

City of Coral Gables City Commission Meeting
Agenda Item G-3
January 25, 2022
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Michael Mena

Commissioner Rhonda Anderson

Commissioner Jorge Fors

Commissioner Kirk Menendez

City Staff

City Manager, Peter Iglesias

City Attorney, Miriam Ramos

City Clerk, Billy Urquia

Public Works Assistant Director, Paula Rodriguez

Public Speaker(s)

Agenda Item G-3 [1:30 p.m.]

Discussion regarding the City considering the use of clear bags for landscaping debris. (Sponsored by Mayor Lago)

Mayor Lago: Moving on to item G-3. This is a simple item that I wanted just to, again, have a conversation. I don't know if you've noticed, but the City looks -- thank you, by the -- thank you, Ramon. Thank you, Suramy. The City, in my opinion -- and I think in the opinion of many -- looks a lot cleaner, especially on garbage days. There's no cardboard mountains anywhere else. People are recycling them. And I look forward to seeing the numbers -- the financial numbers in the next two or three months when we've gotten a little bit more traction where people are starting

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to comply. And you know where I notice it a lot too is on weekends, where there's no cardboard all over the area. You have certain people that are still learning the rules, and you know, a lot of the neighbors are sending over those Code Enforcement issues, you know, telling, "Listen, let's cooperate and deal with these people."

Vice Mayor Mena: Are we getting a report on that, by the way, on citations that have been issued?

Mayor Lago: Yeah. They can get -- they can send you all that information. She has...

Vice Mayor Mena: We don't have to discuss it, but if you could just get that information.

City Manager Iglesias: We just want to wait, Vice Mayor...

Commissioner Anderson: Yeah, sure.

City Manager Iglesias: Until we get a little more data.

Mayor Lago: Yes.

Vice Mayor Mena: Okay.

Mayor Lago: What we're getting -- and trust me, I have lists and lists. We're working on this.

Vice Mayor Mena: Okay.

Mayor Lago: The reason why I bring this up is because, you know, we talked about -- and by the way, I've gotten several people who've called me this week about we want to remove trash pits. I said, "Listen, why don't you remove your own trash pit?" But don't bring up the idea of bringing -- of removing everyone's trash pit because I don't think we have the support for that. And I'd

rather really push forward on issues of aesthetics and things that save us money. One of the things that I found, which is something that certain people that do not want to comply with the cardboard and want to throw things out on Saturdays and Sundays, and on off days, because they throw a black bag out there, and it's becoming more and more common because you can't see what's in a black bag. But when Code Enforcement -- I've been asking Code Enforcement, "So, what are you doing in these circumstances? Well, we stop, we open up the bag, and if it's trash, you know, we go and we say, 'Listen, you can't throw trash out in your trash pit on this day. You have to wait.'" So, that person has to go pick it up, plus that black bag is there for a week until it gets picked up the next day in their pit pickup. So, I thought, why not just have a discussion about clear bags. If you're using these bags for landscaping or -- Commissioner Anderson sent us an email earlier today. Because we're in the sunshine, we can talk about it. About recyclable bags, even though - - I don't know what the cost on that is. One of the -- I had one resident who read the agenda told me, "Vince, but it's going to cost money to transition from black to clear." On eBay, just one quick review, Chelsea, Chief of Staff, put this together. It's the same price on eBay, black versus clear. So, that puts that myth to rest, okay? Second, if you have six months of clear bags, you bought six months of clear bags, we'll give -- just like we did four months -- when we transitioned from the trash pits of cardboard to recycling, we'll do a six-month window where you can continue to throw your black bags in the trash -- in the pit. The purpose of it here is to not get rid of trash pits, but to beautify as much as we possibly can. This week -- this morning was my area to get picked up, Tuesdays. All I had except for one home was landscape material. Everything else was next to the recycling in an orderly fashion, except for one individual that had some furniture, which is exactly why the trash pit is there. And I instill and I tell them all the time, you don't even need a trash pit. Just leave your furniture in your driveway; it'll get picked up. Try to combine trash pits with neighbors. And another thing that I've said too is we need to make sure that we're enforcing the fact that it's already law. It's not something that anyone on this Commission wrote is you're not allowed to have a trash pit next to a tree. And I see that everywhere. I see it on my street and Urbino, where all the roots are exposed because the trash pit has gotten so big. Code Enforcement needs to address that. They need to address that.

