



*Keep America Beautiful Affiliate*

Official Affiliate Name: Keep Coral Gables Beautiful  
Location Served: Miami-Dade County, Coral Gables, Florida  
Target Affiliate Date: July 2020  
Population Size: 50,999

## Table of Contents

<b>Organizational Structure</b> .....	<b>2</b>
Governance Documents- .....	2
Official Affiliate Name- .....	2
Board Members- .....	2
Mission Statement- .....	2
Logo Design.....	3
Proposed Budget for First Year .....	3
Executive Directors.....	3
<b>Community Appearance Index-Litter Index Report</b> .....	<b>4</b>
<b>Focus Area Research and Inventory Report</b> .....	<b>5</b>
Litter Prevention .....	5
Beautification and Community Improvement .....	8
Waste Reduction .....	10
<b>Observations and Recommendations</b> .....	<b>15</b>

## Organizational Structure Report

Governance Documents: Appendix I - City of Coral Gables, Florida Resolution No. 2019-222

Official Affiliate Name: Keep Coral Gables Beautiful

Board Members:

<b>Name</b>	<b>Phone Number</b>	<b>Address</b>	<b>Email</b>
Solanch Lopez	(305) 569-1835	405 Biltmore Way, Coral Gables, FL 33134	<a href="mailto:slopez@coralgables.com">slopez@coralgables.com</a>
Matthew Anderson	(305) 460-5008	2800 SW 72 Ave, Miami, FL 33155	<a href="mailto:manderson@coralgables.com">manderson@coralgables.com</a>
Irela Bague	(305) 785-2763	15 Madeira Ave, #6 Coral Gables, FL 33134	<a href="mailto:irela.bague@baguegroup.com">irela.bague@baguegroup.com</a>
Teddy Lhoutellier	(305) 284-8520		<a href="mailto:teddyl@miami.edu">teddyl@miami.edu</a>
Monique Selman	(786) 271-7192		<a href="mailto:mts@albanyhomes.us">mts@albanyhomes.us</a>
Marlin Ebbert	(305) 665-5701	6510 San Vicente St. Coral Gables, FL 33146	<a href="mailto:marlinebbert@yahoo.com">marlinebbert@yahoo.com</a>
Piero Gardinali	(305) 348-3095		<a href="mailto:Gardinal@fiu.edu">Gardinal@fiu.edu</a>
Gordon Fales	(305) 401-6125		<a href="mailto:gggfales@bellsouth.net">gggfales@bellsouth.net</a>
Greg Hamra	(305) 310-4169		<a href="mailto:gh@hamra.net">gh@hamra.net</a>
Rita Teutonico	(305) 348-2719	901 Tangier St, Coral Gables, FL 33134	<a href="mailto:rteutoni@fiu.edu">rteutoni@fiu.edu</a>
Martin Pinilla	(786) 586-0049		<a href="mailto:martinpinilla@bellsouth.net">martinpinilla@bellsouth.net</a>
Enrique Bernal	(786) 452-8142		<a href="mailto:ebernalg6@gmail.com">ebernalg6@gmail.com</a>

Mission Statement:

To promote environmental sustainability and educate the community to take action every day to reduce litter from our open spaces & waterways, improve recycling effort and keep our City Beautiful.

Logo Design:



Proposed Budget for First Year:

- \$30,000.....Bi-Annual Electronic Recycling and Household Hazardous Waste Collection Events

Executive Directors:

- **Name:** Solanch Lopez & Matthew Anderson
- **Job Description:** Management of Keep Coral Gables Beautiful shall fall within City staff's existing job descriptions and responsibilities.
- **Office Address:** 405 Biltmore Way, Suite 100, Coral Gables, FL 33125
- **Phone:** (305) 569-1835 | (305) 460-5008
- **Fax:** (305) 460-5350

## **Community Appearance Index-Litter Index Report**

This item is currently on hold due to the COVID-19 pandemic. At this time the areas for the litter index have been identified and can be seen in the GIS Map by [clicking here](#).

## Focus Area Research and Inventory Report:

### 1. What impression would a first-time visitor have of your Community?

The most impressionable aspects for a first-time visitor would be the City's cleanliness and storybook like appearance. Upon entering the City, a visitor is immediately immersed under a beautiful green canopy of old oaks, banyan trees, and many others that provide a shady and cool landscape for those who like to walk and explore the City's architecture. As a visitor continues to explore the City's features, they will also soon notice the lack of litter and garbage throughout the City. This effort to keep the City clean and litter-free is upheld by the City's public servants and its residents whose number one goal is to make sure that Coral Gables remains- the City Beautiful.

### 2. Positives?

A main positive that is attributed to Coral Gables is the sharp contrast it provides from the surrounding cities and counties. Although the City prides itself on its innovative use of technology and modern luxuries, it keeps nature as its prime focus. Throughout the City, residents can easily find green spaces, parks, and areas to relax nearby to ensure a getaway from the day-to-day hustle and bustle of city life.

### 3. Negatives?

Something that may be considered a negative to some is the lack of sidewalks throughout some of the streets in the City. Many of the driveways in the City are accompanied by grassy areas that extend directly onto the street in order to maintain a very organic and canopy focused appearance. Because of this, some residents dislike that they need to walk on the streets rather than a designated sidewalk. However, it is important to note that these areas are mostly residential and are not heavily populated streetways.

## Litter Prevention:

### 1. Who is responsible for litter prevention?

Sanitation/ Solid Waste/ Recycling Department

- Al Zamora - Assistant Director of Sanitation: 305-460-5124
- Alvaro Rueda- Lead Sanitation Division Coordinator: 305-460-5182

### 2. What ordinance/codes/regulation exist(s) in your community related to litter prevention? (See Appendix II)

**ORDINANCE 2009-02** - AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 54, "SOLID WASTE," ARTICLE II, "LITTER" DIVISION 2, "HANDBILLS" BY PROVIDING FOR THE PROHIBITION OF THROWING, DISCARDING, PLACING, OR DEPOSITING HANDBILLS OR FLYERS AS LITTER IN PUBLIC PLACES; PROVIDING FOR DEFINITIONS; CREATING CRITERIA FOR REBUTTABLE PRESUMPTIONS CONCERNING LITTERING WITH COMMERCIAL HANDBILLS OR FLYERS; BY PROVIDING FOR SEIZURE OF HANDBILLS OR FLYERS FOR USE AS EVIDENCE; PROVIDING FOR REMOVAL OF HANDBILLS AT VIOLATOR'S EXPENSE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR APPEALS, PAYMENT OF FINES AND FORECLOSURE; PROVIDING FOR FINES AND PENALTIES; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

**ORDINANCE 2017-13** - AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY: CREATING SECTION 62-245 "PROHIBITION ON USE OF SINGLE-USE CARRY OUT PLASTIC BAGS" IN CHAPTER 62, ARTICLE VII SPECIAL EVENTS; AND CREATING ARTICLE IX "SALE, USE OR

DISTRIBUTION OF SINGLE-USE CARRY OUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS WITHIN THE CITY" IN CHAPTER 34 NUISANCE, OF THE CITY CODE. PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, ENFORCEABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE 2019-01** - AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY: CREATING SECTION 2-731 "PROHIBITION ON USE OF SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE-USE PLASTIC STIRRERS BY CITY CONTRACTORS IN CHAPTER 2- ADMINISTRATION, ARTICLE VIII- PROCUREMENT CODE; AND CREATING SECTION 62-264 "PROHIBITION ON USE OF SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE USE PLASTIC STIRRERS" IN CHAPTER 62- STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE VII- SPECIAL EVENTS AND PARADES; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, ENFORCEABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

**RESOLUTION 2015-269** - A RESOLUTION ENCOURAGING CITY OF CORAL GABLES' RESIDENTS, BUSINESSES, VENDORS AND VISITORS TO CEASE USING AND PURCHASING PRODUCTS MADE FROM EXPANDED POLYSTYRENE, AND REPLACING EXPANDED POLYSTYRENE PRODUCTS WITH REUSABLE, RECYCLABLE, AND COMPOSTABLE ALTERNATIVES THAT ARE SAFER FOR HUMAN HEALTH AND THE ENVIRONMENT.

**RESOLUTION 2017-113** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES FOR THE ENFORCEMENT OF SECTION 8CC OF THE MIAMI-DADE COUNTY CODE, AS IT RELATES TO SECTION 21-81 OF THE MIAMI-DADE COUNTY CODE, REGARDING THE ESTABLISHMENT OF A CIVIL CITATION PROGRAM.

**RESOLUTION 2019-222** – A RESOLUTION OF THE CITY COMMISSION ACCEPTING THE RECOMMENDATION OF THE SUSTAINABILITY ADVISORY BOARD TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY OF CORAL GABLES TO BECOME A "KEEP AMERICA BEAUTIFUL, INC." AFFILIATE.

**3. Did your community participate in the Great American cleanup or any other community litter cleanup?**

Coral Gables is very active in keeping its community litter-free and sustainable. In 2010 the City of Cora Gables created a Sustainability Advisory Board (formerly known as the Green Task Force) whose purpose is promoting environmental sustainability for the City, as a way of living and conducting business to ensure a quality of life for the future generations.

The City participates in a number of community events such as Earth Day, UM Green Fair, Baynanza Biscayne Bay Cleanup at Matheson Hammock Park, Bike to Work Day, Park(ing) Day, Household Hazardous Waste Community Collection events and many more events that work towards this end.

For example, the City of Coral Gables and students from the City of Coral Gables Police Explorers and the Police Athletic League (PAL) helped clean up Biscayne Bay as a part of the Annual Baynanza event. City volunteers joined other local organizations to pick up garbage along the shores and

roadways of Matheson Hammock Park in Coral Gables. The event was a huge success in raising awareness about litter prevention and the importance of protecting our environment.



**4. Who is responsible for illegal dump cleanup in your jurisdiction?**

City of Coral Gables Sanitation/ Solid Waste/Recycling Department

- Al Zamora - Assistant Director of Sanitation: 305-460-5124
- Alvaro Rueda- Lead Sanitation Division Coordinator: 305-460-5182

**5. What litter prevention programs are used by your area schools?**

The majority of the schools within Coral Gables have recycling programs in place and are managed by the Miami-Dade County School Board.

**6. Who does education related to litter prevention?**

The City of Coral Gables' Sustainable Public Infrastructure Division along with the City Sustainability Advisory Board promotes environmental sustainability within the City, provides presentations to groups interested in topics such as sustainability, alternative transportation, climate change/sea level rise, recycling, etc. The City's Landscape Beautification Advisory Board also hosts an annual Arbor Day celebration held in area schools to provide educational opportunities to children and the public about landscape benefits and environmental education.

The City regularly partners with other municipalities and other local organizations including Debris Free Oceans, Environmental Coalition of Miami and the Beaches, Miami Dade County (Baynanza Event), Sierra Club (Miami Chapter), Volunteer Cleanup.org, etc. For example, a series of virtual Sustainachella events, organized in partnership with the City of Miami Beach were recently held to promote and educate the community on topics such as water conservation and recycling.





The City of Coral Gables is also proud to introduce, in collaboration with the Coral Gables Chamber of Commerce and the City’s Sustainability Advisory Board, the Coral Gables Green Business Certification Program. This program aligns with the City’s sustainability goals of reducing energy, water, fuel consumption, and waste while increasing recycling efforts, alternative transportation and sustainability education and outreach. With all of the great work that the City’s local business community is doing in sustainability, the City felt it was the perfect time to create this type of recognition/certification program. The goal of the program is to recognize and reward local businesses for all their amazing efforts. In addition, the program aims to educate businesses on additional sustainability initiatives they can implement. The program is FREE to participate.

