

City of Coral Gables City Commission Meeting
Agenda Item F-5
May 23, 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

Deputy City Attorney, Stephanie Throckmorton

Public Speaker(s)

Agenda Item F-5 [3:49 p.m.]

An Ordinance of the City Commission amending the City of Coral Gables Code, Chapter 82 -Vegetation, Article 1-In General, Section 82-7 “Annual Registration Required” in order to remove provisions conflicting with state law and add provisions regarding the proper parking of vehicles providing landscaping and tree trimming services in residential areas, and amending Chapter I-General Provisions, Section 1-7 entitled "Penalties" to include penalties for violations of Section 82-7 providing for a repealer provision, severability clause, codification, and providing for an effective date. (Sponsored by Commissioner Menendez) (Sponsored by Vice Mayor Anderson)

Mayor Lago: Let’s move onto ordinances on first reading, we have F-5.

City Attorney Suarez: F-5 is an Ordinance of the City Commission amending the City of Coral Gables Code, Chapter 82 -Vegetation, Article 1-In General, Section 82-7 “Annual Registration Required” in order to remove provisions conflicting with state law and add provisions regarding the proper parking of vehicles providing landscaping and tree trimming services in residential

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Article 1 – In General – Section 82-7 “Annual Registration Required”

areas, and amending Chapter I-General Provisions, Section 1-7 entitled "Penalties" to include penalties for violations of Section 82-7 providing for a repealer provision, severability clause, codification, and providing for an effective date. This is a public hearing item and Deputy City Attorney Stephanie Throckmorton will present the item.

Deputy City Attorney Throckmorton: Good afternoon, Mayor, Vice Mayor, Commissioners. This item is before you today on first reading, sponsored by Commissioner Menendez and the Vice Mayor. As you may recall, the Mayor brought forward legislation that required annual landscape registration. Unfortunately, like in many other areas, we have been preempted by the State and that program has to be sunsetted. As we are addressing Commissioner Menendez' and the Vice Mayor's concerns, we will be removing that provision from the code. So that's just to get out of the way of what's being removed. The new sections codify what have been our long-stated practices and handed out through that landscaper registration about parking requirements for landscaping vehicles for doing work in the residential areas of the city. It also incorporates by reference the FDOT regulations for maintenance of traffic for county and state roads when walking a lane of traffic. So, there are some specific details and as a general matter, vehicles should be parked on private property or on the grass swale area, directly adjacent to the property being provided a commercial service. If they are unable to do so, there are some provisions about where those vehicles can be. The property owner is the one who would be cited for violation of this section and that fine is incorporated into this amendment as well.

Mayor Lago: Thank you so much. Sponsors, any words, any additional comments.

Commissioner Menendez: Just basically, residents have reached out and I've witnessed the folks doing landscape services and they have those large trucks, and they are working on property A, yet they are parked in front of property B, taking up the entire front of their house, and the more I look at it, the more I realize it sort of a little bit out of control. So, I think like anything else, if somebody is working on your property, they should be parked at your property not your neighbors down the street. So, I think this is a way that sort of help manages the situation, because obviously, you don't want residents to approach other residents because of the situation we should take matters into our own hands and find fair legislation that sort of align things in the right way.

Vice Mayor Anderson: Through the Mayor. This was a long time coming and there's been outreach by several residents where they tried to have a conversation with somebody, the conversation didn't work, and this will be a useful tool to control where people park.

Deputy City Attorney Throckmorton: Mr. Mayor, I believe Commissioner Menendez had mentioned previously we'd be doing some delay and enforcement here, or an educational campaign. I don't know if that's something you still want to address between first and second reading.

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Commissioner Menendez: Yes, I thought it was the wise thing to do, but I'll be more than happy to take suggestions from my colleagues, should we delay it a little bit and just, I don't know, E-NEWS is something – somehow get the word out before we go from one day to the other. I'm open to suggestions.

Mayor Lago: I think it's a smart move.

Vice Mayor Anderson: Yes, it is, but I'm a little concerned about the sunset provision.

Deputy City Attorney Throckmorton: So not a sunset provision, but more like enforcement would begin in six months or this ordinance would become effective in six months following an educational campaign, some language like that. So not sunseting...

City Attorney Suarez: The landscaper registration.

Deputy City Attorney Throckmorton: Oh.

City Attorney Suarez: We can make that effective immediately.

Deputy City Attorney Throckmorton: Yes, that part could be effective immediately and we can just mention that the enforcement, that the ordinance can become effective immediately, but the enforcement mechanism would be delayed following an educational campaign.

Commissioner Menendez: And this would be usually during the daytime, so sunset. Sorry, I had to say it. I just had café con leche.

Mayor Lago: Can I get a motion.

Vice Mayor Anderson: I'll move it.

Commissioner Menendez: I'll second.

City Clerk Urquia: Mr. Mayor, before we vote we have a member of the public requesting to speak on the item, Maria Cruz.

Deputy City Attorney Throckmorton: As Ms. Cruz approaches, just a quick question. Were you thinking of a specific time period for that delay enforcement, or do you want me to work with the sponsors in between?

Mayor Lago: Work with the sponsors.

Deputy City Attorney Throckmorton: Okay. Thank you.

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Mayor Lago: Mr. Clerk. Moving on.

Commissioner Castro: Yes

Commissioner Fernandez: Yes

Commissioner Menendez: Yes

Vice Mayor Anderson: Yes

Mayor Lago: Yes

(Vote: 5-0)

Deputy City Attorney Throckmorton: Thank you.

Mayor Lago: No, thank you.