Commissioner Anderson: Please.

Mayor Lago: On areas like 57th Avenue, I will - on areas like 57th Avenue and 37th Avenue, it's already law. You're not allowed to have a trash pit. The trash pits keep popping up. Why? Because we have the illegal dumping, which I have sent multiple videos already to Code Enforcement. I've shown them here. I see it -- once a month, I see it where the neighboring landscapers finish the day off on 57th Avenue, and they dump all the landscaping on the Coral Gables side. Even though we've closed all those pits, they repopulate, not all of them, but a handful of them are repopulated. So, if you could have somebody go down 57th Avenue, I'll write the addresses down and we can redo it. So, I just wanted to bring that up because -- just for your consideration. You think it's a good idea? You think it's a waste of time? You think it's a dumb idea? I want you to think about it.

Commissioner Anderson: I think it's a good idea because the number...

Mayor Lago: Is it too heavy-handed? Is it too heavy-handed? Maybe it's an overreach.

Commissioner Anderson: Maybe. We'll see what the reaction is. But here's the reality of it. Yesteryear, we were not allowed to put out our black bags until the night before. It avoided a problem because the folks that want to go trash picking will break open those black bags anyway. And then that debris ends up all over the place. A lot of times what I find is in those black bags is stuff that really should go in your garbage can anyway. Styrofoam, things that we can't recycle. So food for thought. Should these black bags even be out all weeklong sitting out there?

Mayor Lago: Yep.

Vice Mayor Mena: My concern is just what you said at the end is like whether it's too much...

Commissioner Anderson: Yeah.

Vice Mayor Mena: Regulation on the -- and less about whether it is or isn't, but the timing of it, just because we're just doing the cardboard, getting that rolling. Maybe -- there may be a time for this, I just -- I don't want to keep imposing more and more requirements on it.

Mayor Lago: So, can I ask you a question?

Vice Mayor Mena: Even though I think it makes sense what you're saying. Everything you're saying makes perfect sense. I just -- people are already a little chippy about the cardboard.

Mayor Lago: They're complying.

Vice Mayor Mena: Right. We're getting them there, so I just don't want to knock them with another...

Mayor Lago: And by the way, this could be millions of dollars.

Vice Mayor Mena: Yeah.

Mayor Lago: Potentially, it could be -- as Amazon continues to grow at the rate that they're growing, we could be saving money. But I agree with you, and that's why I'm not pushing this forward.

Vice Mayor Mena: Yeah.

Mayor Lago: But I want to have our team come up here because I want it to come from our team. Are you seeing now with the new legislation --? Obviously, we're seeing over 90 plus percent compliance in regards to the cardboard. I see it, and I congratulate you and your team. What a job.

City Manager Iglesias: It's not perfect, Mayor, but it's coming along very well.

Mayor Lago: What a job. Again, I can't stop thanking -- you guys are doing a wonderful job. Everybody thought it was going to be a heavy lift. It was, but the residents understand that to avoid future fees and increases in garbage and to do the right thing in regards to sustainability -- you know, we are the City Beautiful -- we got to move in this direction. We're not getting rid of trash pits. We're not getting rid of trash pits. We're not getting rid of trash pits. Stop spreading that rumor, okay? Stop it.

Public Works Assistant Director Rodriguez: So, I'll say that we are seeing compliance. It has certainly been heavy lifting.

Mayor Lago: Yes.

Public Works Assistant Director Rodriguez: It's been a coordination between Code Enforcement and our staff. It's been a change of mentality for our staff and for the residents, but you do see compliance. We do hear the staff talking about it in both regards. We see the trash staff saying that they see less cardboard in the trash pits, and our recycling is obviously experiencing a heavier load...

Mayor Lago: We're not picking...

Public Works Assistant Director Rodriguez: Of collecting the boxes.

Mayor Lago: We're not picking it up in the trash pit, so it just stays there. And they'll end up calling you and saying, "Hey, you didn't pick up my trash pit." Obviously, I'm not going to pick it up because you have cardboard. And they learn that we're serious about it.

Public Works Assistant Director Rodriguez: And that's what we were trying to accomplish -- right? -- not to violate people, but to get compliance and to move the cardboard out of the trash pit and into the recycling, and we do see that effect happening. If you wanted to talk about bags in the trash pits...

