

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2022-**

A RESOLUTION ACCEPTING THE KING’S BAY GRAVITY SANITARY SEWER SYSTEM GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION’S (FDEP) CORAL PROTECTION AND RESTORATION PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FDEP FOR SAID GRANT; DIRECTING THE CITY MANAGER TO DEVELOP THE ESTIMATED LOCAL IMPROVEMENT ASSESSMENTS TO BE IMPOSED ON ALL BENEFITTING PROPERTIES TO FUND THE PROJECT COST NOT COVERED BY THE GRANT; AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2021-2022 ANNUAL BUDGET TO RECOGNIZE THE GRANT AS REVENUE AND TO APPROPRIATE THE FUNDS TO PUT TOWARD THE COST OF THE PROJECT; AND PROVIDING AN EFFECTIVE DATE

**WHEREAS**, King’s Bay is the last coastal community within the City still utilizing septic systems despite having a sewer force main within a reasonable connection distance; and

**WHEREAS**, it is well documented that septic systems on properties in close proximity to coastal waterways such as Biscayne Bay leach nutrients and contaminants into the bay, thereby contributing to algae blooms and fish die-offs; and

**WHEREAS**, the City of Coral Gables (the “City”) has been awarded a Florida Department of Environmental Protection grant in the amount of \$2,750,000 (the “Grant”) to fund the construction of a new gravity sewer system, pump station, and force main (the “Septic-to-Sewer Local Improvement”) that will allow for the conversion of approximately 150 septic systems to central sewer in a portion of the King’s Bay subdivision, as recorded in Plat Book 57, Page 45 in the public records of Miami-Dade County, Florida (“Kings Bay”); and

**WHEREAS**, pursuant to the terms of the Grant, the City is required to make a minimum local contribution in the amount of \$2,800,000 toward the project cost of the Septic-to-Sewer Local Improvement; and

**WHEREAS**, staff has estimated the total project cost of the Septic-to-Sewer Local Improvement to be \$6,162,500, thereby making the local contribution approximately \$3,412,500; and

**WHEREAS**, in accordance with Article IV, Chapter 58 of the City of Coral Gables Code of Ordinances, the City Commission is authorized to use special assessments to fund the Project Cost of Local Improvements, such as the Septic-to-Sewer Local Improvement; and

**WHEREAS**, the City Commission desires to accept the Grant and to direct the City Manager to initiate the process for the development of a special assessment program to fund the Project Cost of the Septic-to-Sewer Local Improvement that is not covered by the Grant; and

**WHEREAS**, the grant dictates an aggressive project completion date of March 31, 2024 that will require the City to immediately move forward with the design and construction of the Septic-to-Sewer Local Improvement project; and

**WHEREAS**, the immediacy of the project start date will require City Commission approval to “front” the funds that will be collected by the assessment until such time that the assessment is implemented; and

**WHEREAS**, a budget amendment is required to recognize the grant as revenue and to appropriate such funds to put toward the Septic-to-Sewer Local Improvement project cost.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:**

**SECTION 1. RECITALS.** The above recitals are true and correct and are hereby incorporated herein by reference.

**SECTION 2. GRANT AGREEMENT ACCEPTANCE.**

(A) The DEP Grant Agreement (No. C2103) with the Florida Department of Environmental Protection for Grant funds in the amount of \$2,750,000 for the Septic-to-Sewer Local Improvement (the “Agreement”) is hereby approved.

(B) The City Manager or designee is hereby authorized to execute Agreement in its substantially final form attached hereto as Exhibit “A,” subject to such non-substantive changes as approved by the City Attorney.

**SECTION 3. ASSESSMENT PROGRAM.** The City Commission hereby directs the City Manager as follows:

(A) Based upon the subsequent design for the Septic-to-Sewer Local Improvement, develop a Project Cost and a fair and reasonable apportionment methodology for assessing all benefitting properties a proportionate share to fund the City’s local contribution; and

(B) Develop a proposed special assessment program to charge all benefited properties in accordance with the plans, budget, and identified apportionment methodology; and

(C) Provide a report to the City Commission on the proposed Septic-to-Sewer Local Improvement special assessment program; and

(D) Provide the necessary resolutions and other documents to the City Commission for implementation of the proposed Septic-to-Sewer Local Improvement special assessment program in accordance with Article IV, Chapter 58 of the City of Coral Gables Code of Ordinances; and

(E) Utilize legally available city revenues to “front” the assessment collections as necessary until such time that the assessment is implemented; and

(F) Amend the Fiscal Year 2021-2022 annual budget to recognize the grant funds as revenue and to appropriate such funds to put toward the cost of the project.

**SECTION 4. EFFECTIVE DATE.** This Resolution shall become effective upon its approval.

PASSED AND ADOPTED THIS TWENTY SIXTH DAY OF APRIL, A.D., 2022.

APPROVED:

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VINCE C. LAGO  
MAYOR

ATTEST:

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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BILLY Y. URQUIA  
CITY CLERK

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MIRIAM SOLER RAMOS  
CITY ATTORNEY

**EXHIBIT A**  
**GRANT AGREEMENT**