

**City of Coral Gables City Commission Meeting
Agenda Items E-5 and F-1
March 29, 2016
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick**

City Staff

**City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Assistant Director, Public Works, Jessica Keller
Assistant Director, Public Works, Public Services, John Osgood
Public Services Division Director, Brook Dannemiller**

Public Speaker(s)

Arlene Zakarin

Agenda Item E-5 and F-1 are related [12:30:28 p.m.]

An Ordinance of the City of Coral Gables, Florida, prohibiting buttons and other encroachments in the public right-of-way without approval from the City, directing the City to remove such unauthorized buttons and other encroachments from the right-of-way, authorizing the City to bill the property owner for such removal as a special assessment, and providing for severability, repealer, codification, enforcement and providing for an effective date.

Discussion and presentation by City staff regarding plan to address buttons and other encroachments in the public right-of-way.

Mayor Cason: F-1 and E-5 are related. We'll start with F-1.

City Manager Swanson-Rivenbark: And so I'll ask our staff, Jessica Keller, in Public Works, to come forward to explain the item.

City Attorney Leen: Madam Manager and Mr. Mayor, may I read in E-5 because it's useful to have this as part of the public hearing?

Mayor Cason: Sure.

City Attorney Leen: And it would be helpful if someone challenges this. Item E-5 is an Ordinance on first reading, sponsored by Mayor Cason. An Ordinance of the City of Coral Gables, Florida, prohibiting buttons and other encroachments in the public right-of-way without approval from the City, directing the City to remove such unauthorized buttons and other encroachments from the right-of-way, authorizing the City to bill the property owner for such removal as a special assessment, and providing for severability, repealer, codification, enforcement and providing for an effective date. This is a public hearing item on First Reading. I know that Item F-1 is a presentation from staff on the same subject, and it'll be incorporated into the public hearing. With that, Mr. Mayor.

Mayor Cason: Okay, go ahead.

Assistant Public Works Director Keller: Would you like us to give the presentation first? Okay. I just want to take a quick opportunity to introduce John Osgood. He's our new Assistant Public Works Director over Public Services. He has 30 years public sector experience, 28 of which is Public Works and 15 of those years is direct operations experience.

Mayor Cason: Welcome.

Vice Mayor Quesada: Welcome.

Assistant Public Works Director Osgood: It's great to be here. Thank you. Good afternoon, Mayor and City Commissioners. For the record, John Osgood, Assistant Public Works Director for Public Services. We have a brief presentation intended to frame the discussion around the plan for addressing buttons and other encroachments in the right-of-way. The following slides and discussion illustrates a few common existing conditions where the buttons are an eyesore or potentially interfere with municipal traffic and stormwater operation. It touches on some practical alternative solutions for improving the look and function of the swales through living infrastructure, hardscape and the pilot project you've discussed at recent Commission meetings. And in general, outlines the logistics issues and potential costs associated with the removal of the buttons. With that, I'll turn it over to Brook to walk us through the next few slides, and then we'll wrap up with some next steps and open it up for discussion.

Mayor Cason: And just for the record, we're talking about buttons, but also the tall reflectors, the pyramids, which we've seen, the little flags...

Assistant Public Works Director Osgood: All of that.

Mayor Cason: That are there other than to protect newly-planted grass.

Assistant Public Works Director Osgood: Yes.

Mayor Cason: Those are the...

Public Services Division Director Dannemiller: Yeah, basically any sort of permanent -- you know, the temporary flags, the little ones you get from Home Depot, those we'll probably work

on allowing those on a temporary basis when you do sod and do a timeframe that's appropriate. But it's those permanent reflectors and buttons that we're working on trying to remove.

Unidentified Speaker: And we're also including in the conversation all the signage that's beginning to show up in the swales, which includes no parking, you know, dumping, the smart water signs, crime watch signs. We're looking at everything that's going in the swale and how to appropriately handle it.

Commissioner Lago: Thank you.

Mayor Cason: Thank you.

Public Services Division Director Dannemiller: So, we're going to back up to the -- some of these here. Well, we already talked about the -- last Commission -- two Commission meetings ago, about doing a pilot study. We're planning on doing that in front of the library. It's in pretty bad shape there now, so we're going to do some landscape. We have three different stone samples that we've met with (INAUDIBLE) DRC, the City architect. One is a new light-based stone; one is a coquina, and one's a blue-gray granite stone, so we kind of get three different colors to test out and that will be probably some time in the next few weeks that we'll install that. So, we have the source now and it's just a matter of coordinating and installing that sample area. I don't know if we want to talk about the process for removing the buttons proposed or...

Assistant Public Works Director Osgood: No, I'll talk about that. Just maybe just show a few of the pictures that kind of indicate the existing conditions out there and then you could touch on the alternative solutions.