Mayor Lago: What I wanted to talk about was, are you seeing an increase in the black bags now in the trash pits as a result of people saying, "Hey listen, I'm not going to comply, so I'm just going to hide my cardboard in the black bags."

Public Works Assistant Director Rodriguez: I couldn't gauge whether I see an increase of the bags at the moment, but I think that because we're seeing the cardboard come off the trash pits that we're maybe now seeing what's left in the trash pits. And so, while there might be an increase, I couldn't gauge that right now. I do see them, and I see what you're talking about on 57th Avenue. And I see some of the pits where I see a lot of the black garbage bags. And it is a consideration -- anything that we change though, like Commissioner Mean said, would be a logistical -- we would have to consider logistically how we would enforce it and what guidelines we would have in place.

Commissioner Fors: Can you throw away --? This is a question about the law. Can you throw away something in your trash pit that's not cardboard that can be disposed of in your trash pit, but put it in a black bag?

Public Works Assistant Director Rodriguez: Right now, we have been collecting the black bags and we...

Commissioner Fors: So, you -- are you...

Public Works Assistant Director Rodriguez: Naively, you might assume...

Commissioner Fors: Not allowed to?

Public Works Assistant Director Rodriguez: That it's yard debris, so they're not opening the bags. although, it is correct what the Mayor says that Code Enforcement and our right-of-way inspector, they will see misshaped bags, and they'll kick it around, sometimes open it to see what's inside and enforce it when they can.

Commissioner Fors: So if I -- and I'm not talking about enforcement. I'm talking about the actual law. So, if I have, let's say a little cart for little kids that broke, I could put that on the trash pit, right?

Public Works Assistant Director Rodriguez: Yes.

Commissioner Fors: If I put that inside a black bag, is it against regulations to put that on the...

Public Works Assistant Director Rodriguez: I would have to check to see what the Code...

City Manager Iglesias: No, I don't think that would be an issue.

Public Works Assistant Director Rodriguez: Specifically says about bagging it, but I don't believe it is.

Mayor Lago: I don't believe so.

Public Works Assistant Director Rodriguez: Yeah.

Vice Mayor Mena: That's a tricky question.

Mayor Lago: So the whole...

Vice Mayor Mena: Would you rather see the little cart, or would you rather see a black bag?

Mayor Lago: But the point is -- the reason why I bring this up is because we want compliance. People who've told me they want to continue to use the trash pit for their landscaping. Okay, fine. You want to continue? That's perfectly fine. The landscaping doesn't bother me. It doesn't bother me at all. I don't think it bothers anybody aesthetically. But you've got to -- we've got to stop the illegal dumping, and we have to stop -- which by the way, I had -- I spoke to somebody that day and says, "Well, you know, we produce -- you said multiple times that our City produces seven times more green matter than any other city." Yeah, we have the numbers. Well, how can that be illegal dumping? It is illegal dumping.

Public Works Assistant Director Rodriguez: There is, yes.

Mayor Lago: It's illegal dumping. There's no discussion about it. And that -- those are your millions of dollars. They belong to everybody. And that's fine. We've grown complacent. The City of Coral Gables subsidizes garbage to the tune of, I think, three million, three and a half million.

Public Works Assistant Director Rodriguez: Just about, 2.5, yeah.

Mayor Lago: 2.5 million, excuse me. So, imagine what we could do with the money if you save that 2.5 million plus. You made your landscapers take it, or you had a bin where you could put your landscaping in, and you could throw it away. We would save a significant amount of -- millions and millions of dollars a year that we could do great projects with, but that's not up for debate today. What's up for debate -- again, I'm not taking -- we're not asking to remove trash pits. What I'm asking to do is, aesthetically, are people okay with a black bag, even if it has landscape debris, outside of your neighbor's yard, five of them, a mountain of them, for a week? If you're okay with that and you think that's fine, then perfect, then we move on from this. But you can still

achieve the same thing having it be clear, where you can see the landscape material, and that can be the only bag that you can use.

Vice Mayor Mena: Are large clear bags, like are they broadly available, like at Publix and stuff? I know that you can get it on eBay, but that's a different...

Commissioner Anderson: I have some.

Vice Mayor Mena: At Publix, can you buy like...

Mayor Lago: Yeah.