**Beautification and Community Improvement:**

1. **Who is responsible for beautification and community improvement?**
  - Landscaping Division - Deena Bell-Llewellyn: 305-460 -5165
  - Arborist/Trees- Jorge Rivera: 305-460-5134
  - Public Works Maintenance Division – Right of Ways: Jorge Acevedo: 305-460-5006
  
2. **What ordinances/codes/regulation exists in your community related to beautification and community improvement? (See Appendix III)**

**ORDINANCE NO. 2014-12-AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING THE CODE OF THE CITY OF CORAL GABLES, FLORIDA, BY AMENDING CHAPTER 82 "VEGETATION", TO ALLOW FOR THE PROTECTION OF ORCHIDS INSTALLED THROUGH THE CITY'S PARTICIPATION IN THE MILLION ORCHID PROJECT; PROVIDING FOR THE PROTECTION OF ORCHIDS PLANTED AS PART OF THE CITY'S "MILLION ORCHID PROJECT"; PROVIDING FOR PENALTY AND CIVIL REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

**RESOLUTION 2014-52 - RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT WITH FAIRCHILD TROPICAL BOTANIC GARDEN, INC. TO PARTICIPATE IN THE MILLION ORCHID PROJECT, AND TO AUTHORIZE THE FISCAL YEAR 2013-2014 ANNUAL BUDGET FUNDS TO SUPPORT THIS PROJECT.**

**RESOLUTION 2017-49** – A RESOLUTION TO CONTINUE AGENDA ITEM E-2 [SUBJECT MATTER: A PROPOSED ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY CREATING SECTION 62-137 “ PRIVATE SIDEWALKS ADJOINING GIRALDA AVENUE” IN CHAPTER 62, ARTICLE IV] UNTIL THE CITY COMMISSION MEETING OF MARCH 14, 2017.

**RESOLUTION 2019-58-A** RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA AUTHORIZING THE CITY MANAGER TO EXTEND AND AMEND AN AGREEMENT WITH FAIRCHILD TROPICAL BOTANIC GARDEN, INC. TO CONTINUE PARTICIPATION IN THE MILLION ORCHID PROJECT, AS INITIALLY AUTHORIZED IN RESOLUTION 2014-52.

**3. Has your community recognized anyone for beautification efforts in the past three years?**

The Landscape Beautification Advisory Board selects approximately five City properties per year for landscape beautification awards. The members of the board canvas the residential and commercial areas of the City, and nominate 25-30 properties, which are then voted upon and narrowed down to the winning properties. Awards are presented to the property owners each year during the month of April at the annual Arbor Day event that is hosted by this board jointly with the City, and the Coral Gables Garden Club.

Due to the pandemic, the 2020 awards presentation has been postponed until further notice. The board hopes to be able to reconvene and have a presentation of the awards at a commission meeting later this year.

**4. Do we have an active Master Gardener program?**

No, the City does not have an active Master Gardener program. The organization that offers Master Gardner classes that is the closest in proximity is the UF Extension Office in Homestead, Florida.

**5. Are we a Tree City USA?**

Yes, for the past 35 years, the City of Coral Gables has been designated as a “Tree City USA.” This program is sponsored by the National Arbor Day Foundation, in cooperation with the National Association of State Foresters and the USDA Forest Service.

**6. Who does education related to beautification and community improvement?**

The City of Coral Gables works with a variety of organizations (internal and external) to educate the community related to beautification and community improvement, including the Coral Gables Garden Club and the City’s own Landscape Beautification Advisory Board and Sustainability Advisory Board previously mentioned above.

The Coral Gables Garden Club, a Coral Gables non-profit founded in 1925, has made its mission to inspire a love of gardening, horticulture, landscape design, conservation and beautification. The City of Coral Gables, in recognition of the Garden Club's many contributions presented the club with a Proclamation declaring January 13th “Coral Gables Garden Club Day.”

The Club’s most recent education initiatives include:

- Working with the City of Coral Gables to teach children the value of trees for Arbor Day.
- Monthly luncheons and programs with noted speakers on horticultural interests.
- Gardening workshops and field trips to botanical sites and flower shows

- The group regularly supports environmental non-profits and the Florida Federation of Garden Clubs, Camp Wekiva, Penny Pines, World Gardening and more.



The City of Coral Gables is proud to have a Landscape Beautification Advisory Board among its boards and committees. The Landscape Beautification Advisory board is charged with developing and recommending to the City Commission policy and programs for the development and management of landscaping in the City. Among its many functions, the board studies the City's urban tree canopy management issues, including recommending policies for the preservation and further development of the City's Urban Forest, makes recommendations for the presentation of beautification awards, the facilitation of public outreach and education seminars regarding the selection, and planting and maintenance of trees and landscaping and coordination of an Arbor Day Celebration.

### Waste Reduction:

#### 1. Who is responsible for solid waste?

Sanitation/ Solid Waste/ Recycling Department/Division

- Al Zamora - Assistant Director of Sanitation: 305-460-5124
- Alvaro Rueda- Lead Sanitation Division Coordinator: 305-460-5182

#### 2. What ordinances/codes/regulations/contracts exist in your community related to solid waste? (See Appendix IV)

**ORDINANCE 2009-02** - AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 54, "SOLID WASTE," ARTICLE II, "LITTER" DIVISION 2, "HANDBILLS" BY PROVIDING FOR THE PROHIBITION OF THROWING, DISCARDING, PLACING, OR DEPOSITING HANDBILLS OR FLYERS AS LITTER IN PUBLIC PLACES; PROVIDING FOR DEFINITIONS; CREATING CRITERIA FOR REBUTTABLE PRESUMPTIONS CONCERNING LITTERING WITH COMMERCIAL HANDBILLS OR FLYERS; BY PROVIDING FOR SEIZURE OF HANDBILLS OR FLYERS FOR USE AS EVIDENCE; PROVIDING FOR REMOVAL OF HANDBILLS AT VIOLATOR'S EXPENSE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR APPEALS, PAYMENT OF FINES AND FORECLOSURE; PROVIDING FOR FINES AND PENALTIES; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

**ORDINANCE 2015-09** - AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, RELATING TO THE PROVISION OF SERVICES, FACILITIES AND PROGRAMS THROUGHOUT THE INCORPORATED AREAS OF CORAL GABLES, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS AGAINST PROPERTY; PROVIDING CERTAIN DEFINITIONS; PROVIDING FOR THE CREATION OF ASSESSMENT AREAS; PROVIDING A PROCEDURE TO IMPOSE SPECIAL ASSESSMENTS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS AND FOR CORRECTION OF ERRORS AND OMISSIONS; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLLS; PROVIDING FOR INTERIM ASSESSMENTS; AUTHORIZING HARDSHIP ASSISTANCE AND CERTAIN EXEMPTIONS; PROVIDING A PROCEDURE FOR COLLECTION OF SPECIAL ASSESSMENTS; PROVIDING A MECHANISM FOR THE IMPOSITION OF ASSESSMENTS ON GOVERNMENT PROPERTY; REPEALING ORDINANCE NO. 2009-37 CONCERNING FIRE PROTECTION ASSESSMENTS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

**ORDINANCE 2017-13** - AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY: CREATING SECTION 62-245 "PROHIBITION ON USE OF SINGLE-USE CARRY OUT PLASTIC BAGS" IN CHAPTER 62, ARTICLE VII SPECIAL EVENTS; AND CREATING ARTICLE IX "SALE, USE OR DISTRIBUTION OF SINGLE-USE CARRY OUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS WITHIN THE CITY" IN CHAPTER 34 NUISANCE, OF THE CITY CODE. PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, ENFORCEABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**RESOLUTION 2010-284** - RESOLUTION ELECTING TO USE THE UNIFORM METHOD OF COLLECTING SOLID WASTE COLLECTION NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**RESOLUTION 2015-189** - RESOLUTION ELECTING TO USE THE UNIFORM METHOD OF COLLECTING SOLID WASTE COLLECTION NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**RESOLUTION 2015-269** - A RESOLUTION ENCOURAGING CITY OF CORAL GABLES' RESIDENTS, BUSINESSES, VENDORS AND VISITORS TO CEASE USING AND PURCHASING PRODUCTS MADE FROM EXPANDED POLYSTYRENE, AND REPLACING EXPANDED POLYSTYRENE PRODUCTS WITH REUSABLE, RECYCLABLE, AND COMPOSTABLE ALTERNATIVES THAT ARE SAFER FOR HUMAN HEALTH AND THE ENVIRONMENT.

**RESOLUTION NO. 2016-207**- A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA; RELATING TO, THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS IN THE CITY OF CORAL GABLES, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT FOR RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY; IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST RESIDENTIAL PROPERTY LOCATED

WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016; APPROVING THE SOLID WASTE ASSESSMENT ROLL; CONFIRMING THE AMENDED AND RESTATED INITIAL ASSESSMENT RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

**RESOLUTION 2017-113** - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES FOR THE ENFORCEMENT OF SECTION 8CC OF THE MIAMI-DADE COUNTY CODE, AS IT RELATES TO SECTION 21-81 OF THE MIAMI-DADE COUNTY CODE, REGARDING THE ESTABLISHMENT OF A CIVIL CITATION PROGRAM.

**3. List all the landfills, transfer/ convenience stations in our area:**

Landfills

- North Dade Landfill: 21500 NW 47th Ave, Opa-locka, FL 33055
- South Dade Landfill: 23707 SW 97th Ave, Homestead, FL 33032

Transfer Stations in Close Proximity ([Click Here for a complete list](#))

- Miami Dade West Transfer Station: 2900 SW 72nd Ave, Miami, FL 33155

Household Hazardous Waste Sites in Miami-Dade (outside of Coral Gables)

- West-Dade: 8831 NW 58th Street
- South-Dade: 23707 SW 97th Ave

**4. What is the estimated remaining life of each landfill?**

**Miami-Dade County** has two operating landfills (North-Dade and South-Dade) used by municipal, private contractors and landscapers.

**The North-Dade location** has 2 cells, an eastern and a western cell. Only the eastern cell is currently accepting trash. The western cell is closed, but under continuous environmental monitoring. Trash is compacted using a large bulldozer (compactor) with spiked wheels that drives over waste to reduce its volume. As required by law, clean cover material is spread over the compacted trash each week. This helps control odors, as well as reduce the number of birds that forage for food. The eastern cell includes a leachate collection system and a groundwater monitoring system. Leachate is a liquid formed by rainwater percolating through waste at the landfill. Landfill leachate is processed through the sanitary sewer system. Currently, methane gas resulting from the decomposition of the landfill's waste is extracted and flared. This will be replaced by a landfill gas-to-energy conversion system to be constructed.

**Key facts about this location:**

- The 100-acre eastern cell is active and has a permitted height of 138 feet.
- The 118-acre western cell is closed and has a permitted height of 95 feet.
- The landfill began operating in 1951.
- The landfill was formerly a Class I landfill, becoming a Class III landfill in 1983.
- Disposal capacity at the facility is anticipated to last through 2020.

**The South-Dade location** is a 300-acre landfill with 5 cells; 3 cells have already been filled and closed. The fourth cell is the active cell, and construction of the fifth cell is underway. Disposal capacity at the facility is anticipated to last through 2029.

At the on-site transfer operation, waste is unloaded on the tipping floor, a special area where waste is sorted. Some of this waste will be buried at the landfill, while most is typically loaded into 85-cubic yard transfer vehicles for transport to the Resources Recovery Facility, where waste is turned into energy.

Waste that will be buried at the landfill is taken to an active cell. It is deposited, and then compacted, so that it takes up the smallest space possible. At the end of each working day, the compacted waste is covered with soil.

The landfill has been designed using the latest technology, with a synthetic liner system, leachate collection system and groundwater monitoring and treatment system. A sequencing batch reactor - industrial processing tanks for the treatment of wastewater - is used to treat leachate generated on site before it is pumped to the adjacent wastewater treatment facility.