Public Services Division Director Dannemiller: What we discussed last time was just the herbaceous plan, so nonwoody plants for around the trees and up to a hundred percent of the swale area. So, that's (INAUDIBLE) ferns, (INAUDIBLE), red (INAUDIBLE) for large swale areas. The tighter ones, we wouldn't want that plant used because they're a little too big for a

narrow swale. And then filodendron, (INAUDIBLE) or something similar, some annuals we'll grow in shadier areas. And then we're going to test out three different crushed stone materials for the swale areas to see what works best and what Commissioners and residents get some feedback on what people would like to see.

Mayor Cason: Before we get into mechanics and how we remove things, I think the important thing to remember is the swale belongs to the citizens, belongs to the City.

Public Services Division Director Dannemiller: Yes.

Mayor Cason: It doesn't belong to the home behind it. That's the first thing. It's City property. Secondly, I think some people have thought over the years that these buttons and pyramids or whatever will prevent people from parking there. They don't, in fact. I've seen some of them -- recent -- there's a proliferation of these that have been put in recently, particularly, up in the North Gables that, especially on corners, and what you see, if you walk around, is that cars are driving over them and pushing them into the dirt and they're getting covered up. They don't work to stop people from parking there. There's other solutions that you're alluding to, but -- also the fact that they're unsightly and they're all different sizes. They do induce some of the gardening trucks to park out on the street because they see it and say, well, I'm not supposed to park here. That doesn't stop the -- like the post office trucks. They'll pull up right through them. So, they don't -- if the purpose of these is to prevent people from going onto what people think is their swale, it doesn't work. It just doesn't work. There's other solutions from parking signs -- no parking to things that you'll be discussing. And I think that it's -- we're just seeing more and more of them and people are getting very creative. We're seeing six-foot-high reflectors and flags. And up on Granada on the left side -- I forget what street -- I saw last week a lot of pyramids, these little spikes. Next there'll be spikes, I suppose. But at any rate, I think that they don't work and there are other solutions and they're ugly, but go ahead.

Assistant Public Works Director Osgood: Yeah, just so -- related to the potential City costs, as noted in the cover memo in your packet, estimated cost ranged from \$15,000 to \$35,000. In

terms of some of the logistics, probably the simplest and most operationally efficient method of collection and disposal would be for residents to place say 10 to 15 buttons in their trash piles as part of their weekly collection over the first two months and do that as part of their weekly collection service. If we get very little compliance from residents in the first 60 days and/or we decide to provide separate collection and disposal of the material to repurpose it or bring it to a vendor that specializes in concrete disposal, the cost would be toward the higher end of the range. Where we spend time and labor at a property and perhaps, as the Mayor mentioned, if we have to dig out buttons that have been partially buried and spend a little time on the property and then fill in the holes where we've done that, we can assess costs to the property owner as appropriate. Just as a final piece of information for this part, when staff was considering how to implement the removal and disposal of the buttons, just about everybody -- everyone's first instinct was figure out how to repurpose, recycle or somehow find an alternative to landfilling the material, which we're in the process of researching and discussing with our vendors. But if it's helpful to your discussion and to put it in context, the estimated total tonnage for the buttons is probably a very small percent of the total annual trash tonnage that we're collecting and disposing at this point in time.

Mayor Cason: I think another point is that these have been prohibited in Coral Gables for a long time. I mean, there's -- unless you had a permit. And I think we found that there's only been 20 permits or -- is that over -- all you could find or...

Assistant Public Works Director Osgood: Under 20 was all we could find in the records, and I think it was about \$50 per permit. So, the revenue that we brought in was minimal as well.

Mayor Cason: And part of this proposal is if they had a permit, to give them back their money if they...

Assistant Public Works Director Osgood: Yeah. They can apply for a reimbursement.

Mayor Cason: Okay.

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Public Services Division Director Dannemiller: And the challenge that we saw as we kind of looked around the city was a lot of them are just right on the surface and you can just pick up and -- if we had a crew going around. But there's a lot of them that have been there for decades, so you know, they're buried into the corners. They've been pushed into the mud, so it's going to take some work to get them out, and then you're going to have to fill some swale back into them. So, the thought was to -- you know, one potential option would be to notify the residents, have them put them in the trash pile so that we're not taking City resources and labor to do that. And then, after the end of a certain amount of time, then the City can go around and start getting those...

Mayor Cason: Is the idea that Code Enforcement or the sanitary people would, if they see them, put something on the door and say, here's what we've come up with and please remove them, throw them in your trash pit or whatever?

Public Services Division Director Dannemiller: Yeah. We would do eNews. We would do door hangers in coordination with Code Enforcement and basically just try to notify the residents and work with them to get them to comply on their own. And then after a certain amount of time, then we could start going in and having the City actively remove them.

