor.

Councilmember Sanchez spoke about cases of municipalities asking for a donation of land, his sentiments about the Senior Village not coming to fruition and that he will be voting yes on the item. He added he would not be calling a bluff here where it can have a massive ripple effect of almost six figures worth of apartments and double the cars compared to what is being proposed.

Vice Mayor Morera shared his opposition to the project, as a corporate attorney he would advise the Applicant to do exactly what they are doing, he clarified that Live Local is workforce housing, he shared his opposition to gambling with the public interest. He stated the consequences of voting no on this item are too great, he mentioned the differences between the Senior Village and Senior Center and the Applicant intending to go Live Local if the Town Council says no. Vice Mayor Morera stated that he will vote yes on this item.

Deputy Town Attorney Cobiella provided a point of clarification on the motion. He stated the motions on this item travel together, including the Rezoning and Site Plan and regarding condition #4, the Applicant is proffering a covenant which is in the FLUM Amendment, and he stated that it was going to be removed from the FLUM Amendment and that it is going to appear in the Site Plan, which states, that for any reason the Site Plan does not go through, the covenant proffers that for the next ten (10) years the Applicant will not build anything more intense than 541 units. Mr. Javier L. Vazquez clarified that the Town Council's motion would need to include striking condition #4 from the FLUM item.

Mayor Dieguez moved to amend the existing motion to strike that the covenant from the FLUM Amendment, condition #4. Vice Mayor seconded the amendment. The motion passed 5-2. Councilmember Cuadra Garcia and Councilmember Garcia voted in opposition.

Then, the Town Clerk called the roll and the main motion, the ordinance in second reading, item 14B, as amended, passed 5-2. Councilmember Cuadra Garcia and Councilmember Garcia voted in opposition.

**c. ZONE 2026-0007 Rezoning (Alonso)**

**QUASI-JUDICIAL PUBLIC HEARING -**

Please be advised that the following items on the Board's agenda are quasi-judicial in nature. An opportunity for persons to speak on each item will be made available after the applicant and staff have made their presentations on each item. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you do not wish to be either cross-examined or sworn, your testimony will be given its due weight. The general public will not be permitted to cross-examine witnesses, but the public may request the Board to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. Any person presenting documents to the Board should provide the Town Clerk with a minimum of 10 copies. Further details of the quasi-judicial procedure may be obtained from the Clerk.

**HEARING NUMBER:       ZONE2026-0007**  
**APPLICANT:             The Graham Companies**  
**FOLIO:                   32-2022-070-0010**  
**32-2022-068-0010**  
**32-2022-068-0020**

**32-2022-068-0030**

**LOCATION: 14610 Oak Ln. MIAMI LAKES, FLORIDA 33016**

Town Attorney Gastesi read the quasi-judicial instructions into the record.

The Town Clerk swore in all individuals who provided public testimony and stated Town Council provided their ex-parte communications for item 14C.

Mr. Javier L Vasquez, attorney from Gunster, Yoakley & Stewart, P.A. Law Firm stated his presentation from the first reading of the ordinance, is incorporated by

reference as it relates to the comments made with the ordinance for the FLUM Amendment and incorporating those with the FLUM Amendment, and he stated that any motion for approval would have to include the striking of the conditions that relates to any covenant and limiting to 541 units, under #4 in the Rezoning application.

Principal Town Planner Alonso presented the Town staff report. She stated this is a Rezoning amendment for all 22.5 acres to RM30, as stated in the previous hearing, and that staff is recommending approval.

Mayor Dieguez opened the public hearing.

Ms. Hilda Fernandez came before the Town Council to provide public testimony. She spoke about concerns regarding a covenant presented to the previous Council in 2019 and requested to uphold the promise for the Senior Center.

Ms. Susana Herrera came before the Town Council to provide public testimony. She spoke about concerns regarding a covenant presented to the previous Council in 2019 and requested to uphold the promise for the Senior Center.

Ms. Amy participated via Zoom to provide public testimony. She spoke about her concerns regarding the covenant and contradicting remarks made by the Town Attorneys and asked to see what we can do to bring back the spirit of the original agreement for the Senior Center.

There being no further public testimony, Mayor Dieguez closed the public hearing.