When a cell reaches capacity, it is closed following federal and state regulations. Closure activities include the installation of a final cover system that contains geosynthetic materials and soil layers, storm water drainage, landfill gas collection and associated piping.

A byproduct of decomposing waste is landfill gas, which is typically made up of about 50 percent methane gas, about 50 percent carbon dioxide and other trace substances. The landfill's closed cells include a series of wells to extract this gas. The gas is burned off at a flare located at the northern end of the landfill.

A gas-to-energy recovery facility is being constructed at the neighboring wastewater treatment facility. Landfill gas will be piped to the recovery facility where it will be combined with gas from the wastewater treatment facility. The combined gases will be converted into electricity to power operations at the wastewater treatment plant.

The landfill is also one of several sites in the disposal system that has been converted into a natural habitat and wetland area for native plants and varied wildlife. South Dade's 54 acres of restored wetlands are home to dozens of species of plants and wildlife, including the American alligator and bald eagle.

**Key Facts about this location:**

- The 50-acre Cell 4 is active.
- The landfill has a permitted height of 150 feet.
- Closed Cells 1 and 2 combined are about 60 acres, and Cell 3 is 50 acres.
- Cell 5 has 50 acres available for future disposal.
- Construction on the facility began in early 1978 and the first waste was landfilled in 1979.

**5. List the public or private recycling opportunities in the community (be specific):**

Residents are issued a 14-gallon red container in which all recyclable items are collected once per week. To be assured of a pickup, residents must make material accessible to the collector prior to 7 a.m. on the scheduled collection day. All items must be placed inside of the bin and boxes broken down to be collected. You may request as many bins as you need.

*Waste Collection for Single Family Homes*

The collection, disposal and recycling of trash for all single-family and duplex properties is handled by the Public Works Department, Sanitation Division of the City of Coral Gables.

Residents may call 305-460-5346 for any questions related to Single Family homes, such as collection times, missed pick-up concerns, special pick up scheduling or how to get trash pits filled.

*Waste Collection for Multi-Family and Commercial Properties*

The collection, disposal and recycling of trash for multi-family and commercial properties, is provided by Waste Management of Dade County. You can reach Waste Management at 305-471-4444 for specific information regarding services to Commercial properties, apartments and condominiums.

**6. Are there any reuse/second-hand shops in our community?**

Yes, some examples are:

- Books & Arts Prints – 4329 SW 8<sup>th</sup> Street
- Twice Consignment Shop – 5701 Sunset Drive
- The Children’s Exchange – 1415 Sunset Drive
- Turnepi - 2000 Ponce de Leon Blvd

**7. Do you have a recycling end use business?**

The City contracts an electronic waste vendor that ensures that no e-waste ends up in the landfill for our bi-annual Household Hazardous Waste collection events. They repurpose or recycle all the materials in the electronics. As a result of the collection events over the last 3 years, the city has been able to collect over 182,000 pounds of electronic waste and household hazardous waste and divert that materials from potentially ending up in the landfills.

The City also works with Waste Management, a third party, who takes all recycling materials.

**8. Where does the electronic waste including cell phones and inkjet in our community go?**

The City contracts with an electronic waste vendor for our bi-annual Household Hazardous Waste Community Collection events. This also extends to electronic waste created by City operations. The City’s IT department collects all used City computers, printers and parts and provides them to the same electronic waste vendor for repurposing or recycling.

**9. Do your schools recycle?**

The majority of the schools within Coral Gables have recycling programs in place and are managed by the Miami-Dade County School Board.

**10. Who does education on waste reduction?**

The City of Coral Gables’ Sustainable Public Infrastructure Division along with the City’s Sustainability Advisory Board does presentations to groups interested in topics such as sustainability, alternative transportation, climate change/sea level rise, recycling, etc. The Landscape Beautification Board also hosts a yearly Arbor Day celebration held in Coral Gables schools to provide educational opportunities to children and the public about landscape benefits and environmental education.

## Observations and Recommendations

Unfortunately, at this time, the litter index has had to be postponed due to COVID-19 and the current climate. However, after referring to and looking through the focus areas, the following observations and recommendations can be made:

### *Observations*

- The City of Coral Gables has been proactive in its efforts to go ‘green’ since the 2010 creation of the Sustainability Advisory Board (formerly known as the Green Task Force).
- Coral Gables has made it a point to advocate the importance of sustainability and environmental friendliness by acknowledging businesses that go the extra mile to keep the City ‘clean and green’ through the free Coral Gables Green Business Certification Program.
- Coral Gables continues to place an emphasis on the preservation of trees and green spaces which can be noted by its designation of being a ‘Tree City USA’ for over 35 years.
- Through the implementation of recycling programs within city schools and government offices, as well as Ordinances such as 2017-13, which bans single use plastic bags, Coral Gables remains consistent in its effort to educate residents and visitors on eco-friendly changes and initiatives.

### *Recommendations*

- Although Coral Gables has been vocal on its stance on sustainability, it can be noted that greater marketing and communication efforts can be taken in order to reach more residents and visitors on current eco-friendly events, initiatives, and movements taking place within the City.
- Whilst the City has been an active participant in events hosted by other cities and counties, partnering with Keep America Beautiful would support the City in their efforts to host fun and informative events of their own.
- Though Coral Gables has passed eco-friendly ordinances and implemented several sustainability initiatives, the City would like to make an effort in hosting green events directed towards the City’s youth and their families to promote going green as a family bonding opportunity.





*Keep America Beautiful Affiliate*

## **Appendix I**

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2019-222**

A RESOLUTION OF THE CITY COMMISSION ACCEPTING THE RECOMMENDATION OF THE SUSTAINABILITY ADVISORY BOARD TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY OF CORAL GABLES TO BECOME A "KEEP AMERICA BEAUTIFUL, INC." AFFILIATE.

**WHEREAS**, Keep America Beautiful, Inc., established in 1953, is a national non-profit community improvement organization that builds and sustains vibrant communities by creating clean, beautiful public places; reducing waste and increasing recycling; generating a positive impact on the local economy; and inspiring generations of environmental stewards; and

**WHEREAS**, Keep America Beautiful, Inc. works with corporations, government and civic entities, education institutions, nonprofits and other organizations to address complex challenges on both a local and national scale; and

**WHEREAS**, the Keep America Beautiful, Inc. program will assist in educating the Coral Gables community about littering behavior, waste handling, and beautification, thereby enhancing the community's image and improving the physical quality of life for residents and visitors alike; and

**WHEREAS**, City staff seeks to partner with the Sustainability Advisory Board to submit an application on behalf of the City Coral Gables to become an affiliate member of Keep America Beautiful, Inc.; and

**WHEREAS**, a subcommittee of the Sustainability Advisory Board would be created in order to combat and prevent littering in neighborhoods and public spaces, educate residents on the proper way to recycle, promote recycling, and enhance beautification efforts in the community; and

**WHEREAS**, the application fee to become a Keep America Beautiful, Inc. affiliate will be paid for by Keep Florida Beautiful, the state affiliate that brings together more than 43 Florida county and city affiliates; and any other necessary fees, such as annual affiliation dues, shall be paid for by the City of Coral Gables;

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

**SECTION 1.** That the City Commission hereby directs the City Manager's Office to submit an application on behalf of the City of Coral Gables for Coral Gables to become a "Keep

America Beautiful, Inc.” affiliate.

**SECTION 2.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF JULY, A.D., 2019.

(Moved: Mena / Seconded: Lago)

(Yeas: Lago, Mena, Fors. Jr, Valdes-Fauli)

(Majority: 4-1 Vote)

(Absent: Keon)

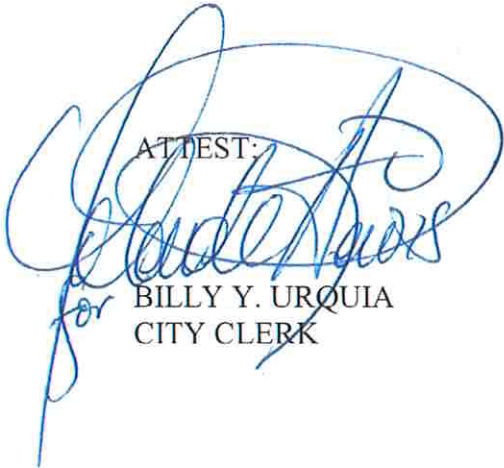
(Agenda Item: I-2)

APPROVED:



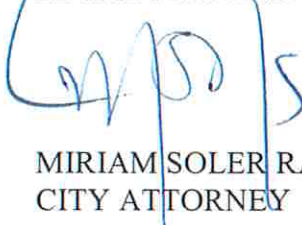
RAÚL VALDÉS-FAULI  
MAYOR

ATTEST:



BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY



*Keep America Beautiful Affiliate*

## **Appendix II**

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2009-02**

**AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 54, "SOLID WASTE," ARTICLE II, "LITTER" DIVISION 2, "HANDBILLS" BY PROVIDING FOR THE PROHIBITION OF THROWING, DISCARDING, PLACING, OR DEPOSITING HANDBILLS OR FLYERS AS LITTER IN PUBLIC PLACES; PROVIDING FOR DEFINITIONS; CREATING CRITERIA FOR REBUTTABLE PRESUMPTIONS CONCERNING LITTERING WITH COMMERCIAL HANDBILLS OR FLYERS; BY PROVIDING FOR SEIZURE OF HANDBILLS OR FLYERS FOR USE AS EVIDENCE; PROVIDING FOR REMOVAL OF HANDBILLS AT VIOLATOR'S EXPENSE; PROVIDING FOR ENFORCEMENT; PROVIDING FOR APPEALS, PAYMENT OF FINES AND FORECLOSURE; PROVIDING FOR FINES AND PENALTIES; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE**

**WHEREAS**, the City of Coral Gables' aphorism is the "City Beautiful" and has historically emphasized aesthetics and visual beauty in promoting the City; and

**WHEREAS**, litter on public property caused by persons distributing commercial handbills, pamphlets, leaflets or flyers harms the City's aesthetics and visual beauty by causing blight, harms and, further damages the City's efforts to promote, provide for, and protect the public health, safety, morals, and welfare of the residents of and visitors to the City of Coral Gables by causing congestion in the City's commercial streets, rights-of-way, parking lots and sidewalks; and

**WHEREAS**, the Commission of the City of Coral Gables wishes to improve the general cleanliness of the City and to ensure the safety of its citizens and visitors; and

**WHEREAS**, the City desires to reduce the substantial expenses and human resources incidental to the cleaning of litter on public property caused by uncontrolled distribution of commercial handbills, pamphlets, leaflets and flyers; and

**WHEREAS**, the City recognizes that a portion of the advertising litter, congestion and pedestrian harassment problem in the City is caused by businesses outside the City that send their representatives to the City's non-residential districts with their business handbills causing a financial burden upon the population of the City; and

**WHEREAS**, it would serve a substantial governmental interest for the City Commission to enact an Ordinance increasing the City's ability to enforce regulations

concerning litter, pedestrian sidewalk and street congestion and harassment due to commercial handbills, flyers, pamphlets and leaflets; and

**WHEREAS**, the City Commission of Coral Gables is desirous to enact an ordinance increasing the City's ability to enforce regulations concerning commercial handbills which is increasing at an alarming rate causing a health, fire and safety hazard as well as becoming unsightly by reasonable regulation of the time, place, and manner of the distribution and delivery of unsolicited print or written materials in the City of Coral Gables in accordance with *Sciarrino v. City of Key West*, 83 F.3d 364 (11<sup>th</sup> Cir. 1996) .

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** The Code of the City of Coral Gables, Florida is hereby amending Chapter 54, "Solid Waste," Article II, "Litter," Division 1, "Generally," and Division 2, "Handbills" to read as follows:

## **CHAPTER 54. SOLID WASTE**

### **ARTICLE II. LITTER**

#### **DIVISION 1. GENERALLY**

##### **Sec. 54-19. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Authorized private receptacle* means a litter storage and collection receptacle.