Assistant Public Works Director Osgood: And I'm sorry, too. I skipped over that part of my -- of the next steps part of this. So, we would envision, you know, a removal and disposal strategy that includes a public outreach component, utilizing the City eNews, targeted door hangers, Code Enforcement support and really direct communication with residents on, you know, what they should do and by when. Also, wanted to include providing options and suggestions for reusing or repurposing the buttons on their own private property. They could maybe use them to frame a walkway or put it around a tree, rather than having their first thought be we have to throw it away or incur some kind of cost. They've already bought them. Perhaps, they -- we can come up with some creative ways to suggest how they could use them on their own private property.

And then, finally, the development of a plan for City forces to remove and dispose of the remaining buttons in trying to balance the fiscal and environmental responsibility in that regard.

Mayor Cason: Do we have any sense of how many? I know that Santa Claus and I at Christmastime were on the top of the fire trucks and we could actually just see how many when we were driving around the North Gables and they were just everywhere, huge ones. And I took -- so I don't know how long they've been there, but it seemed to us they were all bright and white, brand-new ones. But do we have any sense -- how many tons of these things?

Assistant Public Works Director Osgood: Yeah, we did our best to estimate it and we estimated maybe a third of the properties have 10 to 15 buttons on them, could be 150, 200,000 pounds, which is 4 or 500 tons.

Mayor Cason: Wow.

Assistant Public Works Director Osgood: Which is a -- it sounds like a lot and it is a lot, which is why our instincts were to, you know, figure out how to keep these things out of the landfill. Compared to the 30,000 tons that we pick up annually in the trash, it's a relatively small percent, but it's significant.

Commissioner Slesnick: I have a suggestion. Code Enforcement used to pick up realtor's signs, especially like the sandwich board signs that were out on the parkways because real estate signs are not allowed on the parkways in Coral Gables, supposedly. That -- and they took them out to 72nd Avenue, and then resold them back to the realtors, because they're about \$25 each for a certain fine; didn't resell, but fine them. Perhaps when the City goes around and collects these, if people don't want them for their own property, they could put them on the side in the trash piles and then you take them out to 72nd Avenue and have a sale there. Other municipalities -- for like one-third the cost of what all these buttons cost.

Public Services Division Director Dannemiller: We did contact some of the manufacturers to see if they had any interest in just us donating them to them, and John, you had the conversation.

Assistant Public Works Director Osgood: I did, but it's a little different than what you're suggesting, which is interesting. We contacted one of the providers of these buttons and said, hey, if we pick them up -- well, I can't make any promises, but if we pick them up, would you want them? And the first thing that they said was it wouldn't necessarily make good business sense for them because they'd have to take them back, clean them, maybe repaint them to be able to sell them and they can buy them pretty cheaply brand-new, and he went into that a little bit. But it's a little different than what you're describing.

Commissioner Slesnick: It's recycling, and I'd hate to see all that going into a landfill.

Assistant Public Works Director Osgood: This would be something that people could come and even pick them up for...

Commissioner Slesnick: A minimum cost. People like bargains.

Vice Mayor Quesada: Or we can sell them to Home Depot or Lowe's.

Assistant Public Works Director Osgood: We're going to look at all of that because, as I said...

Commissioner Lago: I think your best bet here is what the gentleman mentioned before, and that is recycling of concrete. You know, they end up being used as some sort of aggregate matter, or as fill for a site. The idea of being able to recycle them is a great idea, but you're...

Commissioner Slesnick: It's cheaper.

Commissioner Lago: By the way, you're cutting into their profit margins, you know, so...

Mayor Cason: Now, is there any -- if somebody can make a case that in their particular place these are doing some good, is there any flexibility in this or...

City Attorney Leen: Yes, the...

Mayor Cason: Or do we think that anybody can make a case that they're stopping people from parking because that's the only case I think people would make.

City Attorney Leen: The provision -- the ordinance allows there to be written approval -- it has to be in writing from the City Manager or the City Commission -- so you would have to do it by resolution, or the City Manager would have to basically do it by memo. And the only reason you would ever do that is if for one of the reasons you just stated. And then the idea would be the City would maintain those. So, there would have to be a public purpose basically to putting those...

Commissioner Lago: Craig, for example, instead of having this as an option, what you're going to end up seeing is residents say, okay, maybe I can't provide this type of option to deter someone from going on my grass or from ruining my grass because the corner is too tight, maybe a curb is an option, you know. We start analyzing -- I know there's certain areas in the City, especially here close to City Hall, where the streets are very, very narrow and when they go around the circles, you know, someone ends up going on the grass. And we had a walk-through -- I forgot which street it was -- but I know it was about a few months ago, and the residents were saying, okay, just give us a curb. Immediately that would deter somebody from going on the grass.

Mayor Cason: It's interesting -- you'll see, I think it's on Granada that they have the curbs and then they have the buttons right inside the curbs.

Commissioner Slesnick: Granada and Coral Way on the corner.

Mayor Cason: Yeah, right. I mean, curbs would...

Commissioner Lago: Biltmore Way.

Mayor Cason: Be the solution.

Commissioner Lago: Biltmore Way was the...