Vice Mayor Mena: Clear land -- bags...

Commissioner Anderson: No, I...

Vice Mayor Mena: That are big like the black ones?

Commissioner Anderson: I got them from some supply store. I had a roll -- never-ending roll...

Vice Mayor Mena: I'm just curious.

Commissioner Anderson: It seems of them. But my other question...

Public Works Assistant Director Rodriguez: Yes.

Commissioner Anderson: For Code Enforcement is, when I first came to the City 30-plus years ago, we weren't allowed to put out our bags until the night before. What is the practice now for Code Enforcement dealing with that issue?

Public Works Assistant Director Rodriguez: So, I'm going to say that we're probably -- I don't want to use the word lax, but we've probably allowed the bags with the assumption that it's yard debris. And so, for us to determine that it's not yard debris, we'd have to...

Vice Mayor Mena: Right.

Public Works Assistant Director Rodriguez: Look inside the bag to know what it is. And I defer to you guys as to what's tolerable, so maybe the discussion is, is whether bagged debris at all is acceptable. Do we not allow any bags in the trash pit, and should it only be yard debris or the disposal of household items after 6 PM the night before? So...

Commissioner Anderson: Or Styrofoam, you put it in a clear bag, you can see that it's Styrofoam. It's from the toys and stuff...

Public Works Assistant Director Rodriguez: But Styrofoam should go in your garbage, so that wouldn't be something that would go in your trash pit either. So, that would be -- so maybe the preference is not to have any bagged items. And we can explore what is, you know, necessary to be bagged to be put in your trash pit.

Mayor Lago: Well, listen, the purpose -- the bag serves multiple purposes. Number one, it's easier for our crews to handle it, right? I think. I mean, I'm not an expert. You guys are the experts. I think it's an eyesore personally. I'd rather see the landscape material loose there. I think it's also good for someone when they -- if they're doing it themselves, they collect all the landscape material. They can take it to their trash pit, and they can dump it, they can dump it and keep the bag and keep the bag for that. You can use a wheelbarrow. You can use a litany of different measures to get the matter there. I understand what the Vice Mayor's saying. I just wanted to bring this up for a discussion.

Vice Mayor Mena: It's a good discussion.

Mayor Lago: And I wanted to put it on your radar. I wanted to put it on your radar. I'm going to bring it up in six months. Madam City Attorney -- Madam -- Mr. Clerk, six months from today, I want this on the agenda.

City Clerk Urquia: Yes, sir.

Mayor Lago: I'm not going to remind people. This has all been -- I've done my due diligence. I want to hear from your team and what direction we're headed. Obviously, in six months, I don't see that much cardboard around anymore. People are doing it the right way, but there are people who are still -- you can tell when a black bag is full of cardboard or other stuff in it.

Public Works Assistant Director Rodriguez: A little misshapen, yes.

Mayor Lago: You know, you can tell. You can tell. And we've been doing a very good job in regards to education. And by that time in six months, we'll have a return on investment, ROI, in regards to the transition from trash pits to recycling. And we'll be able to see how much money we're making and how much money we're saving, and what can we do with that money. I want to make sure in the next six months that any trash pit -- I need a report that any trash pit that has a trash pit next to a tree -- it's already Code. Nobody on this Commission wrote this -- that that is not the case, that they have to move that case, unless there's some special circumstance, that the lot is tiny, and you have to move it one reason or another. Anything on 57th Avenue and 37th Avenue, I want them removed, unless you have certain homes that front 57th Avenue and 37th Avenue, there's nothing we can do about that. It's perfectly fine. And there are certain cases of that on 57th Avenue past Coral Way, and there's like two or three in my neck of the woods between Bird and 57th -- and Miller. So, that's what I would request in the next six months and then we review it.

Vice Mayor Mena: Another...

Commissioner Fors: Mr. Chair...

Vice Mayor Mena: Sorry, go ahead.

Commissioner Fors: Just -- I just want to put on the record, so when this gets revisited by Commissions after us, et cetera, or whoever, that my initial reaction to the clear bags was a reaction of kind of a little bit of invasion of privacy, and I think that's the reaction we'll get from some people. It's not that simple actually because it's really landscaping...

Mayor Lago: Material.

Commissioner Fors: That we're talking about. It's not anything else.

Vice Mayor Mena: Right.