*Benefactor* means the owner of the business advertised in the commercial handbill whose agent, employee, contractor, promoter, or other representative did or caused the throwing, discarding, placing or depositing of the handbill, flyer, pamphlet or leaflet.

*Business* means any commercial or industrial activity, entity, or event in or for which any goods or services are made, sold or offered for sale or other consideration, pecuniary or otherwise.

*Non-residential Districts* means any area within the City which is recognized as a Non-residential District under the City's Zoning Code.

Handbill means any printed or written matter, leaflet, pamphlet, paper, or handbill which is not delivered by United States Mail, including but not limited to material:

- a. Which advertises for sale any merchandise, product, service, commodity or thing;
- b. Which directs attention to any business or mercantile or commercial establishment or other activity for the purpose of either directly or indirectly promoting the interests thereof by sales; or
- c. Which directs the attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission fee is charged for the purpose of private gain or profit.

~~Handbill or Flyer~~ means any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature.

Litter means any paper, handbill, leaflet, pamphlet, garbage, refuse, and rubbish and all other waste material which, if thrown or deposited and left on a public sidewalk, street, road, avenue, swale, median, building, fence, wall, alley, park, or any other public area,  
or on any object located on public property, or on the kneewall, window ledge or sill of  
any public or private property or on any motor vehicle or visible from the exterior of a motor vehicle as herein prohibited, tends to create a danger to public health, safety and welfare.

Park means a park, reservation, playground, beach, recreation center or any other public area in the city.

Person, Benefactor, or owner include, within their respective meanings, either an individual or an entity.

### **Sec. 54-31. Merchant**

~~Any merchant who advertises his goods, wares, or merchandise by causing such advertising material to be thrown or deposited in violation of any of the provisions of this article shall be equally guilty of violating this article along with the person so throwing or depositing same.~~

## **DIVISION 2. HANDBILLS**

### **Sec. 54-52. Throwing or distributing in public places.**

It shall be unlawful for any person or benefactor to throw, discard, place or deposit, or cause to be thrown, discarded, placed or deposited, litter in any manner or amount

whatsoever in or upon any public sidewalk, street, road, alley, parking lot or other public place within any of the city's Non-residential Districts. , to hand out or distribute, whether with charge or without charge, to the receiver thereof, any handbill to any person unwilling to accept it.

**Sec. 54-56. Enforcement and notice of violation.**

This division shall be enforced by any code enforcement official or police officer of the city. The code enforcement official shall issue a notice of violation to the violator of the nature of the violation, amount of fine for which the violator is liable, instructions and due date for paying the fine, notice that the violation may be appealed by requesting an administrative hearing within 30 days after service of the notice of violation, and that failure to do so shall constitute an admission of the violations and waiver of the right to a hearing.

**Sec. 54-57. Seizure of handbills as evidence.**

The code enforcement official is authorized to seize, for use as evidence in the prosecution of the alleged violator before the hearing officer, all handbills in the possession of the alleged violator.

**Sec. 54-58. Violations and prosecution.**

If a violation of this section occurs, there shall be imposed a civil fine which amount shall be adopted by resolution of the City Commission. All such violations shall be prosecuted before a hearing officer. At any prosecution when the litter involved is a handbill, if 10 or more handbills advertising the same business are found in plain view as litter under circumstances that make it more likely than not that the handbills were placed there, or caused to be placed there, by an agent, employee, contractor, promoter, or other representative of the business advertised on the face of the handbills, the hearing officer shall apply a rebuttable presumption that the business advertised on the face of the handbills threw, discarded, placed or deposited the handbill as litter.

**Section 54-59. Rights of violators, payment of fine, right to appeal; failure to pay fine or to appeal.**

A violator who has been served with a notice of violation shall elect either to:

- (1) Pay the civil fine in the manner indicated in the notice of violation; or
- (2) Request an administrative hearing before a hearing officer to appeal the decision of the code enforcement officer which resulted in the issuance of the notice of violation pursuant to Chapter 101 of the City Code.



~~with charge or without charge, to the receiver thereof, any handbill to any person unwilling to accept it.~~

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**Section 54-59. Rights of violators, payment of fine, right to appeal; failure to pay fine or to appeal.**

A violator who has been served with a notice of violation shall elect either to:

- (1) Pay the civil fine in the manner indicated in the notice of violation; or
- (2) Request an administrative hearing before a hearing officer to appeal the decision of the code enforcement officer which resulted in the issuance of the notice of violation pursuant to Chapter 101 of the City Code.

If the named violator, after notice, fails to pay the civil fine or fails to timely request an administrative hearing before the hearing officer, the hearing officer shall be informed of such failure by report from the code enforcement official. Failure of the named violator to appeal the decision of the code enforcement official within the prescribed time period shall constitute a waiver of the violator's right to administrative hearing. A waiver of the right to an administrative hearing shall be treated as an admission of the violation and penalties may be assessed accordingly. Any party aggrieved by the decision of the hearing officer may appeal the decision in accordance with the law.

**Section 54-60. Recovery of unpaid fines; lien; foreclosure.**

The City may institute proceedings in a Court of competent jurisdiction to compel payment of civil fines. A certified copy of an order imposing a civil fine may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator and may be enforced in the same manner as a court judgment, including levy against the personal property, but shall not be deemed to be a court judgment, except for enforcement purposes. After three (3) months from the filing of any such lien which remains unpaid, the City may foreclose or otherwise execute upon the lien.

**SECTION 3. Severability.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 4. Repealer.**

All ordinances or parts of ordinances in conflict herewith, be and the same, are hereby repealed.

**SECTION 5. Codification.**

It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 7. Effective Date.**

This ordinance shall become effective immediately upon the date of its adoption by the City Commission.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF JANUARY, A.D., 2009.  
(Moved: Anderson / Seconded: Kerdyk)  
(Yeas: Cabrera, Kerdyk, Withers, Anderson, Slesnick)  
(Unanimous: 5-0 Vote)  
(Agenda Item: E-3)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2017-13**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY:

- CREATING SECTION 62-245 "PROHIBITION ON USE OF SINGLE-USE CARRY OUT PLASTIC BAGS" IN CHAPTER 62, ARTICLE VII SPECIAL EVENTS; AND
- CREATING ARTICLE IX "SALE, USE OR DISTRIBUTION OF SINGLE-USE CARRY OUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS WITHIN THE CITY" IN CHAPTER 34 NUISANCE, OF THE CITY CODE.

PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, ENFORCEABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Coral Gables declares that it is in the best interest of the public health, safety and welfare of its residents and visitors to reduce litter and pollutants on the land and in the waters of the City; and

**WHEREAS**, distribution of single-use carry out plastic bags by retailers to consumers for use in carrying purchased goods has a detrimental effect on the environment of the City, County and State; and

**WHEREAS**, discarded single-use carry out plastic bags contribute to overburdened landfills, threaten wildlife and marine life and degrade and litter the beaches and waters off the Florida coast, which include areas within the City; and

**WHEREAS**, single-use carry out plastic bags are photo-biodegradable and break down into smaller pieces which can make their way into the food chain via such animals as jellyfish and endangered sea turtles; and

**WHEREAS**, plastic bags constitute a portion of the litter in the City's streets, parks, public places and waterways; and

**WHEREAS**, as an environmental leader among local governments in the State of Florida, the goal of the City is to replace single-use carry out plastic bags with reusable, recyclable, or compostable alternatives whenever possible; and

**WHEREAS**, retailers establishments such as ALDI, Trader Joes, and Whole Foods have successfully incorporated programs that encourage the use of reusable and/or recyclable alternatives to single use carry-out plastic bags; and

**WHEREAS**, the City's Sustainability Advisory Board and Economic Development Board have unanimously voted in support of this Ordinance; and

**WHEREAS**, the City has collaborated with the business community, including the Coral Gables Chamber of Commerce, Coral Gables Business Improvement District, University of Miami, and others in the development of the proposed Ordinance, including discussions on the potential impacts to businesses, educating businesses on the benefits of the Ordinance and on potential alternative products, and incorporating accommodations as necessary and appropriate; and

**WHEREAS**, this Ordinance provides for a 1 year implementation period allowing for an extensive education campaign and for retail establishments to expend their current stock of single-use carry out plastic bags and transition to reusable, recyclable, or compostable alternatives; and

**WHEREAS**, the City Commission finds that this Ordinance is necessary for the preservation of our environment and the public health, safety and welfare of City residents and visitors and future generations; and

**WHEREAS**, the City was a party in a lawsuit with the State of Florida, the Florida Retail Federation and Super Progreso in which the Court held that Sections 403.708(9) and 403.7033, F.S., relating to plastic bags and packaging, are unconstitutional.

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

**SECTION 1.** That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

**SECTION 2.** That Chapter 62, Article VII "Special Events," of the Code of the City of Coral Gables, Florida, be hereby amended to add Section 62-245 as follows:

**Sec. 62-245. – Prohibition on Use of Single-Use Carry Out Plastic Bags**

(a) *Definitions.* For purposes of this section only, the following definitions should apply:

- (1) *Single-use carry out plastic bag* means a bag provided by a company or individual to a customer, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from petroleum or a biologically-based source. This definition includes bags, as defined above, provided to an individual to transport items

provided free of charge, including but not limited to, samples and informational materials.

- (2) *City facility* includes, but is not limited to, any building, structure, park, or golf course owned, operated or managed by the City.
  - (3) *Special event permittee* means any entity or individual, and their subcontractor(s), who has been issued a special events permit by the City for a special event on City property, in a City facility or in the City's right-of-way, for the promotion or sale of their product(s) and/or business(es).
  - (4) *Compostable carry out bag* means a bag that (1) conforms to the current ASTM D6400; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) must be capable of undergoing biological decomposition in a compost site such that the material breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials
- (b) *Prohibited Use of Plastic Bags; Penalties; Exceptions*
- (1) Special event permittees shall not provide items in single-use carry out plastic bags during special events as a condition of approval.
  - (2) Upon warning, the special event permittee must cease providing the single-use carry out plastic bags immediately. If the special events permittee does not do so he or she may be forced to discontinue the service, sale or participation in the special event.
  - (3) A violation of this section shall constitute a City code violation and may result in the revocation of the special events permit and fines and may be grounds for the placement of conditions on or for denial of a future special events permit.
  - (4) *Exceptions.* This prohibition shall not apply to Exempt Bags in 34-191(e) or other types of single-use plastic bags used, provided or given out by individuals who are special events permittees for the purpose of hosting a small private event (100 people or less) (e.g. birthday party, family reunion).

**SECTION 3.** That Chapter 34 "Nuisances," of the Code of the City of Coral Gables, Florida, be hereby amended to add Article IX as follows:

**Article IX. – Sale, Use or Distribution of Single-Use Carry Out Plastic Bags by Retail Establishments within the City**

**Sec. 34-191. – Definitions**

For purposes of this section only the following definitions should apply:

- (a) *Customer* means any person purchasing goods from a retail establishment.
- (b) *Single-use carry out plastic bag* means a bag provided by a company or individual to a customer, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from petroleum or a biologically-based source. This definition includes bags

provided to a customer to transport items provided free of charge, including but not limited to, samples and informational materials.