Mayor Cason: But basically what happens is the lawn gardening trucks that make the curb and they run over the grass and they put new grass in...

Commissioner Lago: A button is not going to stop...

Mayor Cason: Put the buttons in and they ride over the buttons.

Commissioner Keon: I think there's a property along -- I think there's a condo along Coral Way that has buttons in the swale. They -- I know they made a remark to me that it keeps people from parking on the swale that want to walk on the golf course or whatever, and so they wanted to know what else they could do. I mean, I don't -- so in some of those instances, there's the potential for maybe being able to (INAUDIBLE)...

Mayor Cason: But the advantage -- I mean, if you really want to stop someone from parking, you put a no parking sign, which can then be enforced by police and Code Enforcement. But a button, you can't enforce...

Commissioner Keon: (INAUDIBLE)...

Mayor Cason: That's not legal. It doesn't enforce anything.

Public Services Division Director Dannemiller: And part of the ability that we want to -- you know, if we take buttons away, we're expanding the ability to plant plants in the swale area.

Commissioner Keon: And so we would...

Public Services Division Director Dannemiller: You know, instead of -- you know, that will deter people too...

Commissioner Keon: Right.

Public Services Division Director Dannemiller: And it'll be much more attractive than buttons.

Commissioner Keon: So, during this period when you're going to have to have Code Enforcement go out and tell people that they have to remove their buttons, there is no fine and there's no anything, right? It's just you're informing them.

Public Services Division Director Dannemiller: Yeah, I mean...

Commissioner Keon: For -- and how long a period is that before it actually goes into effect that you might...

Mayor Cason: So 60 days is it?

City Attorney Leen: Sixty days.

Mayor Cason: Because there is a hundred dollar fine I think now...

Commissioner Keon: Yeah.

Mayor Cason: For having them illegally.

Commissioner Keon: Right.

Mayor Cason: Those sorts of things. We haven't -- I don't think we've enforced it.

Commissioner Keon: So, we're going to give people the opportunity to remove them before we ever start...

Public Services Division Director Dannemiller: Yeah, ideally, the residents would all remove them before -- they would all -- we'd have a hundred percent...

Commissioner Keon: During the 60 days. It would be -- you'd have compliance, okay.

Public Services Division Director Dannemiller: We may want to consider making that 90 days, if we want more compliance.

Mayor Cason: See what happens.

Commissioner Keon: We'll see what happens.

Public Services Division Director Dannemiller: So that -- and you know, to extend that, but that way, you know, the more the residents do, the less the City has to do.

Commissioner Lago: I think what this Commission -- what staff's going to realize is that when we proceed with applying this ordinance, you're going to get a lot of residents who have already told me I didn't know that was not even in compliance with the Code in the City. Oh, my gosh, I don't -- the last thing I want to do is break any rules in the City. They are huge proponents of having the City as clean, as tidy and as beautiful as possible. A lot of them, especially my neighbors, were not aware that these type of objects were not allowed in the swale so...

Mayor Cason: Or some may not...

Commissioner Lago: Or not allowed (INAUDIBLE)...

Mayor Cason: Even know they have them because they're half buried.

Commissioner Lago: Yeah, a lot of them bought the properties with those already existing. So, I don't have an issue -- I agree with you. Maybe pushing it to 90 days to require compliance and to continue in a very detailed and aggressive campaign to notify and educate people of the fact that this is not allowed. I think it's in the best interest of the City. I don't want to -- I hate getting in the business of fighting people. I like more...

Commissioner Keon: Yeah.

Commissioner Lago: The process of educating.

Mayor Cason: Why don't we make it 90 days then?

Commissioner Lago: Yeah.

Mayor Cason: I mean, the idea is to...

Commissioner Lago: If you don't mind. I mean, I think 90 days is great.

Mayor Cason: Get rid of them. No, 90 days, I think...

Commissioner Lago: Kind of like what we were talking about with the polystyrene ordinance and...

Commissioner Slesnick: Ninety days is fair.

Mayor Cason: Ninety days.

Assistant Public Works Director Osgood: Ninety days is -- so our framework for -- we're recommending the sixty, and I think ninety makes great sense -- was by a total of ninety days, they'd all be gone so we can give the residents sixty, then we'd take thirty to finish it up. But giving the residents ninety days would be great with us, and we think that that's real reasonable and we'll, you know, address the rest of them as quickly as we can after that ninety-day period.

Mayor Cason: Okay.

Commissioner Keon: And if you know when you go to a home -- I mean, some of them could be there for a very long time. So, if it's a home where there is only an elderly person, you know, living in that home that you know physically can't move those buttons, will we make provisions to go ahead and move them?

Mayor Cason: We should help them.

Public Services Division Director Dannemiller: Yeah, I mean, I would assume with pretty much anything, the City will always try to work with the residents.

Commissioner Keon: Okay. I mean, when you realize somebody...