Deputy Town Attorney Cobiella made a point of clarification regarding the December 10<sup>th</sup>, 2019, Town Council meeting and the Applicant Site Plan amendment conditionally approved by Town Council. Mayor Dieguez stated he did not ask about 2019, he clarified that he was asking if there was a second covenant related to something that requires the Applicant to donate land for the Senior Center. Town Attorney Gastesi stated there was no second covenant in 2017. Mayor Dieguez stated he was asking specifically in 2017, whether there was another covenant that concerned the requirement that The Grahams had to turn over land and a building to the Town. He further stated that regardless, even with the approval from 2019, it expired two years later because there was no form of extension and The Grahams did not request an extension.

Mayor Dieguez moved the item based on the staff report, incorporated into the record all the applicable references that have been given to approve the Rezoning that is being requested, with the added language that we remove condition #4 from the approval because it is inappropriate there, since again, you cannot have contract zoning. Vice Mayor Morera seconded the motion. After further discussion, Mayor Dieguez moved to call the question. Vice Mayor Morera seconded the motion. The motion to call the question passed 5-2. Councilmember Cuadra Garcia and Councilmember Garcia voted in opposition.

Then, the Town Clerk called the roll and the motion to approve Item 14C, ordinance in second reading, passed 5-2. Councilmember Cuadra Gacia and Councilmember Garcia voted in opposition.

## **15. RESOLUTIONS:**

### **A. Site Plan Approval (Alonso)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, PERTAINING TO A REQUEST IN ACCORDANCE WITH SECTION 13-304(h) OF THE TOWN OF MIAMI LAKES LAND DEVELOPMENT CODE FOR A SITE PLAN APPROVAL AS PROVIDED AT EXHIBIT "A"; FOR THE PROPERTY LCOATED ON THE WEST SIDE OF COMMERCE WAY AND N.W. 146<sup>TH</sup> STREET, AS MORE PARTICULARLY DESCRIBED AT EXHIBIT "B", BEARING FOLIO NOS. 32-2022-070-0010, 32-2022-068-0010, 32-2022-068-0020 AND 32-2022-068-0030; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FINDINGS; PROVIDING FOR VIOLATION OF CONDITIONS, PROVIDING FOR APPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Javier L Vasquez, attorney from Gunster, Yoakley & Stewart, P.A. Law Firm provided a presentation for the Site Plan.

Deputy Town Attorney Cobiella confirmed what Mr. Javier L Vasquez said regarding condition #2, which is in the Site Plan, for this to be stricken and condition #4 is to be stricken as well.

Condition #2. "The applicant shall either pay the 'large park' concurrency impact fee, to be calculated at the time of permitting, pursuant to Chapter 33H of the Miami-Dade County Code of ordinances, or donate a minimum of 2.83 acres of land to contribute to a large park, with said impact fee/donation to be tendered prior to the issuance of any building permit issued to the property described at Exhibit "B" of the Resolution".

Condition #4. "The project shall include pedestrian access through the lake walk North, to allow the residents a path to access Veterans Park and NW 154 St business".

Deputy Town Attorney Cobiella stated that condition #8 should read the following way:

"The applicant shall make best efforts to obtain all required permits within one year of the date of this approval. If the applicant is unable to obtain all required building permits within a one-year period, the town shall automatically extend the applicant an additional one year.

If all required building permits are not obtained within the prescribed two-year period or if an extension is not granted within the prescribed time limits, this approval shall be null and void.”

Deputy Town Attorney Cobiella stated with regards to condition #12, in conversations with the Town Manager, he prefers that instead of Edward Pidermann, where it states, “In accordance with the Town of Miami Lakes Code of Ordinance, Edward Pidermman...” to replace Edward Pidermann with, “The Town Manager shall have the authority to accept and execute any necessary documents to receive the trust funds on behalf of the Town of Miami Lakes.”

Deputy Town Attorney Cobiella further stated regarding condition #13, “it is a maximum of 541 units for a period of 10 years following the rendering of the resolution”.

Mayor Dieguez moved the item with the changes proffered by Deputy Town Attorney Cobiella. Councilmember Sanchez seconded the motion.

Vice Mayor Morera requested confirmation on where to find the part about the covenant for limiting the Site Plan to 541 units, if for some reason the Applicant does not build anything. Deputy Town Attorney Cobiella affirmed the request and stated the copy of the resolution that was provided to Town Council, it would be condition #13 that was added, and he read the following condition into the record,

“The applicant voluntarily proffers to provide the town with a covenant that shall be delivered to the town within 30 days of the site plan execution and that will bind the development to a maximum of 541 units for a period of 10 years following the rendering of this resolution.”

