

City of Coral Gables City Commission Meeting
Agenda Item F-9
April 16, 2024
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Amos Rojas, Jr.

City Clerk, Billy Urquia

Assistant City Attorney, Gus Ceballos

Public Speaker(s)

Agenda Item F-9 [4:32 p.m.]

An update from staff regarding 30 Leucadendra Drive
(Sponsored by Mayor Lago)

Mayor Lago: Moving onto item F-9. This is a simple one, and I appreciate our legal team who, if I may, you guys have worked tirelessly on this effort and I can't remember the dates, because it seems cloudy and thank you Doug, also. How many years have we been working on this already?

Assistant City Attorney Ceballos: In terms of Code Enforcement, at least a few years now, three or four.

Mayor Lago: This is supposed to be, and I apologize, not only 30 Leucadendra, this is also supposed to be Journeys End, which deals with the basketball player's house. Can you give us a quick briefing. I know you may not have all the information in your hand. I, along with my colleagues on the Commission, we don't stop hearing from residents in regard to this matter. I know that our hands are tied in certain aspects, but what is the latest and what can we do, because

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I feel that when I speak to a resident and I tell them, I'm sorry, but there's nothing else we can do, we're going through the process. They've come to the point after three or four years of having to live with a home like this next to them that they are just frustrated. Like I said, thank you in advance. You guys have done a great job, very responsive, but I just want to kind of get it in the air.

Assistant City Attorney Ceballos: No worries. Good afternoon Mr. Mayor, Vice Mayor, Commissioners, Assistant City Attorney Gus Ceballos. So, in regard to 30 Leucadendra, it is a bit of a unique property. So, we've had multiple tickets, multiple notices of violations, assessment liens. They went most recently in 2024, in February and they were found guilty again for work without a permit. The property for the most part sits right now abandoned. The issue with the property is the fact that there are multiple judgements on the property that are not our judgements; judgements that deal with cases that are outside of our control that frankly exceed what we believe is the estimated value of the property. So, what does that mean for us? Our first option, we can always look into foreclosure, but from our understanding there is a possibility that the property lost Homestead exemption but has now reclaimed it. So that poses a challenge for that option. Option 2 is something we've done in the past which is, we seek an injunction action and hopefully we can appoint a Receiver. The problem with that is, once again, the current outstanding judgements against the property exceed the value of the property. So, the judge would have to grant the receivership senior priority over those judgements in order to get any sort of funds for the Receiver and for any necessary repairs, which is I think a tall order. Currently the property does not seem to be an unsafe structure, so we cannot go that route and seek demolition. It's frankly, it's just overgrown grass, it's not a very good-looking home and it looks like its in the middle of work being done but has ceased. In regard to 9440, I didn't bring any documentation in regard to that one. That one, there is progress, moving forward it is slow, but there is progress being made, as opposed to 30 Leucadendra, right now it sits as a standstill, but we kind of have our hands tied on that one.

Mayor Lago: Are we cutting the grass for them at Leucadendra?

Assistant City Attorney Ceballos: Whenever the property gets to a certain point, we go out there and we'll do a clearing. We have actually a few different assessment liens on the property from 2022 and 2023 specifically for that one here, particularly \$1,500 on 2023, to mow the overgrown grass and the dead trees on the private property.

Mayor Lago: They are in full-fledge foreclosure, right.

Assistant City Attorney Ceballos: I don't know. I don't believe that there is any sort of foreclosure proceedings. The problem is that the owners, we're not able to get in contact with the owners.

Mayor Lago: And they pay their taxes, there's no tax liens on the property, they are up to date.

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Assistant City Attorney Ceballos: To my understanding they are.

Mayor Lago: Okay. I'm just saying, for my colleagues that don't know, this is a very frustrating kind of junction that we're in. We've gotten to a crossroad. I don't know what else to do, and I feel that – I've asked for expert legal advice, they all revert back to exactly what you said. There is nothing else that we can do.