Commissioner Lago: And if they can't do -- and if they can't pay, you know -- let's say there's a fee to remove those heavily buried buttons and to basically replenish with soil, I mean, I'm a proponent and I...

Mayor Cason: Vince will volunteer.

Commissioner Lago: Listen, I'll volunteer with Vice Mayor Quesada to go out there, and we'll resolve that issue really quick.

(LAUGHTER)

Commissioner Lago: We'll start with the Mayor's home first. Just kidding, just kidding. The Mayor doesn't have any buttons.

Vice Mayor Quesada: He has pyramids.

Commissioner Lago: He has the pyramids.

Mayor Cason: No, no. No permit.

Vice Mayor Quesada: And spikes.

Commissioner Lago: And spikes. But the reason why I mentioned that is because Commissioner Keon makes a good point, you know. We have a lot of individuals, a lot of retirees in Coral Gables. And the last thing you want to do is, you know, hit them with a hundred dollar bill or two hundred dollar bill when, again, the economy is not in the most...

Commissioner Keon: Well, I mean, sometimes it's just...

Commissioner Lago: It doesn't provide for it.

Commissioner Keon: Somebody that's elderly and they really -- if they live here alone, if they don't have children in the area or something, and they don't have the wherewithal to remove them themselves, you know, maybe we could just go ahead and move them.

City Attorney Leen: Two things.

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City Manager Swanson-Rivenbark: Mr. Chair.

Mayor Cason: Craig.

City Attorney Leen: Two things to that.

City Manager Swanson-Rivenbark: Mr. Mayor.

Mayor Cason: Yes.

City Manager Swanson-Rivenbark: This whole goal is compliance. So, clearly, if somebody needs help, we're going to take care of it. It is not about raising revenues. It's about getting the buttons removed, and so we will be flexible. The 90 days, excellent; gives them more time. But if anybody needs help, they can call us and we'll take care of it.

Commissioner Lago: I just mentioned -- and I imagine Commissioner Keon mentioned it, so people understand that we reiterate what we always reiterate, which is the City's here to help you. We're not just here -- we're not trying to raise revenue. We're trying to help keep the City beautiful.

City Attorney Leen: Commissioner, one point to add. We purposely wrote D to require -- in order to be fined, you have to install or reinstall the buttons/pyramids, et cetera, after their removal and without prior written approval. So, it would have to be willful. You would have to basically go out there and put them there after they've been removed, which, you know, then you would get a fine until you removed it or the City came out and removed it and billed you. One other issue just that you should be aware of is there are other types of encroachments that sometimes go into the right-of-way, so there is an ability here for the City Manager, or her designee, to basically -- sometimes people plant things in the right-of-way and we have issues with that. I know that Public Service sometimes has issues with that. You're not allowed to put

things in the right-of-way without approval of the City. But I just want to be clear, I -- my understanding of the Commission's will here is to focus on the pyramids, the buttons, in terms of removing. We're not removing trees or...

Mayor Cason: No, no.

City Attorney Leen: Plants or things like that, but...

Public Services Division Director Dannemiller: There may...

City Attorney Leen: You could approve those in writing, if you wish.

Public Services Division Director Dannemiller: Yeah, currently, you're allowed to put a three-foot ring of...

City Attorney Leen: Yes.

Public Services Division Director Dannemiller: Herbaceous, nonwoody material around the tree that stays under 24 inches. We do have some people that have wooden material, but they maintain it, so you know, that has not been strictly enforced.

City Attorney Leen: We've had a couple Code Enforcement issues come up with that, but we've always referred it to the City Manager and Public Service and they can approve that. This doesn't -- this technically prohibits people from doing any of those things in the right-of-way without City approval, which I think is good. I think that's your will. And but I just want to be clear for the record things like that you could ask the City Manager to approve or Public Service, and they would give you the appropriate conditions if you're a member of the public.

Mayor Cason: Okay. We had one speaker card. Arlene -- is it Zakarin?

Arlene Zakarin: Zakarin.

Mayor Cason: Zakarin, come on up.

Ms. Zakarin: Because you know it had to be me, right. I think I'm the last man standing.

(LAUGHTER)

Ms. Zakarin: I'm sure I have a parking ticket. You could only put three hours in the meter, so...

Mayor Cason: If you could state your name and address.

Ms. Zakarin: I'm Arlene Zakarin. I live at 375 Campana Avenue, Coral Gables. That's the community of Hammock Oaks. For those of you who don't know where that is, we are the first left turn going south on Old Cutler Road right after Fairchild Gardens. And I am here to talk about -- Oh, I'm also on our homeowners' board, and so I'm speaking for the homeowners and most of the residents in Hammock Oaks. The trash that collects on the swale is unsightly. We're supposed to be the City Beautiful; let me tell you, not so. Drive down gorgeous Old Cutler Road, and if you're looking up at the trees, it's a beautiful drive. If you happen to be looking down on the road on either side any day of the week, you're going to find piles of garbage. And yard clippings is garbage. It's unsightly. You're going to find boxes. You're going to find lawn chairs. Something really has to be done about this, but I want to talk about my neighborhood particularly. Our neighborhood, our garbage is picked up on Wednesday morning, maybe midday. By Wednesday afternoon, there are yard men coming into the neighborhood to do yards. Some yard men do not take the debris away. A couple of my neighbors have said it's because they're going to charge extra, and they have no place to take it. I pay my yard man extra. Most of us pay our yard man \$10 or \$15 extra just so they take it away. They put the garbage out on the swale. Not only does it make dead grass and make a hole, then the jaws come and the jaws pick it up. And the holes are very large, so you can call the City and you'll be happy to put rock in it. And I promise you, within a month, there's no rocks.

