

**City of Coral Gables City Commission Meeting
Commission Chambers
Agenda Item F-1
October 27, 2020
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena**

City Staff

**City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Assistant City Attorney, Naomi Levi Garcia**

Public Speaker(s)

Agenda Item F-1

An Ordinance of the City Commission of Coral Gables, Florida, amending the Code of Ordinances, Chapter 86, “Waterways,” Article I “In General,” Section 86-3 “Discharging garbage, trash, etc. into waterways,” by providing specific examples of prohibited discharges, clarifying applicability to the City’s stormwater management system and revising the penalty for violating this section, providing for severability clause, repealer provision, codification and providing for an effective date. (Sponsored by Vice Mayor Lago)

Mayor Valdes-Fauli: F-1, Vice Mayor Lago.

City Attorney Ramos: F-1 is an Ordinance of the City Commission of Coral Gables, Florida, amending the Code of Ordinances, Chapter 86, “Waterways,” Article I “In General,” Section 86-3 “Discharging garbage, trash, etc. into waterways,” by providing specific examples of prohibited discharges, clarifying applicability to the City’s stormwater management system and revising the penalty for violating this section, providing for severability clause, repealer provision, codification and providing for an effective date. Ms. Levi Garcia was going to be here to present, I’m not sure if she’s outside, but in either event there’s been no changes between First and Second Reading. Vice Mayor, I discussed with the City Manager, as you had asked, the legislation that Miami passed just last week. What they added was they just added the building code provision regard
*City Commission Meeting
October 27, 2020*

stop work orders into their city code. The City Manager, I'll let him speak for himself, but he doesn't believe that that's necessary.

Vice Mayor Lago: So my whole point for the Manager delves into that, I wanted to make sure that we, that our staff have everything at their disposal to ensure that we can crack down on this type of behavior; and what I mean by this type of behavior, I'm talking about the people in my industry, the people in the construction and design industry who are responsible. Its not the owners of the homes, they don't know what's going on, its not the owners. What this is, is the contractors and the design team that know very well what the code says and how this needs to be handled. There are no excuses for dumping into the bay and polluting our natural resources. So, Mr. Manager, I want to make sure you have every power in the book to ensure that we can make sure that we can have these stop work orders come into play.

City Manager Iglesias: Yes, Vice Mayor. This provides for the maximum fines and also, we have Chapter 33 of the Florida Building Code that we can apply and will apply to these kinds of cases where we can actually shut the job down, and that's another remedy that we have. I think the City of Miami was discussing that. However, we do have, the Building Official can apply Chapter 33 and quite a bit of discretion that the Building Official has in applying that Chapter. So, it's something that we have now additional fines, and certainly we will be judicious with applying Chapter 33.

Vice Mayor Lago: So with that being said, I want to say thank you to the City Manager and the City Attorney's team, along with Naomi Levi Garcia for her efforts and everybody at Public Works, the ACM, there he is, everyone who played a role in bringing my piece of legislation, which I think is critically important to the future of our city to bring it today and hopefully with the support of my colleagues we can start really cracking down on these types of projects, especially during the rainy season, where we need to be as active as possible. We need to give every tool to Code Enforcement and to the residents to ensure that people are falling into compliance, because as the Manager and I have talked, contractors know better than to be imposing this type of pollution into our community. Would you like to say anything?

ACA Levi Garcia: Between First and Second Reading, last time I was before you on this ordinance, you mentioned that you wanted to see it with teeth and the ability to impost a maximum penalty possible. So, under the statute, you are allowed to impose a \$15,000 fine as a Code Enforcement matter. If the violation is found to be irreparable, so we added that to the language of the code section.

Vice Mayor Lago: Thank you Naomi, I appreciate that. So, with that being said, I'll make a motion.

City Attorney Ramos: This is a public hearing item. Mr. Clerk is there anyone who wishes to speak?

City Clerk Urquia: No ma'am.

Mayor Valdes-Fauli: Motion.
City Commission Meeting
October 27, 2020

Commissioner Mena: Second.

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

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Commissioner Fors: Yes

Commissioner Keon: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

Vice Mayor Lago: To my colleagues, thank you for your support. Staff, if we have any issues and we run into any issues, please, I ask you to speak to the Commission, speak to the City Manager. This is important. Thank you.

Mayor Valdes-Fauli: Thank you.