After discussion, Councilmember Herzberg requested clarification regarding the transfer funds on condition #11. Deputy Town Attorney Cobiella affirmed his request and read the following condition into the record,

“The applicant shall tender the amount of \$1,560,000 to the Gastesi, Lopez, Mestre and Cobiella trust account within 15 days of the execution of this resolution. After the expiration of all applicable appeal periods, the Gastesi Lopez, Mestre and Cobiella law firm shall remit the trust funds to the Town of Miami Lakes, the trust fund may then be used to achieve any municipal purpose.”

Town Attorney Gastesi requested to add a sentence to the end of condition #11 so that it reads, “The funds are non-refundable.”

Mayor Dieguez moved to extend the meeting by another hour. Councilmember Garcia seconded the motion. The motion passed unanimously.

Sr. Executive Vice President and President of Graham Residential, Mr. Luis Martinez came before the Town Council to provide an explanation as to why condition #4 was stricken and Deputy Town Attorney Cobiella explained why condition #2 was stricken.

After further discussion the Town Clerk called the roll and the motion passed 5-2. Councilmember Garcia and Councilmember Cuadra Garcia voted in opposition.

**B. Transportation Master Plan (Alonso)**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, ADOPTING THE MIAMI LAKES COMPREHENSIVE TRANSPORTATION MASTER PLAN – ADOPTED PLAN DATED MARCH 6, 2026; PROVIDING FOR PURPOSE AND INTENT; MAKING FINDINGS; ESTABLISHING IMPLEMENTATION DIRECTION, PRIORITIZATION, AND FUNDING ALIGNMENT; DIRECTING THE TOWN MANAGER TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Garcia moved the item. Vice Mayor Morera seconded the motion. The motion passed 7-0.

**16. NEW BUSINESS ITEMS:**

**A. Annual Facility Permit (Sanchez)**

Councilmember Sanchez deferred this item to the next Regular Council Meeting.

**B. Veteran Funds (Sanchez)**

Councilmember Garcia moved to waive Section 7.2 of the Special Rules of Order and Councilmember Herzberg seconded the motion and all were in favor.

Councilmember Sanchez presented his item and moved to direct 25% of the net proceeds from the annual Reindeer Run to American Legion Post 144 and that \$2,000 be reallocated from the Arbor Day Tree Planting Ceremony to fund the Town's Memorial Day observance. Vice Mayor Morera seconded the motion.

Veterans Committee Chair, Mr. William Perez, provided additional background information and clarification regarding the proceeds from the annual Reindeer Run going towards the American Legion Post 144.

There being no further discussion, the motion passed unanimously.

## **17. MAYOR AND COUNCILMEMBER REPORTS**

### **A. Update on Federal Appropriations Request**

\*During the Order of Business, Mayor Dieguez moved to add items 17A and 17B under Mayor and Councilmember Reports. Councilmember Garcia moved to approve the New Order of Business. Vice Mayor Morera seconded the motion. The motion passed unanimously.

Mayor Dieguez presented his report and stated that Congressman Mario Diaz-Balart has submitted \$18 million worth of projects for the Appropriations Committee to consider for our benefit. That includes money for the Senior Center, the septic to sewer conversion and the 82<sup>nd</sup> Ave Drainage project.

### **B. Letter Regarding Property Taxes**

\*During the Order of Business, Mayor Dieguez moved to add items 17A and 17B under Mayor and Councilmember Reports. Councilmember Garcia moved to approve the New Order of Business. Vice Mayor Morera seconded the motion. The motion passed unanimously.

Mayor Dieguez presented his report and stated that Commissioner Raquel Regalado addressed the issue of property tax reform or changes to the legislature at her commission meeting and proposed that instead of doing a constitutional amendment vote and doing away with every single type of property taxes, to give cities the option to do more exemptions. Mayor Dieguez stated that once he gets more information, he would like to have a letter penned and submitted to the relevant parties asking to adopt Commissioner Raquel Regalado's proposal.

**18. ADJOURNMENT:**

There being no further business to come before the Town Council, the meeting was adjourned at 12:07 am.

Approved this 19<sup>th</sup> of May 2026.

  
\_\_\_\_\_  
Joshua Dieguez, Mayor

Attest:

  
\_\_\_\_\_  
Gina M. Inguanzo, Town Clerk