Mayor Cason: There's also an option now of asphalt, which I think a number of people have used, but just as an aside.

Ms. Zakarin: I think we need to think out of the box. I think you people need to be a little bit more creative. You might even want to ask Brook to have a committee of residents to give some ideas. I don't think standard ideas are really something that is going to make your residents happy. The yard clippings are unsightly. Not only the yard clippings -- we're very fortunate in Hammock Oaks, as you first come in from Old Cutler Road, the first block there has beautiful, beautiful old trees. Unfortunately, they drop a gazillion leaves. So, the yard men come and they rake up the leaves -- what they don't blow into the street for somebody else to drive over -- they make large piles. We have -- have you been in my neighborhood?

Commissioner Lago: No, no. I'm just -- I'm laughing because you're basically hitting every single point that this Commission has mentioned over the last six months. But let me give you...

Ms. Zakarin: Do something.

Commissioner Lago: Let me -- trust me, I got your frustration, and we've brought it up a dozen times and staff is working on it. Let me tell you what I mentioned probably -- not I, but this whole Commission has mentioned probably a handle of times over the last six months. I stated that we need to have every single homeowner provided that their gardeners or helpers, or whatever it may be, landscapers, take the clippings with them, number one. Number two, that we need to have a repository of every single landscaper that comes into our city, a way to notify them. If we charge them \$5 a year or they have to come in and pay \$5 like they do in City of Miami, where a contractor has to pay \$20 a year just to renew. You show your license that you have a license and you get a license through the City of Miami. It takes seconds. I do it once a year. And if you don't do it, you can't pull a permit, so basically there's a requirement. That allows the City of Miami to notify me at any time of the day -- for example, the City will be closed on Friday for a special holiday. There's been a change in the Code. There's been a

change in the law. We've been talking about that. In reference to the garbage pickup, I know Commissioner Keon has been a big proponent of it, stating that we need to get rid of the swales. These are all items...

Vice Mayor Quesada: Holes.

Commissioner Lago: Excuse me, holes, I apologize. Excuse me, swales no.

Commissioner Keon: We need swales.

Commissioner Lago: I apologize. We love our swales. We need to correct a lot of the issues that we're having with our swales, but and that's why staff is working so diligently. In regards to the trash pits, staff is working on different options on how to address this issue. But then you go into the issue of do you want a garbage -- do you want a giant green bin and everybody parking their green bins, like the other municipalities do, which is where they put all their garbage in. I'm also in favor of not having those trash pits, but there has to be an alternative.

Ms. Zakarin: The alternative, excuse me, is that your gardener has got to take your trash away.

Commissioner Lago: No, no. I'm not talking about that.

Mayor Cason: (INAUDIBLE).

Commissioner Lago: I agree with you. I'm talking about the issue of...

Mayor Cason: I don't agree in part because you're going to find a lot of people, especially in the North Gables, that don't have a company to come. They do it themselves. And you know, some little person raking and they put it in the pile. What are they going to do with it? Are they going to put it in the back of their car and take it somewhere? You know, with the companies that come, they should be required to take it for sure. I agree with that.

Commissioner Lago: Okay, but we can make exceptions for somebody who doesn't -- listen, I don't have a company who comes and pick -- who does my yard every two or three weeks; that's fine. We don't have -- we always make exceptions. We're very flexible. But I just want you to be aware -- and the City Manager can probably address it in a more detailed fashion and give us an update on where we are with all your points -- but everything you've mentioned is something that we've been discussing for about six months, and we're waiting for staff to come back with a proposal.

Ms. Zakarin: And have you given them a due date for that proposal?

City Manager Swanson-Rivenbark: No. I appreciate all the good suggestions. The Commission has said they don't want pits. They don't want unsightly trash piles. We were really pleased to hire John Osgood who has been here for a month.

Assistant Public Works Director Osgood: Since the beginning of (INAUDIBLE)...