City Attorney Suarez: So, Mayor, we'll continue to evaluate. We closely monitor this one and we will continue to evaluate, and we'll continue to see what other potential options we may have to bring enforcement action.

Mayor Lago: Remember what I said three minutes ago.

City Attorney Suarez: I know.

Mayor Lago: You guys have done above and beyond, okay. I want to build everybody up. I would never try to disparage anyone here. You guys have done an incredible job. The issue is that the residents see it, but the level of frustration, especially in a community like Gables Estates, its gotten to the point where it's boiling over, and I feel like we don't have an answer. Outside of grabbing the Commissioners here and painting it, like we did St. Mary's Baptist Church ten years ago, when we went out there and did service with Baptist Hospital, what else can we do to fix it up, because its just disrespectful to the community to see it in that condition. And the idea of saying, hey listen, throwing up our hands and we can't do anything, it makes us look like we're incompetent. I'm just telling you, people tell me, Vince, people are getting frustrated, they view the city. Several of my lawyers, I said, "You know the law, you know the situation that we're in. Madam Vice Mayor.

Vice Mayor Anderson: So, a couple of questions. What type of liens are on the property?

Assistant City Attorney Ceballos: So, there are two judgement liens from cases that I'm not aware of what the merits of the case are, but there is one for \$6.8 million, another one for \$4 million, so roughly \$14.8 million-plus interest, and another \$200,000 in attorneys. The Zillow estimate on the property is \$14.7, the Property Appraiser's market value is \$12 million, so the liens currently exceed the value.

Mayor Lago: How about the city liens. What have we got?

Assistant City Attorney Ceballos: City liens are not that substantial. We have a few assessment liens in a couple thousand dollars. We have had a running fine of \$200 a day, which is higher than our normal \$150 for residential, running since January of last year, so you are looking at a fair amount of money there, probably \$70,000-plus.

Mayor Lago: I leave it up to your discretion and the City Attorney. I leave it up to them, but I want to be very careful what I say, but just in case somebody comes in and buys this property, I know

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we want to settle things as quickly as possible, but sometimes you've got to be very careful with these liens. That's all I want to say. I don't want to say too much. Madam Vice Mayor, I forgot, I'm sorry, I interrupted you. I apologize. You were saying something.

Assistant City Attorney Ceballos: I can look into the liens and the specific judgements, and I can provide you with that information.

Vice Mayor Anderson: Yes, I'd like to sit down and talk with you. We don't have to do it here on the dais.

City Attorney Suarez: We can do that, certainly.

Vice Mayor Anderson: I have some ideas, but we'll continue this off.

Commissioner Fernandez: I guess the only question I had, they are paying their taxes, does that mean that they are getting the tax notice or is it being done through a bank.

Vice Mayor Anderson: You can pay online.

Commissioner Fernandez: Right. But that would probably mean that they are getting the tax notice. Are we sending that lien information on the tax notice?

Vice Mayor Anderson: No. You don't have to get the notice. You can literally inquire online from Alaska if you want to.

Assistant City Attorney Ceballos: I can look into it, but my understanding is they are paying real estate taxes.

Mayor Lago: Okay. Alright. Listen, I just wanted to put it on the record and I think it would be an opportunity for us to potentially maybe, I'll go out with someone from your office or if one of my colleagues wants to go out there, more than willing, just to maybe meet with the association and kind of give them an update or we can write them an email, if you want to save the time, but I think a face to face meeting is appropriate, especially after three or four years of dealing with this headache. I think its worth it and if we can work with my office to kind of coordinate maybe a breakfast in front of the property with some of the residents so they kind of know at least we're trying our best and memorialize everything that we're going through and what our next steps are.

City Attorney Suarez: Understood.

Assistant City Attorney Ceballos: We can do that.

Mayor Lago: Okay.

Assistant City Attorney Ceballos: Thank you.

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