- (c) *Exempt bags* means (1) a compostable carry out bag (as defined in 62-245(a)(4)) or any bag without handles provided to a customer (2) to protect food or merchandise from being damaged or contaminated by other food or merchandise, when items are placed together in a reusable bag or recyclable bag, including produce bags; (3) to hold prescription medications dispensed from a pharmacy or veterinary office; (4) designed to be placed over articles of clothing on a hanger, including dry cleaning bags; (5) door hanger bags; (6) newspaper bags, (7) garbage bags; (8) pet waste bags; (9) yard waste bags; and (10) bags of any type that a customer previously owned and brings to a retail establishment for his or her own use in carrying away store goods.
- (d) *Reusable bag* means a bag with handles that is specifically designed and manufactured for multiple reuse and made of durable material specifically designed for and provided to consumers with the intention of multiple, long-term use and does not include any film plastic bags.
- (e) *Recyclable paper bag* means a bag that contains a minimum average of forty percent (40%) post-consumer recycled materials and displays the minimum percent of post-consumer content on the outside of the bag.
- (f) *Compostable carry out bag* means a bag that (1) conforms to the current ASTM D6400; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) must be capable of undergoing biological decomposition in a compost site such that the material breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials
- (g) *Retail establishment* means any entity or individual engaged in the retail sale of goods. Retail establishment includes any supermarket, grocery store, convenience store, shop, service station, restaurant, farmers' market vendor, and any other sales outlet where a customer can directly purchase goods, materials, and products.

#### **Sec. 34-192. – Single-Use Carry Out Plastic Bags Prohibited; Exceptions**

- (a) No retail establishment shall provide to any customer a single-use carry out plastic bag, unless noted in exceptions below.
- (b) *Exceptions:* Although the discontinuation of the use of single-use carry out plastic bags is strongly encouraged by the City of Coral Gables Commission, this article shall not apply to Exempt Bags in 34-191(c).
- (c) Retail establishments can propose innovative and creative environmentally sustainable alternative programs that eliminate the use of single use plastic bags. After being submitted, the program is reviewed by City staff for approval. Each program is reviewed on a case by case basis.

**Sec. 34-193. – Use of reusable bags**

Retail establishments are strongly encouraged to educate their staff to promote reusable bags and to post signs encouraging customers to use reusable bags. Should retail establishments provide carryout bags, they shall be reusable (as defined in 34-191(d)), compostable carryout bags and/or recyclable paper bags free of charge or for a fee as determined by the merchant. Retail establishments may keep any fees charged for providing such bags to offset the cost of providing the bag.

**Sec. 34-194. – Enforcement; penalties**

- (a) If a code enforcement officer finds a violation of section 34-192 or 34-193, prior to issuing a ticket the code enforcement officer shall issue a warning to allow for time to correct violation before citing. After the warning, the code enforcement officer may issue a ticket. The ticket shall inform the retail establishment of the nature of the violation, amount of fine for which the violator is liable, instructions and due date for paying the fine, and that the violation may be appealed pursuant to the procedures in Chapter 101, Article VI, Division 3 of the City Code of Ordinances. A violation of this ordinance is deemed to be irreparable as it may only be complied with in the future and not retroactively.
- (b) A retail establishment that has been issued a ticket must elect to either:
  - (1) pay the following civil fine (per day, irrespective of the number of violations in a given day):
    - (a) First violation within a 12-month period.....\$50.00;
    - (b) Second violation within a 12-month period..... \$100.00;
    - (c) Third violation within a 12-month period..... \$500.00;
    - (d) Any subsequent violation within a 12-month period..... . \$1,000.00.
  - (2) request an administrative hearing before a special master as set forth in Chapter 101, Article VI, Division 3 of the City Code of Ordinances
- (c) Failure to pay the civil fine, or to timely request an administrative hearing before a hearing officer, shall constitute a waiver of the violator's right to an administrative hearing before the special master, and shall be treated as an admission to the violation, for which fines and penalties shall be assessed accordingly.
- (d) A certified copy of an order imposing the fine may be recorded in the public records, and thereafter shall constitute a lien upon any real or personal property owned by the violator, which may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the violator's real or personal property, but shall not be deemed to be a court judgment except for enforcement purposes.



- (e) The hearing officer shall not have discretion to alter the penalties prescribed in this article. Any party aggrieved by a decision of a hearing officer may appeal that decision to a court of competent jurisdiction.

#### **SECTION 4. EDUCATIONAL CAMPAIGN.**

The City, desires to collaborate with the Coral Gables Chamber of Commerce (the Chamber) Business Improvement District of Coral Gables (BID), and others in a joint marketing and education effort aimed at businesses & customers. The education campaign, which will begin upon the adoption of this Ordinance, is aimed at informing special events permittees, retail establishments, and customers of its requirements. The campaign may include: community meetings, workshops, green products expos, the use of social media, citywide newsletters, programming on Coral Gables T.V., printed informational materials, email blasts to members of the Chamber and/or BID, website, resident letters and/or emails and mail inserts. New businesses will be informed about ordinance through the business tax license application process. After the conclusion of the educational campaign, the City will continue to make the Ordinance known to special event permittees and retail establishments within the City. The City will explore the possibility of joint bulk purchasing of reusable bags, compostable bags and/or recycled paper bags with its partners to assist businesses in the transition to alternative products. In addition, the City will explore and pursue grants and assistance to facilitate the transition for small businesses.

#### **SECTION 5. SEVERABILITY.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

#### **SECTION 6. REPEALER.**

All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

#### **SECTION 7. CODIFICATION.**

It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances immediately upon the signing of the Ordinance; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

#### **SECTION 8. EFFECTIVE DATE.**

This ordinance shall become effective upon adoption and enforcement shall begin immediately with the issuance of warnings; citations will not be issued for 1 year after said date to allow for education and the transition to alternative products. In the case of special events, enforcement shall commence immediately with all new applications. On February 27, 2017, the Court entered an Order in *Florida Retail Federation, Inc. and Super Progreso, Inc. v. City of Coral Gables*, 2016-018370-CA-01

finding Sections 403.708(9) and 403.7033, F.S. relating to plastic bags and packaging unconstitutional thereby clarifying the City's ability to pass this Ordinance.

PASSED AND ADOPTED THIS NINTH DAY OF MAY, A.D., 2017.

(Moved: Lago / Seconded: Keon)

(Yeas: Quesada, Keon, Lago, Mena, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: E-1)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2019-01**

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY:

- CREATING SECTION 2-731 "PROHIBITION ON USE OF SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE-USE PLASTIC STIRRERS BY CITY CONTRACTORS IN CHAPTER 2- ADMINISTRATION, ARTICLE VIII- PROCUREMENT CODE
- CREATING SECTION 62-264 "PROHIBITION ON USE OF SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE USE PLASTIC STIRRERS" IN CHAPTER 62- STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE VII- SPECIAL EVENTS AND PARADES

PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, ENFORCEABILITY, AND AN EFFECTIVE DATE.

**WHEREAS**, discarded single-use plastic beverage straws and stirrers end up in landfills, threaten wildlife and marine life and degrade and litter the beaches and waters off the Florida coast, which include areas within the City; and

**WHEREAS**, persistent organic pollutants in the marine environment attach to the surface of plastic debris, such as plastic straws, accumulating pollutants and transporting them through ocean currents; and

**WHEREAS**, as an environmental leader among local governments in the State of Florida, the goal of the City is to replace single-use plastic beverage straws and stirrers with reusable, recyclable, or sustainable alternatives whenever possible; and

**WHEREAS**, the City in partnership with the Coral Gables Chamber of Commerce, is already planning to educate the business community through a "Skip the Straw" Campaign and through the launch of Coral Gables Green Business Program; and

**WHEREAS**, the City Commission finds that this Ordinance is necessary for the preservation of our environment and the public health, safety and welfare of City residents and visitors and future generations;

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

**SECTION 1.** That the foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** That Chapter 2, Article VIII- Procurement Code of the City Code of Coral Gables, Florida, be hereby amended to add Section 2-731 as follows:

**Sec. 2-731 Prohibition on use of single-use plastic beverage straws and single-use plastic stirrers by city contractors**

- a) **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*City Contractor* means a contractor, vendor, concessionaire of the city, or operator of a city facility or property

*Single-use plastic beverage straw* means a tube, intended for only one-time use that is made predominantly of plastic derived from either petroleum or a biologically based polymer, including polymers derived from corn or other plant sources, for transferring a beverage from its container to the mouth of the drinker. Single-use plastic beverage straw includes compostable and biodegradable petroleum or biologically based polymer straws, but does not include straws that are made from non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

*Single use plastic stirrer* means a device that is used to mix beverages, intended for only one-time use, and made predominantly of plastic derived from either petroleum or a biologically based polymer, including polymers derived from corn or other plant sources. Single-use plastic stirrer includes compostable and biodegradable petroleum or biologically based polymer stirrers and lid plugs (splash sticks), but does not include stirrers that are made from non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

**b) Prohibited use of single-use plastic beverage straws and single-use plastic stirrers; Penalties**

- (1) City contractors shall not sell or use single-use plastic beverage straws or single-use plastic stirrers within the city or in completing their duties to the city under contract.
- (2) A violation of this section shall be deemed a default under the terms of the city contract, lease or concession agreement.
- (3) Any city contract, or concession agreement entered into prior to the effective date of this section shall not be subject to the requirements of this section, unless the city contractor voluntarily agrees thereto. This section shall not apply to contract extensions where the contractor has the option. If the city has the option of extension, however, the city manager may consider whether the contractor complies or is willing to comply with subsection (b)(1) of this section in determining whether to extend the contract.

c) **Exceptions**

- (1) The requirements of this section shall not restrict a city contractor from providing a beverage with, or offering the use of, a single-use plastic beverage straw or single-use plastic stirrer upon request by or for an individual with a disability or medical condition that necessitates the use of a single-use plastic beverage straw or single use plastic stirrer. Such request does not require disclosure of the individual's disability.
- (2) This prohibition shall not apply to pre-packaged drinks where plastic straws have been attached to or sealed with a beverage container or packaging prior to receipt by a city contractor.

**SECTION 3.** That Chapter 62, Article VII- Special Events and Parades of the City Code of Coral Gables, Florida, be hereby amended to add Section 62-264 as follows:

**Sec. 62-264 Prohibition on use of single-use plastic beverage straws and single-use plastic stirrers**

- (a) **Definitions.** The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*City Facility* includes, but is not limited to, any building, structure, park, or golf course owned, operated or managed by the city.

*Single-use plastic beverage straw* means a tube, intended for only one-time use, that is made predominantly of plastic derived from either petroleum or a biologically based polymer, including polymers derived from corn or other plant sources, for transferring a beverage from its container to the mouth of the drinker. Single-use plastic beverage straw includes compostable and biodegradable petroleum or biologically based polymer straws, but does not include straws that are made from non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

*Single use plastic stirrer* means a device that is used to mix beverages, intended for only one-time use, and made predominantly of plastic derived from either petroleum or a biologically based polymer, including polymers derived from corn or other plant sources. Single-use plastic stirrer includes compostable and biodegradable petroleum or biologically based polymer stirrers and lid plugs (splash sticks), but does not include stirrers that are made from non-plastic materials, such as paper, sugar cane, bamboo, or other similar materials.

*Special event permittee* means any person or entity, and their subcontractor, issued a special events permit by the city for a special event on city property, in a city facility or in the city's right-of-way.

b) **Prohibited use of single-use plastic beverage straws and single-use plastic stirrers; Penalties**

- (1) Special event permittees shall not sell, use, or provide a beverage with a single-use plastic beverage straws or single-use plastic stirrers in city facilities.

- (2) Upon warning, the special event permittee must stop use of single-use plastic beverage straws or single-use plastic stirrers or replace them with a non-single-use plastic alternative as soon as practicable. If the special events permittee does not do so within a reasonable amount of time, he/she may be forced to discontinue the service, sale or participation in the event.
- (3) A violation of this section shall constitute a city code violation and may result in the revocation of the special events permit and fines and may be grounds for the placement of conditions on or for denial of a future special events permit.

c) **Exceptions:**

- (1) The requirements of this section shall not restrict a special event permittee from providing a beverage with, or offering the use of, a single-use plastic beverage straw or single-use plastic stirrer upon request by or for an individual with a disability or medical condition that necessitates the use of a single-use plastic beverage straw or single use plastic stirrer. Such request does not require disclosure of the individual's disability.
- (2) This prohibition shall not apply to single-use plastic beverage straws or single-use plastic stirrers used, provided, or given out by individuals who are special events permittees for the purpose of hosting a small private event (100 people or less) (e.g. birthday party, family reunion).
- (3) This prohibition shall not apply to pre-packaged drinks where plastic straws have been attached to or sealed with a beverage container or packaging prior to receipt by a special event permittee.