City Manager Swanson-Rivenbark: Yes. And so he has very few weeks left to solve this problem because it is a conflict with the City Beautiful image. And so how do we do that is going to be an education process. It's going to be a cost process for us as to where should those clippings go if somebody doesn't have a -- you know, can we identify locations or trucks that the gardeners can take the clippings to that the public can take it to. We appreciate your suggestion that we need to be out of the box in designing solutions. And so we're going to be working collaboratively with our Public Works department. We've already started that process on what should those solutions be that really work for the citizens. Also, looking at hard rules about not hard junk. You can't put everything out that you want to have it picked up. We're not going to - - we're, you know -- when you look at the County, the County has -- if you're going to put hard junk out, you're allowed twice a year pickup. So there are dramatic changes that we're looking at in order to really bring back those swales to the level of beauty that you and our residents

want, and so we're coming up with those cafeteria plan of choices and we're going to bring it to the Commission and we're going to bring it to community meetings as well for input.

Ms. Zakarin: I think everything you're saying is fine, but I think if you don't give Mr. -- what is your name?

Commissioner Slesnick: Osgood.

City Manager Swanson-Rivenbark: Osgood.

Ms. Zakarin: Osgood. Welcome to Miami. You're in a very nice place. If he doesn't have a deadline and if you don't give yourself a deadline to get this done, you're just going to keep talking about it and talking about it.

City Manager Swanson-Rivenbark: And (INAUDIBLE)...

Ms. Zakarin: Because not only -- excuse me. Not only do we have the problem of garbage on the swale, the other thing that you might not see -- and we see it quite often on Old Cutler Road - - when there's an existing debris pile, you will see yard men pull up with their truck and empty what's ever on their truck onto the pile that's already on Old Cutler Road. This happens very, very often. In my neighborhood, we have a problem with some of the yard men who aren't allowed to leave debris in their customer's yard, so they'll find a yard with debris and they will come empty their truck on a neighbor's yard. The other day, there was a yard man dragging garbage, a lot of clippings, from one side of Campana to my friend's house on the other side of Campana. So I happened to drive by and I asked him what he was doing and he said, oh, Dr. Feldman said I could put this in his yard. So, I called Dr. Feldman and he said no. I stopped at the house along with Dr. and Mrs. Feldman and the yard man was not going to move the debris he had put in their yard until the magic word police was said and then they started schlepping it back across the street. So, I know you all work very hard and I know you have a lot of things that you have to deal with, but this is something that seems to me that if you really put your mind

to it and make some deadlines, you can get it done. The City Beautiful is not Old Cutler Road. It is not my neighborhood, Hammock Oaks, and it's not a lot of neighborhoods. For a point of information, the beautiful city of Pinecrest, they can't leave their stuff out. So, you might want to keep that in mind too. Thank you for your attention.

City Attorney Leen: One thing...

Ms. Zakarin: I'm going to my parking ticket.

Mayor Cason: One thing that you might mention.

City Attorney Leen: One thing that just needs to -- certainly, dumping is illegal. People shouldn't be doing that. But you should know that one reason why this is taking a little bit of time is it presently is the law in Coral Gables that you can do that. So, it's going to require a change -- an ordinance, a change to the law, and you're going to have to hear from the public twice, two public hearings.

Mayor Cason: Right.

City Attorney Leen: And residents may have different views on this. You have to listen to all of them.

Commissioner Lago: But let me give you -- let me just give you a little bit of information -- and I sent this to Martha this past week. I was driving down Bird Road and I saw a gentleman dumping a massive amount of foliage. And I got next to the gentleman and I said why are you dumping all this foliage? Well, I'm allowed to. And it said a no dumping sign literally two feet away from where he was dumping. I said, you don't notice the sign? No, well, I'm allowed to. I'm pretty sure that he was cutting, you know, grass or trees in an adjacent city and then instead of disposing that, he knows that he's going to have a client in the Gables and he'll just dump it

into the Gables area because, again, number one, it saves him money -- him or her money. They don't have to go to the dump. It saves them the trip. And it saves them the disposal fee. And we know that in the Gables it'll get picked up. So, again, we all agree with you wholeheartedly and we're working on that. And it's a major focal point of this Commission to address this issue because we understand that you can't call yourself the City Beautiful if you don't have certain rules and regulations.

Ms. Zakarin: Exactly. I would like to suggest that perhaps you -- Commission might suggest to Public Works that they might have a committee of residents who might be interested in sitting with them and talking about it and identifying problems that you really wouldn't see unless you really lived in the area. So, I leave you with that thought.

Vice Mayor Quesada: One thought before you take off.

Ms. Zakarin: Yes.

Vice Mayor Quesada: If I could ask Jessica Keller to come on down. She has been working on - - she had an idea and she has been trying to start a pilot program and I think we all -- it's been a while since we've discussed it and it's an idea that she came up with that we all loved. Can you walk us through the idea and can you walk us through the pilot program?

Assistant Public Works Director Keller: So many ideas. Which one do you want me to put out there?

Vice Mayor Quesada: Talking about the bulk pickup idea.

