

City of Coral Gables City Commission Meeting
Agenda Items F-4 and F-5 are related
March 27, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Pat Keon
Commissioner Vince Lago
Commissioner Frank Quesada
Commissioner Michael Mena

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Assistant City Attorney, Stephanie Throckmorton
Parking Director, Kevin Kinney

Public Speaker(s)

Agenda Items F-4 and F-5 are related [1:47:37 p.m.]

F-4: An Ordinance of the City Commission of Coral Gables, Florida amending the City Code, Chapter 74 entitled “Traffic and Vehicles,” to include additional definitions; additional prohibitions; additional provisions; providing for administrative appeal procedures; providing for a repealer provision; severability clause, codification and providing for an effective date. (Sponsored by Commissioner Lago).

F-5: An Ordinance of the City Commission of Coral Gables, Florida amending the City Code, Chapter 1-General Provisions, Section 1-7 entitled “Penalties,” to include additional penalties for violations of Chapter 74, entitled “Traffic and Vehicles,” providing for a repealer provision, severability clause, codification and providing for an effective date. (Sponsored by Commissioner Lago).

Mayor Valdes-Fauli: F-4 and F-5.

City Attorney Ramos: F-4 is An Ordinance of the City Commission of Coral Gables, Florida amending the City Code, Chapter 74 entitled “Traffic and Vehicles,” to include additional definitions; additional prohibitions; additional provisions; providing for administrative appeal procedures; providing for a repealer provision; severability clause, codification and providing for an effective date. This is essentially bringing the parking code, the first step to bringing parking in house. It is establishing the City of Coral Gables Parking Code and I’ll turn it over to Assistant City Attorney Throckmorton and the Parking Director.

Assistant City Attorney Throckmorton: I believe the Parking Director has a presentation.

Parking Director Kinney: I would just say that the most important thing to remember, this is a first step in a process. I do have a brief overview presentation if you would like.

Mayor Valdes-Fauli: Yes very much so.

Parking Director Kinney: So currently, the City of Coral Gables issues approximately 100,000 parking citations every year. The system or the five most common violations are of course expired meters, restricted prohibited parking and restricted or prohibited spaces, expired tags, obstructing traffic, and then handicap ADA violations, those are the five most common violations we issue. This whole system, the issuance, the collection, the appeal process is all run by the County. Our staff only puts the ticket on the vehicle; everything else is done by the County, including setting the fines, determining how the appeals process happens. If you want to appeal currently you have to go downtown Miami and set a hearing in the court system there. And, then once the County collects the fines, a portion of it is given back to the City. Just to give a rough idea, an \$18 expired meter citation, if it’s collected by the County we get \$8.40. Bringing the process in-house, there are several steps. The first step of course is establishing a parking enforcement code, which the City Attorney’s office and I have been working on and it’s the document that’s before you today. We will need to create an appeals process. It will be an administrative process; our plan is to make it very simple and easy to use. In fact, there will probably be a box where you can check the box and tell the hearing officer. I would like you just to decide on the documents I provided and my statement. And then if you do want a hearing, the hearing will be, you are told when you have to show up. There will be some flexibility and it will be within Coral Gables. You won’t have to go downtown Miami.

City Attorney Ramos: And, Section 7430 of the First Reading Ordinance addresses the appeals procedure from a codification standpoint.

Parking Director Kinney: We will have to go out and procure a system to manage citations, the issuance tracking, collection, notice and appeals process. There are several vendors out there,

including the vendor that the County uses that we would be able to pick from, but this procurement process would have to be taken, which I'm going to say is probably at least a three-month process. We would acquire equipment, including an LPR license plate recognition system that would be mounted on a vehicle, so that we could – it reads all the license plates that you are driving around, that way if there are scofflaw people who are ignoring parking violations, we would be able to locate them and deal with the scofflaws. We will have to hire an administrative person to oversee the whole process. That's probably the only one fulltime person that's probably adequate for this purpose.

Assistant City Attorney Throckmorton: And, the appeals process could use the hearing officers that have already been selected through the City Manager's office and our office. We already have a...of appealing officers who are available to hear these appeals.

Parking Director Kinney: And, they would probably get a stack of 40 or 50 of them at a time. It would be a process. Our goal would be to make it as user-friendly as possible as compared to what the current system is. Then of course we have to speak with the County. There is at least a 90 day notice that we need to provide the County. Probably if this goes through today, we will make an initial contact with the County just to see how they respond to what our proposal is. There are essentially three major advantages I see to bringing this in-house. The first of course is that the administrative appeals process would be within the City of Coral Gables. We would not require residents to go downtown Miami to dispute or contest a parking violation. The fines that we impose would be set by the Commission, as opposed to being dictated by the County. There are cities within the County that would like fines to be significantly higher than they are. I will tell you, I think it was about two years ago now, there was a request from the League of Cities for a resolution from the Commission supporting increasing parking fines. There was no specific mention of what the proposed fine amounts were, so the Commission chose not to pass that resolution at the time and I'm told by the County that we are the only city, who didn't support the resolution to increase the fines across the board. But if we bring it in-house, we would be setting our own fines at the level that we felt was appropriate. Then the last item, I mentioned that on an \$18 dollar fine, we get \$8.40. The revenue sharing that goes to the County would remain within the City to be spent on services within the City of Coral Gables. So those are the three major advantages.

Mayor Valdes-Fauli: What economic impact would it have on us and how much more will we get?

Parking Director Kinney: Gross revenue is estimated at about a million dollars. Now we are talking about hiring an additional staff person and we would have to fund the appeals process, but those are nominal numbers.

Assistant City Attorney Throckmorton: The Finance Director has to do the full evaluation between First and Second Reading to provide you guys with the full financial impact.