**SECTION 4.** All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 5.** If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 6.** It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City of Coral Gables Code of Ordinances; and that the sections of this "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 7.** If the Official Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

**SECTION 8.** This Ordinance shall become effective six months upon passage and adoption herein, following an extensive education campaign by the City for potential City Contractors and Special-Event Permittees.

PASSED AND ADOPTED THIS EIGHTH DAY OF JANUARY, A.D, 2019.  
(Moved: Quesada / Seconded: Mena)  
(Yeas: Keon, Lago, Mena, Quesada, Valdes-Fauli)  
(Unanimous: 5-0 Vote)  
(Agenda Item: F-1)

APPROVED:



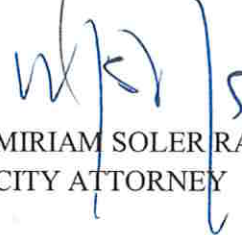
RAUL VALDES-FAULI  
MAYOR

ATTEST:



BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2015-269**

A RESOLUTION ENCOURAGING CITY OF CORAL GABLES' RESIDENTS, BUSINESSES, VENDORS AND VISITORS TO CEASE USING AND PURCHASING PRODUCTS MADE FROM EXPANDED POLYSTYRENE, AND REPLACING EXPANDED POLYSTYRENE PRODUCTS WITH REUSABLE, RECYCLABLE, AND COMPOSTABLE ALTERNATIVES THAT ARE SAFER FOR HUMAN HEALTH AND THE ENVIRONMENT.

**WHEREAS**, the City of Coral Gables declares that it is in the best interest of the public health, safety, and welfare of its residents and visitors to reduce litter and pollutants within the City; and

**WHEREAS**, expanded polystyrene, a petroleum by-product commonly known as Styrofoam, is neither readily recyclable nor biodegradable and takes hundreds to thousands of years to degrade in the environment; and

**WHEREAS**, expanded polystyrene is a common pollutant, which fragments into smaller, non-biodegradable pieces that are ingested by marine life and other wildlife, thus harming and killing them; and

**WHEREAS**, due to the physical properties of expanded polystyrene, the EPA states "that such materials can have serious impacts on human health, wildlife, the aquatic environment and the economy;" and

**WHEREAS**, polystyrene materials constitute a portion of the litter in the City's streets, parks, public places, and waterways; and

**WHEREAS**, the City's goal is to replace expanded polystyrene food service articles with reusable, recyclable or compostable alternatives; and

**WHEREAS**, this Resolution will preserve and enhance the environment of the City; and

**WHEREAS**, the City Commission finds that this Resolution is necessary for the preservation of the public health, safety and welfare of the City's residents;

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



**SECTION 1.** The City of Coral Gables encourages its residents, businesses, vendors and visitors to cease using and purchasing products made from expanded polystyrene.

**SECTION 2.** The City of Coral Gables recommends its residents, businesses, vendors and visitors replace the use and purchase of expanded polystyrene products with reusable, recyclable, or compostable alternatives that are safer for human health and the environment.

**SECTION 3.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF OCTOBER, A.D., 2015.

(Moved; Quesada / Seconded: Keon)

(Yeas: Lago, Quesada, Slesnick, Keon, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: F-3)

APPROVED:



JIM CASON  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2017-113**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES FOR THE ENFORCEMENT OF SECTION 8CC OF THE MIAMI-DADE COUNTY CODE, AS IT RELATES TO SECTION 21-81 OF THE MIAMI-DADE COUNTY CODE, REGARDING THE ESTABLISHMENT OF A CIVIL CITATION PROGRAM.

**WHEREAS**, Section 21-81 of the Miami-Dade County Code applies to all municipalities in the County and is enforced, in part, through civil penalties under Section 8CC of the County Code; and

**WHEREAS**, in 2015, Miami-Dade County approved the amendment of Section 21-81 of the County Code which provides for civil penalties for certain misdemeanors; and

**WHEREAS**, the intent of the amendment was to reclassify what was formally considered criminal behavior and allow a police officer the discretion to either apprehend the offender or issue a civil citation; and

**WHEREAS**, the misdemeanor offenses that are eligible to receive a civil citation in lieu of arrest are violations of: the Florida Litter Law (Sec. 403.413(6)(b), F.S.), Illegal Use of Dairy Cases, Egg Baskets, Poultry Boxes or Bakery Containers (Sec. 506.509, F.S.), Trespass on Property other than a Structure or Conveyance (Sec. 810.09, F.S.), Retail Theft by Removal of a Shopping Cart (Sec. 812.015(1)(d), F.S.), Loitering or Prowling (Sec. 856.021, F.S.), Possession of Cannabis in an amount of 20 grams or less (Sec. 893.13(6)(b), F.S.), and Possession of Drug Paraphernalia (Secs. 893.146 and 893.147(1)(b), F.S.); and

**WHEREAS**, municipalities in the County may enforce the provisions of Section 21-81 of the County Code, pursuant to Section 8CC-11 upon the adoption by the County and municipality of an interlocal agreement; and

**WHEREAS**, the City Commission finds it to be in the best interest of the City and its residents to have the City enforce the provisions of Section 21-81 of the County Code through Section 8CC as provided in the interlocal agreement;

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That an Interlocal Agreement be approved between Miami-Dade County and the City of Coral Gables for the enforcement of Section 8CC of the Miami-Dade County Code as it relates to Section 21-81 of the County Code regarding the establishment of a civil citation program.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS THIRTIETH DAY OF MAY, A.D., 2017.

(Moved: Keon / Seconded: Quesada)

(Yeas: Mena, Quesada, Keon, Lago, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: J-3)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2019-222**

A RESOLUTION OF THE CITY COMMISSION ACCEPTING THE RECOMMENDATION OF THE SUSTAINABILITY ADVISORY BOARD TO SUBMIT AN APPLICATION ON BEHALF OF THE CITY OF CORAL GABLES TO BECOME A "KEEP AMERICA BEAUTIFUL, INC." AFFILIATE.

**WHEREAS**, Keep America Beautiful, Inc., established in 1953, is a national non-profit community improvement organization that builds and sustains vibrant communities by creating clean, beautiful public places; reducing waste and increasing recycling; generating a positive impact on the local economy; and inspiring generations of environmental stewards; and

**WHEREAS**, Keep America Beautiful, Inc. works with corporations, government and civic entities, education institutions, nonprofits and other organizations to address complex challenges on both a local and national scale; and

**WHEREAS**, the Keep America Beautiful, Inc. program will assist in educating the Coral Gables community about littering behavior, waste handling, and beautification, thereby enhancing the community's image and improving the physical quality of life for residents and visitors alike; and

**WHEREAS**, City staff seeks to partner with the Sustainability Advisory Board to submit an application on behalf of the City Coral Gables to become an affiliate member of Keep America Beautiful, Inc.; and

**WHEREAS**, a subcommittee of the Sustainability Advisory Board would be created in order to combat and prevent littering in neighborhoods and public spaces, educate residents on the proper way to recycle, promote recycling, and enhance beautification efforts in the community; and

**WHEREAS**, the application fee to become a Keep America Beautiful, Inc. affiliate will be paid for by Keep Florida Beautiful, the state affiliate that brings together more than 43 Florida county and city affiliates; and any other necessary fees, such as annual affiliation dues, shall be paid for by the City of Coral Gables;

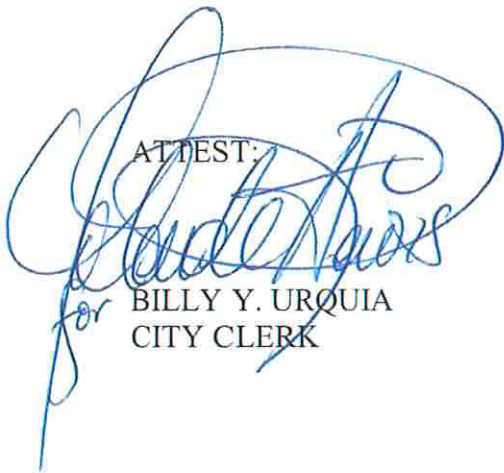
**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** That the City Commission hereby directs the City Manager's Office to submit an application on behalf of the City of Coral Gables for Coral Gables to become a "Keep

America Beautiful, Inc.” affiliate.

**SECTION 2.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF JULY, A.D., 2019.  
(Moved: Mena / Seconded: Lago)  
(Yeas: Lago, Mena, Fors. Jr, Valdes-Fauli)  
(Majority: 4-1 Vote)  
(Absent: Keon)  
(Agenda Item: I-2)

  
ATTEST:  
for BILLY Y. URQUIA  
CITY CLERK

APPROVED

  
RAÚL VALDÉS-FAULI  
MAYOR

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
MIRIAM SOLER RAMOS  
CITY ATTORNEY



KEEP AMERICA

**BEAUTIFUL**

— K.A.B.ORG —

**CORAL  
GABLES**  
THE CITY BEAUTIFUL

Keep America Beautiful



# WHAT IS KEEP AMERICA BEAUTIFUL?

6 2

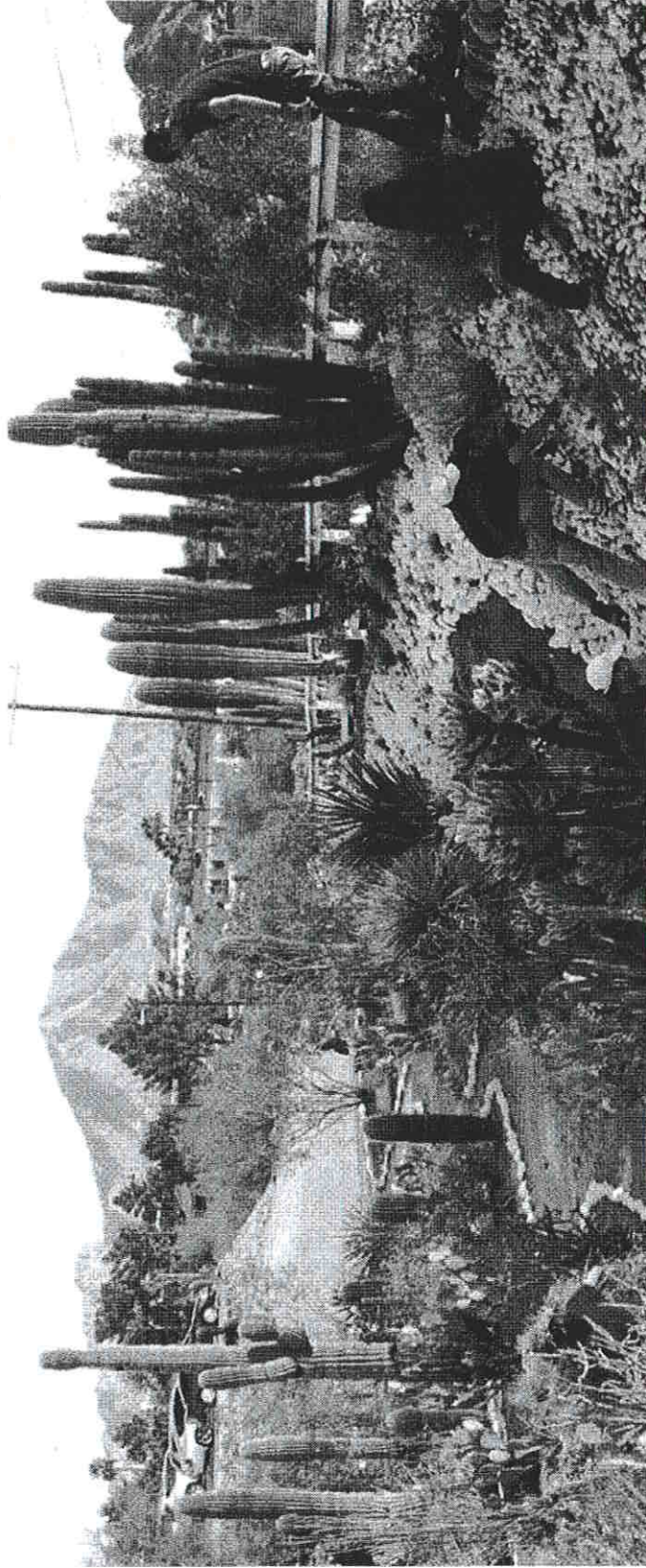


- Established in 1953
- Seeks to:



