

City of Coral Gables City Commission Meeting
Agenda Item G-4
May 9, 2023
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, Peter Iglesias
City Clerk, Billy Urquia
Assistant City Attorney, Gus Ceballos

Public Speaker(s)

Agenda Item G-4 [3:05 p.m.]

Discussion item regarding availability of enhanced security measures, such as cameras, in special taxing districts and the current process for amendment of special taxing districts to enact changes to the services provided. (Sponsored by Commissioner Menendez)

Mayor Lago: We have a time certain item for 1:30, which is G-4, Commissioner Menendez item.

Commissioner Menendez: Yes. Thank you. I have folks down south reach out to me and I don't know if we have them on Zoom or not, if not, it's okay, with regards to our using some of the funding that's available in our taxing districts. They have, I think its Coco Plum Phase I, they want to install or use funds for cameras, security cameras, and I know there's a process and I just wanted to have that discussion to clarify what the process is and how they could go about maybe tapping into those dollars to then install security cameras, let's say, in the tennis court area.

City Attorney Suarez: Commissioner Menendez, there is a process for expanding the services of the special taxing district, a process that was adopted by the Commission via policy. Assistant City
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Attorney Gus Ceballos can summarize that process for expanding the services of a special taxing district.

Assistant City Attorney Ceballos: Good afternoon Mr. Mayor, Commissioners, Assistant City Attorney Gus Ceballos. So, the special taxing district, if the original language of the district itself doesn't allow for security measures or something else, besides just the current use, then it will have to go back to the amendment process. There is no way for us to just kind of pick out funds and use it for a different matter if it wasn't part of the original ordinance that established the district. So, the first step would be, because there is no mandatory HOA in this particular area, they have to do what's called the letter of intent with 20 percent support of the district. I believe that area has 150 homes, so roughly 30 people would have to sign onto that letter of intent requesting for the City Commission to prepare a petition. Typically, I would prepare that petition. That petition would come back to all of you, in order for you to approve the petition language. Once that petition language is approved, that you are satisfied that there is sufficient information on the petition, to make sure that all the residents can make an informed decision, it will then get circulated to the residents, and depending on the level of support, would basically dictate what the next step would be. So, if 67 percent of the area is in support of that change, then you as a Commission can approve that change administratively, it doesn't need to go to a vote. If there is less than 67 percent, but above 50 percent, then once again it comes back to you, and you can set it for a special election. If the threshold is below 50 percent support, it will simply just die.

Commissioner Menendez: So how do I know, or how do we know if security cameras in this area falls within the initial, the original.

Assistant City Attorney Ceballos: My understanding is that this is for Coco Plum Phase I, which I believe just has a roving guard. I'll pull that language and I can send you a memo, unless you know if that's feasible interpretation. I suspect that it is not. From my understanding it is simply a roving district, and it may have to go through the entire amendment process, but I can pull it and let you know.

Commissioner Menendez: And I understand the process and its policy that was set some time ago. Were those rules and regulations set by this Commission, or are we impacted by another.

Assistant City Attorney Ceballos: So, the amendment process that I just explained was approved and adopted and amended by this Commission. Once it leaves the county's – because the county is the only body that's authorized to rate the special taxing district. We can't create a district. They have to create it and they transfer it to us. Once it becomes our responsibility, you are the governing board for it, and you can make any and all decisions for it.

Commissioner Menendez: Assuming the security cameras falls outside the original intent, how long is the process you described?

Assistant City Attorney Ceballos: It really just depends on how fast they can get all of these items done.

Commissioner Menendez: In general, like a few months.

Assistant City Attorney Ceballos: A few months, a few months. Typically, I believe we give a couple months so that they have sufficient time to circulate the petition and gather enough support to move forward, but it really depends, if they can turn that around quickly in a matter of a couple of weeks, then I suspect that we can probably get it turned around within two or three months.

Commissioner Menendez: And is there a way to expand – could you just explain, and I know we are trying to move the agenda and I apologize, security cameras, roving security guard on a golf cart. We may encounter this again and expansion of what security is and is there something we can do as a body, if there is the will to look at what was approved and perhaps, like when we go to Tallahassee, if you want to add a change, expand a bill, you add a sentence here. Is there something we can do in anticipation, otherwise we are going to be getting this back-and-forth ping-pong match.

Assistant City Attorney Ceballos: Well, there are some districts that do have that language in it for a security system where we've been able to install cameras as part of the existing district and it didn't have to go through this amendment process, it's just a matter of if the district was created with that intent or not. There is no way to create a blanket policy that will cover all of our districts, it's kind of a one-on-one basis, to make sure that the residents in that area are approving that increase, because as I suspect the Finance Director is going to chime in, any and all those changes are going to increase the bill basically.

Finance Director Gomez: So, just to be clear, because even if it's a few months to get it established or just decided, we set the rates in June and then we finalize them in September, so then we would not be able to change that rate and have it collected on the tax bill. So, we have a timeline, so even if they work on it now and get it done, the chances of it getting for this next tax bill, therefore the funds being collected and being able to be used for the purchase of whatever would be delayed, right.

Assistant City Attorney Ceballos: I suspect in this case, somebody discussing surplus, I think that would work, if they had a surplus in their current account.

City Attorney Suarez: I think the budget though is set based on the current service, so there would probably be an adjustment.

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Such as cameras in special taxing districts*

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Finance Director Gomez: Right. There may be some bit of reserve or surplus, but that's usually there in case that the security guard rates change with the company that we use, and so, we need to be able to pay the bills. So, I don't know that that district has a large enough surplus, but I don't have my laptop in front of me, so I can't tell you.

Commissioner Menendez: How do we find out and know what the options are. Again, for any community to have to wait a year is, I mean, not productive or efficient, in my opinion. So, if it's a problem, I'd like to revisit this on a global scale to see what we can do to streamline this a little bit, because to wait a year for cameras is...

Finance Director Gomez: As so the question, I mean, maybe a bigger discussion, but its just a security, it's a roving security district by now, so it's not just getting the cameras, its whose watching the cameras, they don't have a guard gate, you know where some of the other districts have a guard gate that is part of the district and they then have access to those cameras. So, it's a bigger discussion, I think.

Commissioner Menendez: If its okay through the Manager and City Attorney, perhaps we can schedule a meeting with one or two representatives from that area, see what's available, what's not available, and then have it maybe before the next Commission meeting, if possible, before the next Commission meeting, and if anything needs to be brought to the Commission for further discussion, we have more information of how it works.

Assistant City Attorney Ceballos: That works for us.

Commissioner Menendez: Okay. I appreciate that.

Mayor Lago: Ready. Perfect.