Commissioner Fors: That's why -- but I still think the initial reaction will be clear bags, government require me to throw away my garbage in clear bags, that's an invasion of privacy. The second step, which we often never got to...

Mayor Lago: Can I touch that though?

Commissioner Fors: It's landscaping.

Mayor Lago: It's landscaping.

Commissioner Fors: You're right.

Mayor Lago: We're not talking about your garbage.

Commissioner Fors: Yeah.

Mayor Lago: Your -- what's inside your kitchen and when you tie it up and you throw it into your...

Vice Mayor Mena: But that goes back to his question of whether...

Commissioner Fors: That's what leads me to...

Vice Mayor Mena: Yeah.

Commissioner Fors: Do I still have the right to throw away something that I might be embarrassed about that's allowed to go in my trash pit in an opaque bag?

Vice Mayor Mena: What are you embarrassed about?

Commissioner Fors: Because then I think that saves -- that preserves the privacy that you arguably technically could lose with a transparent bag.

Public Works Assistant Director Rodriguez: I will say you're...

Commissioner Anderson: You can put it in your (INAUDIBLE).

Public Works Assistant Director Rodriguez: Trying to put me on the spot. But we will review the Code and the policy, and we'll get back to you...

Mayor Lago: Okay.

Public Works Assistant Director Rodriguez: On specifically what we should be doing based on what is written. I will say that, currently, if you're putting something in your trash pit in a black bag that we are taking it, unless there is some suspicion that it is paint or some kind of hazardous material. That happens...

Commissioner Fors: Or cardboard.

Public Works Assistant Director Rodriguez: As well.

Mayor Lago: Which, by the way, that happened in my neighborhood the other day.

Public Works Assistant Director Rodriguez: Right.

Mayor Lago: They put out paint cans. The paint cans were left there. The paint cans were left there, and I called it in to Code Enforcement. But I really -- I would really appreciate if staff -- to avoid now everybody saying, hey, just put all the cardboard into the black trash pit -- excuse me...

Commissioner Anderson: Bags.

Mayor Lago: Bags, I apologize. We need to really make sure that we're being vigilant on that front, please.

Public Works Assistant Director Rodriguez: We will continue to do that.

Mayor Lago: By the way, this stays out all week. This stays out all week there.

Public Works Assistant Director Rodriguez: We'll continue to do that. And I know that our inspectors, you know, they know as well. I had the conversation this morning. And they said,

"Yeah, sometimes we kick the bag. We see what's in the bag." So, they are vigilant that we're enforcing it or that we're questioning it too hard. We're trying not to get into opening people's garbage.

Mayor Lago: Yes, of course. That's not the...

Public Works Assistant Director Rodriguez: Like you said. So, yes, we'll...

Vice Mayor Mena: Can I just...?

Public Works Assistant Director Rodriguez: Continue to look at it.

Vice Mayor Mena: Can I just throw one more small grenade out there for your consideration...

Mayor Lago: Of course.

Vice Mayor Mena: And for revisiting in six months? Have we ever considered maybe --? I don't recall it -- well, since I've been here, maybe since you've been here. But we have sort of the night before rule for non-landscaping. Have we ever considered having any type of limitation on the landscaping and how long it can be out there? Because I -- and the reason I ask is this. I see houses in my neighborhood and other areas that let's say -- I don't know the exact days for pickup, but let's say their pickup is on Monday. Their landscapers come Tuesday every week. There's landscaping there literally 260 days out of the year because five days a week, it's sitting there Tuesday until the following Monday, or Wednesday until the following Monday, or even Thursday. It's there for a long -- it's almost there all the time, and that's unfortunate. I know that's trickier. I'm not asking to discuss it now, but maybe...

Commissioner Anderson: It's trickier for us weekend warriors.

Vice Mayor Mena: Sure, yeah, no, I -- that -- the weekend thing tends -- I mean, I don't know how many -- Do you guys --? Is it Monday through Friday, the pickup days for...

Public Works Assistant Director Rodriguez: Yes. Trash is Monday through Friday.

Vice Mayor Mena: So, I was going to say, if you try to push it towards the front...

Commissioner Anderson: Yeah.

Vice Mayor Mena: Of the week, it's good in that respect, and that is the tricky part.

Mayor Lago: And that's something that we need -- I would like to look into that also, what the Vice Mayor just said.