- 600 Affiliates Nationwide
- 43 Affiliates in the State of Florida





**IN 2018  
ALONE,  
KAB:**

Activated 3.4 million  
participants in their  
programs

Cleaned 71,000 miles of  
roads, shorelines,  
beaches and parks

Collected 262 million  
pounds of litter and  
recycling



## WHY BE AN AFFILIATE?

2



- National Network
- National Credibility
- Tools & Programs
- Dashboard
- Training
- Grants \*\*\*

# SIGNATURE PROGRAMS

6 2



End Littering



**YOUTH INITIATIVES**



Improve Recycling



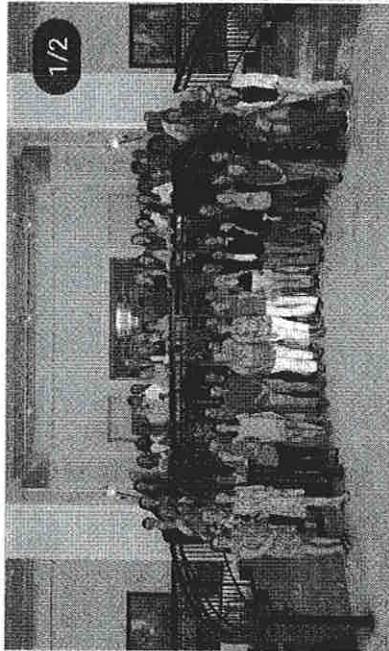
Beautify Communities



**Community Restoration and Resiliency Fund**

**Community Grants**

# TRAINING



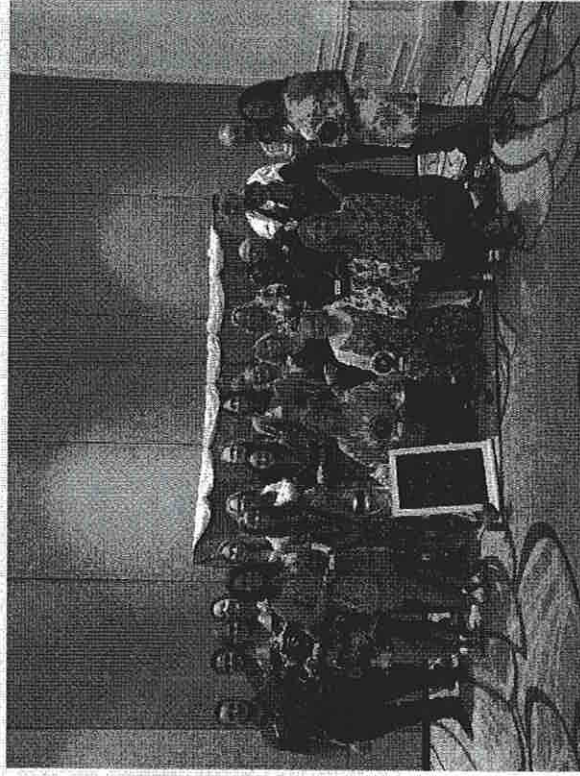
1/2



5 likes



**keepflbeautiful** What a great conference! We have enjoyed learning more about how we can improve our beautification efforts and ways to end littering. And of course, we had fun too! #KeepFLBeautiful #DoBeautifulThings #KFBConference2019



# ABOUT THE GRANT OPPORTUNITIES

- Keep Florida Beautiful
  - FDOT \$16K Yearly Grant per qualified affiliate.\*
- Keep America Beautiful
  - Various National Grants
  - Disaster Relief Funds



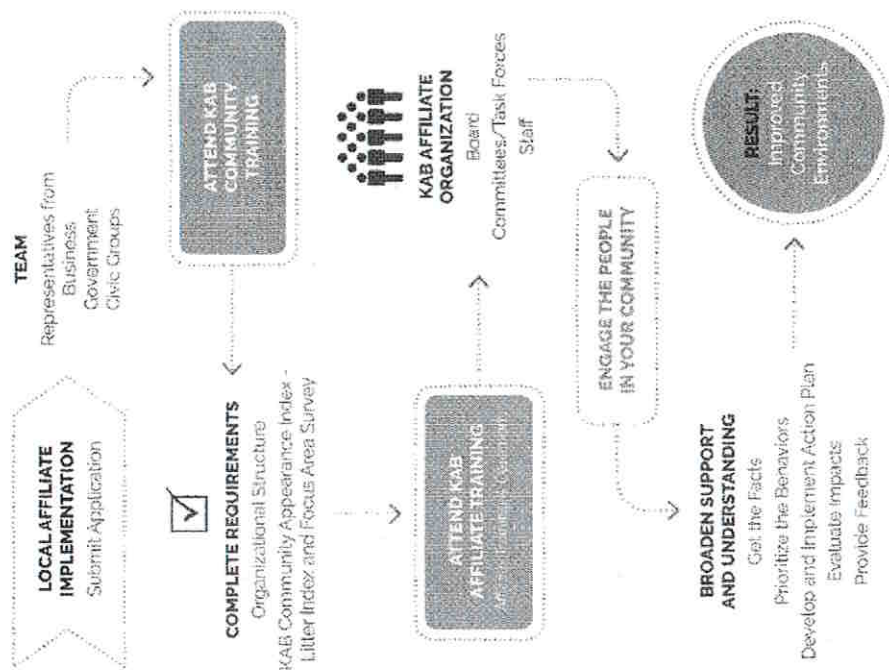
## RETURN ON INVESTMENT

2



For each \$1 Invested by Local Government an  
Average of \$14.55 is returned in Community Benefits

# AFFILIATION PROCESS



- Migration Process:
- Subcommittee

# AFFILIATION PROCESS

64 2

## AFFILIATE APPLICATION FEES

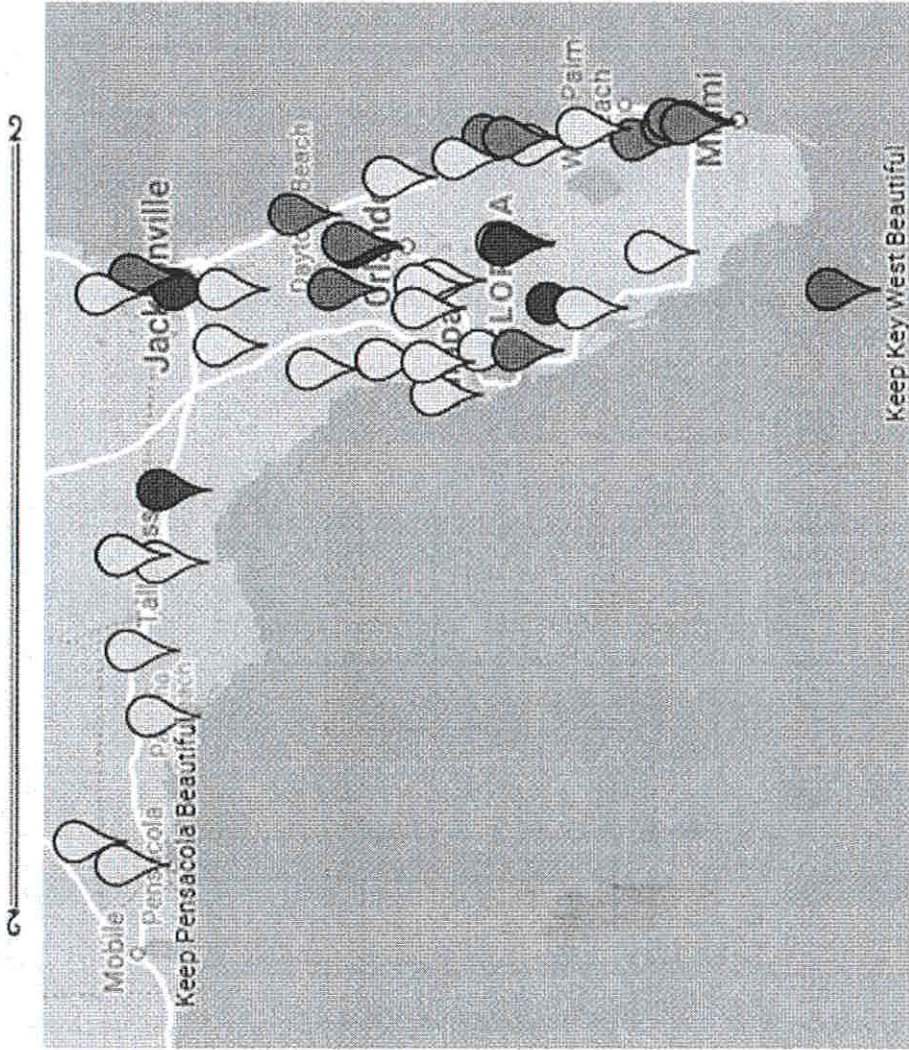
AFFILIATE APPLICATION FEES	On-Time Certification Fee
Population	
0-7,500	\$ 1,000
7,501 - 15,000	\$ 2,000
15,001 - 50,000	\$ 3,000
50,000+	\$ 4,000
Migration	\$ 1,000*

## ANNUAL FEES PAID ANNUALLY AFTER COMPLETING CERTIFICATION

Population	On-Time Certification Fee	Population	On-Time Certification Fee
0-7,500	\$55	74,001-150,000	\$330
7,501-15,000	\$ 110	150,000-500,000	\$385
15,001-30,000	\$ 165	500,000-1 million	\$440
30,001-50,000	\$ 220	Over 1 million	\$550
50,001-75,000			\$275

