

**City of Coral Gables City Commission Meeting
Agenda Item H-6
June 14, 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 of Budget and Management, Keith Kleiman**

Public Speaker(s)

Heather Encinosa, Special Counsel

Agenda Item H-6 [10:54:20 a.m.]

A Resolution of the City of Coral Gables, Florida, relating to the collection and disposal of solid waste in the City of Coral Gables, Florida, amending and restating the initial assessment resolution; describing the method of assessing solid waste costs against residential property located in the City; determining the solid waste cost and the initial solid waste service assessments; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof; and providing for an effective date.

Mayor Cason: H-6.

City Attorney Leen: Mr. Mayor, H-6 and H-5 are both items that are going to be spoken about by Special Counsel Heather Encinosa, who is here today. So what I would suggest is that we hear Item H-6 first and then go right to H-5, if there is time.

City Manager Swanson-Rivenbark: H-6 is the solid waste, its still the solid waste item.

Mayor Cason: Let's do this; let's go with I-1, which is a time certain, let's go with I-1.

City Attorney Leen: You want to go with I-1?

Mayor Cason: Yes, its time certain.

City Attorney Leen: What if we do H-6 now and then I-1 and then H-5?

Mayor Cason: Alright, that's fine. H-6 then.

City Attorney Leen: Item H-6 is a Resolution of the City of Coral Gables, Florida, relating to the collection and disposal of solid waste in the City of Coral Gables, Florida, amending and restating the initial assessment resolution; describing the method of assessing solid waste costs against residential property located in the City; determining the solid waste cost and the initial solid waste service assessments; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof; and providing for an effective date. Special Counsel Heather Encinosa is here to speak on this issue. Just so you know, we've done these before, these special assessment resolutions. It's a process, she is going to talk to you about the process and we need Commission action here today to begin the process. So with that Ms. Encinosa.

Ms. Encinosa: Good morning, pleasure to be back before you. This resolution if approved will impose a solid waste service assessment pursuant to your previous direction to collect all of the residential solid waste on the tax bill. This sets the process in motion, these will come back to you at a final public hearing on September 13th at 9:00 a.m. This would approve the following rates: \$869 per dwelling unit for most of your residential properties and then \$435 for the auxiliary dwelling units, which are your large apartments and your...and things like that, that are located on a parcel with another residential dwelling unit. As is your current practice, anyone who wants to pay in full is allowed to do so at a discounted rate by August 15th and not be included on the roll.

Mayor Cason: Otherwise it goes on the tax bill in November.

Ms. Encinosa: That's correct.

City Attorney Leen: And Mr. Mayor I would just add, this is a continuation of something we did last year, which related to a settlement with Miami-Dade County, and the Commission took a very strong stand that you wanted to put all of these, the solid waste bills, the outstanding ones in the past and also the current ones going forward on the bill, and the county ended up reaching an agreement with us because we agreed to put the solid waste assessments on the tax bill going forward with the caveat that we were allowed to have, by the settlement, we were allowed to have residents pay in advance. In fact, you amended the Code to reflect that and that's why this is before you today and this is consistent with the settlement agreement.

Mayor Cason: And to recall, this has been very successful in collecting the three point-some million dollars that we were owed over many years. We've probably collected most of it, I would think – and we'll collect the rest as a tax certificate. So we don't have to worry in the future about going after people. It just goes on the tax bill, you pay it or you lose your house basically. Great.

Commissioner Lago: This is a significant cost-savings of chasing down all this money and I think that we are the only City that use this type of delivery method in reference to collecting the monies, correct.

Mr. Kleiman: Going on the tax bill?

Commissioner Lago: No, no before, the way it was before.

Mr. Kleiman: Yes, its sort of outdated.

City Attorney Leen: One thing Mr. Mayor, we had entered into some agreements last year, the Finance Department and the City Attorney's office with individuals who had not paid their tax bills with property owners, and these agreements were to allow them to basically have a payment plan so it didn't have to go on their tax bill. The Commission showed, gave this opportunity for people to pay up and to make their accounts whole. So the – what happened though was a number of them did not, so another thing that this resolution is doing is, those individuals who violated their agreements with the City to do a payment plan, all those are going on the tax bill too.

Mayor Cason: Can you tell us more or less how many of those as a percent of those that made an agreement didn't live up to it?

Mr. Chircut: We had 92 accounts the total that we had agreement with, and out of those we had 42 that did not comply.

Mayor Cason: So roughly half. OK.

City Attorney Leen: So Mr. Mayor, based on our agreement with the county, we can put these on the tax bill as well, as long as we are continuing to assess everyone that owes solid waste fees.

Mayor Cason: OK. Discussion?- do we have a motion?

Commissioner Keon: I'll move it.

Mayor Cason: Commissioner Keon makes the motion, the Vice Mayor seconds – City Clerk.

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Mayor Cason: Yes

(Vote: 5-0)

Vice Mayor Quesada: Say thank you again to the City Attorney on this one, a long one coming and this is a good one.

Mayor Cason: It's a great one. Thank you.

Commissioner Lago: Great work.

Commissioner Keon: Thank you.

City Attorney Leen: And I would also like to thank the Finance Department in particular, because they do all the crunching of numbers and they send the initial request out to people and we work very much in tandem with them, and we really have increased the collection rates, not only on solid waste, but on everything. So I appreciate it.

[End: 11:00:03 a.m.]