Commissioner Lago: And that would be, obviously without having a discussion about raising the rates of citations, which is happening on many municipalities around us. But first off, thank you Kevin, thank you for the presentation. This is something that I've been working on with staff for probably about a year and change now; and I think it's a great opportunity to not only bring pretty significant revenue to the City, but also provide us, like Kevin said, with a much simpler process that will benefit our residents. We would be able to set the fine amount; and obviously the influx of additional revenue. But, I also thought it would be a good opportunity for us to discuss with that additional revenue we could be a little bit creative with that money. Obviously, we are going to the coffers of the City, but we as elected officials could potentially do something for the residents who live in the City of Coral Gables. Like for example, we could give maybe free parking during Christmas for a day or two or we could give a day of free parking during Thanksgiving or during spring break or whatever that may be. I think it gives us a lot more flexibility besides the obvious fact of the million dollars that would be coming into the City of Coral Gables. I'm happy to see it before us.

Mayor Valdes-Fauli: Do I hear a motion?

City Attorney Ramos: This is a public hearing item sir.

Mayor Valdes-Fauli: What?

City Attorney Ramos: This is a public hearing item.

Mayor Valdes-Fauli: OK. Anyone from the public who wishes to be heard?

Commissioner Lago: And by the way, this is just one of multiple steps that we've taken, we've discussed this before. The next discussion will be about, what are we doing to manage our congestion and the massive delivery trucks that are entering our downtown area and how are we going to address that? We already had that come before us one time with increased citations and it's on here right now also.

Mayor Valdes-Fauli: Alright. Do I hear a motion?

Vice Mayor Keon: So moved.

Commissioner Lago: Second.

Mayor Valdes-Fauli: Will you call the roll please.

Commissioner Lago: Yes

Commissioner Mena: Yes

Commissioner Quesada: Yes

Vice Mayor Keon: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

Mayor Valdes-Fauli: Thank you very much, thank you.

Commissioner Lago: Kevin along with our legal team, you guys did an exceptional job. Are we the first City in Miami-Dade County to do this?

Parking Director Kinney: Yes. All of the cities within the County are under the countywide system. As far as I know, we are the only county in the State of Florida that is managed that way.

Commissioner Quesada: Don't we have a contract with the County?

Parking Director Kinney: There is a 90-day notice requirement to get out of the interlocal agreement. We have not spoken with them, so we are not sure if they are going to bring an objection, but now that we passed it on First Reading we probably will reach out and just see...

Commissioner Quesada: OK.

Assistant City Attorney Throckmorton: Commissioner if you look at the effective date, it says the effective date for this code will be when we take over full administrative and enforcement duties from the County. So, we have built in time to get ourselves out of whatever notice provisions or contracts we need to.

Commissioner Quesada: OK. Sounds good. Thank you.

Assistant City Attorney Throckmorton: We have a second related ordinance.

Vice Mayor Keon: Can I ask a question, it's not with regard to this, but with regard to the item that was before us on a parking plan that included the valet stations downtown, where are we with that?

Parking Director Kinney: It is in Procurement. I don't see Celeste, but I will follow-up right away.

Assistant City Attorney Throckmorton: And, this code doesn't address the sections of the code about valet, given...

Vice Mayor Keon: I know. I just wondered where we were with the valet that we will take over all of the valet in the City that was one of the provisions.

Parking Director Kinney: Everything within the Central Business District.

Vice Mayor Keon: Right.

City Manager Swanson-Rivenbark: Other than hotels.

Vice Mayor Keon: Other than hotels, OK. So, that's now in Procurement to find a valet operator for the...OK.

Parking Director Kinney: One contractor rather than eight.

Commissioner Lago: And by the way, Vice Mayor, in reference to what you are mentioning about the valet stations. We've also been discussing to hopefully use those valet stations in the early mornings for deliveries.

City Attorney Ramos: My understanding is that's already being done.

Parking Director Kinney: Well it's allowed – the signage has not been identified and posted, but they are open for delivery trucks in the morning.

Commissioner Quesada: So, I think we just moved on F-4, so I'll make a motion on F-5.

City Attorney Ramos: F-5 is an Ordinance of the City Commission of Coral Gables, Florida amending the City Code, Chapter 1-General Provisions, Section 1-7 entitled "Penalties," to include additional penalties for violations of Chapter 74, entitled "Traffic and Vehicles," providing for a repealer provision, severability clause, codification and providing for an effective date. Attached to item F-5 is a comparison of fines. I think it is important for you all to look at it briefly before it's moved and also it's a public hearing item.

Mayor Valdes-Fauli: Anybody from the public who wishes to be heard? Alright, will you call the roll please?

Commissioner Quesada: Well we didn't have a second.

Vice Mayor Keon: Second.

Commissioner Lago: Yes

Commissioner Mena: Yes

Commissioner Quesada: Yes

Vice Mayor Keon: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

Mayor Valdes-Fauli: Now that you mention valet parking something and invite you all to go to Commodore Plaza for dinner at 7:30, 8:00, 8:30, there is one centralized valet place there for about five or six restaurants, the Commodore Plaza. You come out at a certain time and the waiting line to get your car is half-an-hour, 45 minutes because there is one, there maybe two or three valet people there for six or seven restaurants and you have a line of people waiting for their cars, which you have a lot of very mad people saying, I'm never going to come back here with this valet system here. Keep that in mind. Keep that in mind.

Parking Director Kinney: We put a requirement on how quickly cars need to be returned in the RFP and the contractor will be held to that.

Mayor Valdes-Fauli: OK. Keep it in mind.

[End: 2:00:58 p.m.]