



To: Chief Edward Hudak, for the City of Coral Gables

From: Miriam Soler Ramos, City Attorney for the City of Coral Gables

A handwritten signature in blue ink, appearing to read "MSR", is written over the "From:" line.

RE: Legal Opinion Regarding Sexual Offender - 1105 Wallace Street

Date: June 4, 2018

It has been brought to the City's attention that a registered sexual offender moved into 1105 Wallace Street approximately four weeks ago. Pursuant to Section 775.215, F.S., a sexual offender is prohibited from residing within 1,000 feet of a school, child care facility, park, or playground. By joint resolution of the City Commission on April 26, 2016, 1047 Venetia Avenue was purchased, for the express purpose of establishing a park, and designated as such. The residence located at 1105 Wallace Street is within 1,000 feet of 1047 Venetia Avenue. Therefore, as a sexual offender subject to the restrictions under section Section 775.215, F.S., Eduardo Sandoval is prohibited from residing at 1105 Wallace Street.

Mr. Sandoval is a designated "Sexual Offender" as a result of his adjudications stemming from two separate sexual offenses and thus, pursuant to Section 943.0435, F.S., is required to register as a sexual offender with the Florida Department of Law Enforcement's ("FDLE") database established for that purpose. The aforementioned FDLE sexual offender/sexual predator database confirms the nature of Mr. Sandoval's two adjudications. The first adjudication, under Florida Statutes section 800.04(5)(c)2., was for Lewd or Lascivious Offenses Committed upon or in the Presence of Persons Less Than 16 Years of Age. The second was an out-of-state conviction for criminal sexual contact of a minor in the third degree. The FDLE database lists Mr. Sandoval's residence as 1105 Wallace Street.

The City purchased 1047 Venetia Avenue with the express purpose of establishing a park on April 26, 2016, as authorized by Resolution 2016-113. Simultaneous with the purchase of 1047 Venetia Avenue, the City, in Resolution 2016-113, designated that parcel of land was to be used as a park. At the time of purchase, 1047 Venetia Avenue had a house on the property. The City demolished the structure, cleared the land of rubble, and installed sod on the property. This first set of improvements on the property were effectuated to promote the intended and designated purpose of the land—a park for public use. Since the purchase, the City has been working to add playground equipment and other improvements for the use and enjoyment by the public and

children at this park and has procured cost estimates and well as plan schematics in order to do so. The park is named "Venetia Park."

In conclusion, by residing at 1105 Wallace Street, Mr. Sandoval is violating Sec. 775.215, F.S. and the Coral Gables Police Department should proceed to enforce the statute.

This opinion is issued in accordance with Sec. 2-252(e)(1) and (8) of the City Coral Gables Code, giving the City Attorney the authority to issue opinions and interpretations of behalf of the City.

From: [Ramos, Miriam](#)
To: [Paulk, Enga](#)
Cc: [Throckmorton, Stephanie](#); [Ceballos, Gustavo](#)
Subject: FW: Sexual offender - 1105 Wallace Street - opinion
Date: Monday, June 04, 2018 10:20:10 PM
Attachments: [image001.png](#)

Enga, please publish.

Miriam Soler Ramos, Esq., B.C.S.

City Attorney

*Board Certified by the Florida Bar in
City, County and Local Government Law*

City of Coral Gables

405 Biltmore Way, 3rd Floor

Coral Gables, FL 33134

(305) 460-5218

(305) 460-5084 direct dial



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From: Ramos, Miriam
Sent: Monday, June 04, 2018 10:19 PM
To: Hudak, Edward <ehudak@coralgables.com>
Cc: Fernandez, Frank <ffernandez@coralgables.com>; Swanson-Rivenbark, Cathy <cswanson@coralgables.com>; Israel U. Reyes (ireyes@reyeslawfirm.com) <ireyes@reyeslawfirm.com>; Christopher Reyes <creyes@reyeslawfirm.com> (creyes@reyeslawfirm.com) <creyes@reyeslawfirm.com>
Subject: Sexual offender - 1105 Wallace Street - opinion

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