Assistant Public Works Director Keller: In concept, we were working with Old Cutler Bay who are also interested in getting rid of trash pits. The majority of their community actually has opted out of typical trash operations collection. And we were working with the community to develop a pilot in that area to eliminate trash collection, to eliminate the pits, to eliminate all of the issues

with unsightliness. If your community would be interested in a pilot program, and you're ready to move now, you could work with John Osgood, and he would move that forward for you.

Vice Mayor Quesada: And can you walk us through the pilot program because you didn't really get into it there.

Assistant Public Works Director Keller: Sure.

Vice Mayor Quesada: How would it work? I have a couch I want to throw away, or I have a tree that I've cut down, and I want to get rid of it.

Assistant Public Works Director Keller: So you would be allowed two bulk pickups per year that you would schedule, if you had large items, similar to Miami-Dade County. And you know, if you wanted to get rid of a stove, again, you would just schedule it with us. Otherwise, you would have your gardener take your -- the landscape waste with them, similar as Pinecrest, for example.

Vice Mayor Quesada: So that's what we're working on now. If the pilot programs work well, residents are happy, staff members, it works, we can do it, then we'll implement it throughout the City. So -- but we're still testing that currently.

Ms. Zakarin: Okay, counting on you people.

Mayor Cason: Thank you.

Commissioner Slesnick: So you might get tested in Hammock Oaks.

Ms. Zakarin: We would love it...

Mayor Cason: Thank you.

City Commission Meeting

March 29, 2016

Agenda Items E-5 and F-1 are related – Ordinance prohibiting buttons and other encroachments in the public right-of-way without approval from the City, directing the City to remove such unauthorized buttons and other encroachments from the right-of-way, authorizing the City to bill the property owner for such removal as a special assessment

Ms. Zakarin: Something tested in Hammock Oaks.

Commissioner Keon: But you know, I really would -- I would like to see us -- I mean, we have rules about putting -- or we should, as to how often somebody can empty out the contents of their garage onto the swale, which is horrible. I mean, I would like to see, you know, if people don't call and don't schedule that, I would prefer that we would send our trash people out and pick it up and send them a bill.

Commissioner Slesnick: They do.

Mayor Cason: We do.

Commissioner Lago: Yeah, but I...

Commissioner Keon: Send them a bill.

Commissioner Slesnick: They do.

Commissioner Lago: I think we need to start -- and this...

Commissioner Keon: I see it sit for days.

Mayor Cason: Code Enforcement.

Commissioner Lago: This is a two-prong issue. I think the first prong, that we need to deal with is the issue of the green matter that's put in the pits. I think that once we remove that -- because, by the way, we have our pickups in my neighborhood on Tuesdays. I don't put my recycling and my garbage out until Monday night when I get home from work at 8 o'clock, 9 o'clock at night. So -- but you can put grass clippings any day of the week, and it can sit there for four or five

days and rot and smell. So, what I would like to see is let's address the issue of the bulk pickup, maybe down the line, maybe three, four months down the road. But I'd like to see that we emulate similar tactics like what Pinecrest is doing in regards to the garbage -- excuse me, the organic matter that's basically sitting in our pits for, you know, four or five days before it gets picked up. I think we can emulate what Pinecrest is doing. I think we can emulate what a lot of other cities are doing. And again, put together, like I mentioned before, a simple database, charge the landscapers \$5 a year. It's not about revenue. It's about being able to hire somebody to run that department. You will find out, number one, who is working in the City, what type of individuals we have in our city. We will be able to notify these landscaping companies immediately, for example, not only about Code changes and about days that, you know -- violators and things that are going on that we're opposed to, but I think it's a great opportunity to say, okay, we're having an issue with break-ins in North Gables. Let's send out to another set of eyes and ears in that neighborhood who are in our neighborhoods saying look out for a white male, white female, Hispanic male, whatever it may be. Again, they're another set of eyes and ears in our neighborhood who are constantly working every two weeks. So, it can be an opportunity to really reach out to a group of individuals that are in our neighborhood that we don't even know who they are. I don't know who my landscaper is from my neighborhood. I just know that I see them once in a while. So, let's find out who's in our neighborhood.

Ms. Zakarin: That's a whole nother issue. Good luck with that.

Mayor Cason: Another issue.

(LAUGHTER)

Commissioner Lago: No, but I mean, it's not an issue -- it's not the fact that it's a whole other issue. It's intertwined. It's intertwined, and by the way, other cities are doing it.

Ms. Zakarin: And you're going to be a wonderful advocate for this. You're on my side.

Mayor Cason: Alright. Do we have a motion on E-5? Close the public hearing.

Commissioner Slesnick: Oh, this is on buttons.

Vice Mayor Quesada: Buttons. So moved.

Mayor Cason: The Vice Mayor made the motion.

Commissioner Slesnick: Third moved.

Mayor Cason: And Commissioner Lago seconded. City Clerk.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Vice Mayor Quesada: Yes.

Commissioner Slesnick: Yes.

Mayor Cason: Yes.

(Vote: 5-0)

[End: 1:10:20 p.m.]