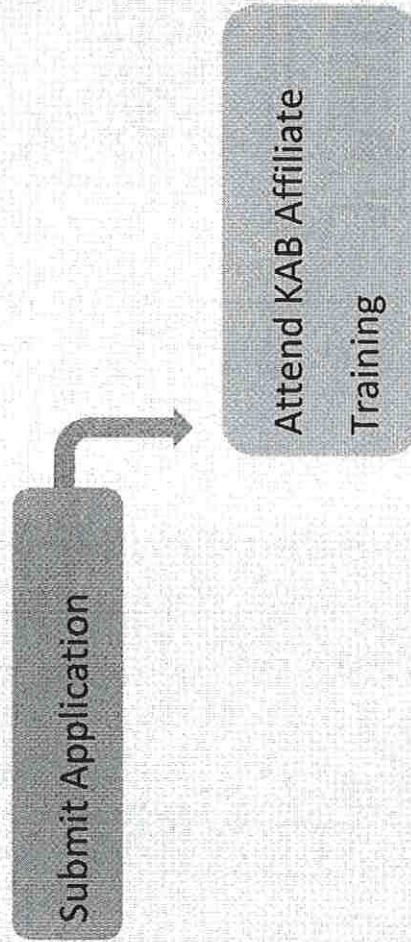


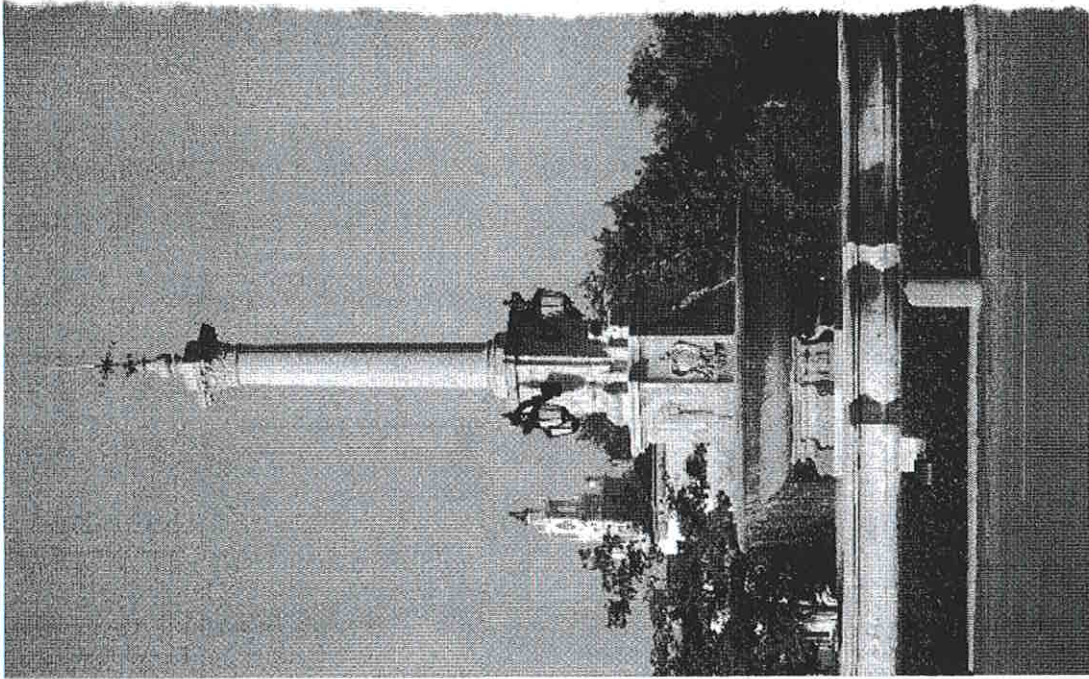
# FLORIDA AFFILIATES



# NEXT STEPS

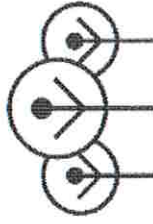
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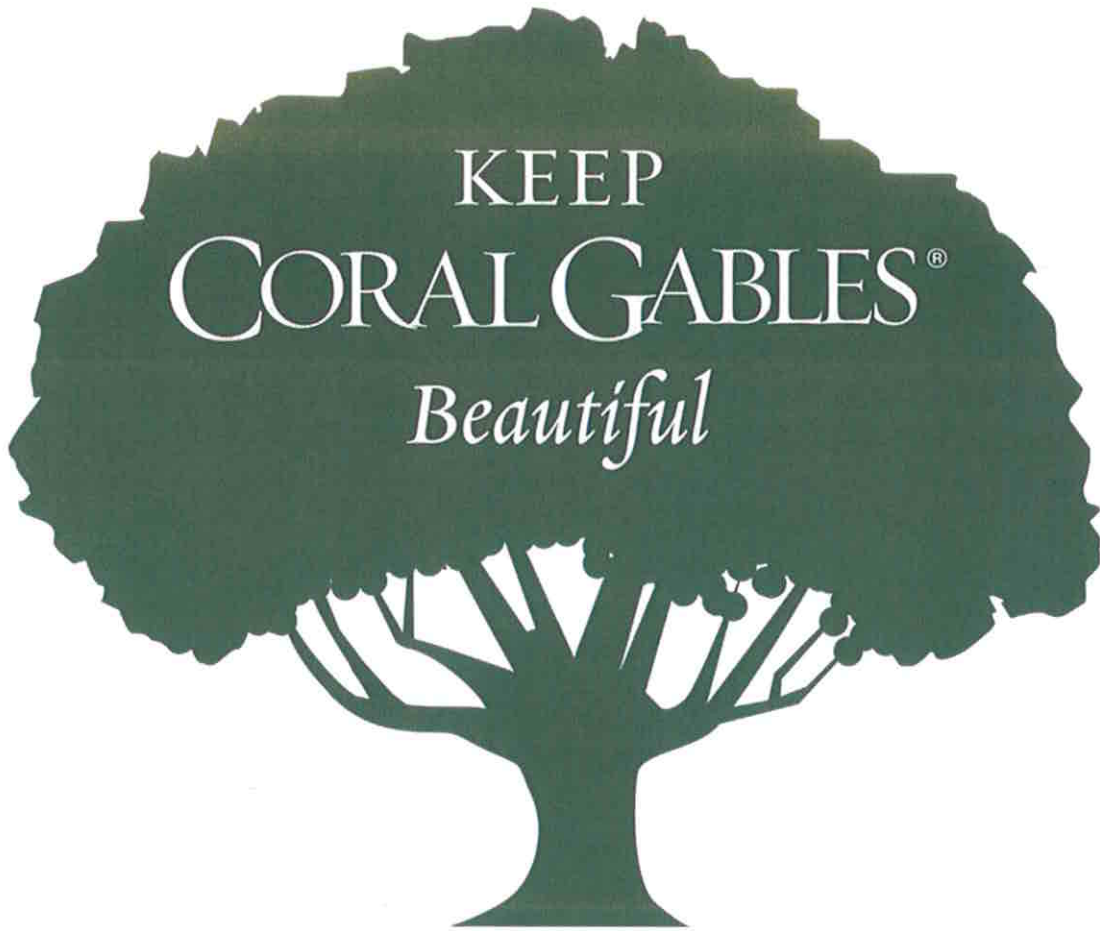
Thank You

2



KEEP AMERICA  
**BEAUTIFUL**  
— K.A.B. ORG —





*Keep America Beautiful Affiliate*

## **Appendix III**

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2014-12**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING THE CODE OF THE CITY OF CORAL GABLES, FLORIDA, BY AMENDING CHAPTER 82 "VEGETATION", TO ALLOW FOR THE PROTECTION OF ORCHIDS INSTALLED THROUGH THE CITY'S PARTICIPATION IN THE MILLION ORCHID PROJECT; PROVIDING FOR THE PROTECTION OF ORCHIDS PLANTED AS PART OF THE CITY'S "MILLION ORCHID PROJECT"; PROVIDING FOR PENALTY AND CIVIL REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City recognizes that South Florida has lost the blanket of native orchids that once populated the hardwood hammock area; and

**WHEREAS**, Fairchild Tropical Botanic Garden has undertaken the Million Orchid Project by which it will propagate and restore a million native orchid plants throughout South Florida, including Coral Gables; and

**WHEREAS**, the City of Coral Gables Commission passed Resolution No. 2014-52 authorizing entering into an Agreement with Fairchild Tropical Botanic Garden, Inc. to participate in the Million Orchid Project; and

**WHEREAS**, the City partnered with Fairchild Tropical Botanic Garden whereby the City will provide \$30,000 a year for five years plus the use of a bucket truck and driver to Fairchild in exchange for the installation of 50,000 orchids a year on City trees for a total of 250,000 orchids; and

**WHEREAS**, the City Commission wishes to protect the orchids installed through the Million Orchid Project to ensure that the orchids thrive and flourish;

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

**SECTION 1.** The forgoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

**SECTION 2.** That Chapter 82 of the City of Coral Gables' Municipal Code, "Vegetation" is hereby amended to read as follows:<sup>1</sup>

## **ARTICLE I. IN GENERAL**

### **Sec. 82-1. Defacement of trees, shrubs, vines, etc., in public places prohibited without permit.**

No person shall, without a written permit from the city manager and director of public service, cut, prune, break, incline, injure, remove or in any other way deface any living tree, shrub, orchid, or vine, in a public highway, City right of way, or park, or cut, disturb or interfere in any way with the roots of any tree, shrub, orchid, or vine in a public highway, City right of way, or park.

### **Sec. 82-2. Injuries to trees or shrubs by animals.**

No person shall fasten any animal to a tree or shrub in a public highway, City right of way, or park in the city or cause any animal to stand so that such animal can injure such a tree, shrub or vine.

### **Sec. 82-3. Protective guards when building or repairing.**

In the erection or repairing of any building or structure, the owner thereof shall place such guards around all nearby trees, shrubs, orchids, or vines in a public highway, City right of way, or park, as shall effectually prevent injury to them.

### **Sec. 82-4. Injurious substances.**

No person shall throw or allow to be thrown any saltwater, oil or injurious substance upon any public highway, City right of way, or park where such material may enter the ground at the roots of any public tree, shrub, orchid, or vine.

## **ARTICLE II. STANDARDS FOR REMOVAL AND RELOCATION OF TREES**

### **Sec. 82-38. Penalty.**

Upon conviction in court, a violator of any provision of this Chapter shall be subject to a fine not to exceed \$500.00 or by imprisonment in the county jail for a period not to exceed 60 days, or by both such fine and imprisonment, in the discretion of the court and each tree cut down, destroyed, removed or moved shall constitute a separate offense.

**Sec. 82-39. Civil remedies.**

In addition to any other remedies provided by this article, the tree preservation agency shall have the following judicial remedies available for violations of this Chapter or any permit condition promulgated under this Chapter the tree preservation agency may institute a civil action in a court of competent jurisdiction to:

- (1) Establish liability and to recover damages for any injury caused by the removal of trees, shrubs, orchids, or vines in contravention of the terms of this Chapter.
- (2) Impose and recover a civil penalty for each violation in an amount of not more than \$5,000.00 per offense. However, the court may receive evidence in mitigation. Each tree, shrub, orchid, or vine unlawfully removed under the provisions of this Chapter shall constitute a separate offense hereunder.
- (3) Seek injunctive relief to enforce compliance with this Chapter to enjoin any violation thereof; and to seek injunctive relief to prevent irreparable injury to the trees, shrubs, orchids, or vines or properties encompassed by the terms of this Chapter.

**SECTION 3. SEVERABILITY.**

The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional such decision shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance, but they shall remain in effect it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 4. CODIFICATION.**

It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such appropriate work or phrase in order to accomplish such intentions.

**SECTION 5. EFFECTIVE DATE.**

This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF MAY, A.D., 2014.  
(Moved: Lago / Seconded: Quesada)  
(Yeas: Keon, Lago, Quesada, Cason)  
(Majority (4-0) Vote)  
(Absent: Kerdyk)  
(Agenda Item: E-1)

APPROVED:

  
JIM CASON  
MAYOR

ATTEST:

  
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
CRAIG E. LEEN  
CITY ATTORNEY



**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2014-52**

RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT WITH FAIRCHILD TROPICAL BOTANIC GARDEN, INC. TO PARTICIPATE IN THE MILLION ORCHID PROJECT, AND TO AUTHORIZE THE FISCAL YEAR 2013-2014 ANNUAL BUDGET FUNDS TO SUPPORT THIS PROJECT.

**WHEREAS**, over time, South Florida has lost the blanket of native orchids that once populated the hardwood hammock area; and

**WHEREAS**, Fairchild Tropical Botanic Garden, following a successful model set by the Singapore Botanic Garden, is propagating and restoring a million native orchids plants to the South Florida urban landscape, but the Fairchild project is unique in its scale, and in its exclusive focus on public landscapes as well as the involvement of the local community; and

**WHEREAS**, the City of Coral Gables has the opportunity to partner with this important endeavor by providing \$30,000 a year for five years, plus use of a bucket truck and driver to Fairchild in exchange for the installation of 50,000 native orchids a year in City street trees for a total of 250,000 orchids; and

**WHEREAS**, the Parknership, through the Coral Gables Foundation, has agreed to provide \$5,000 a year for the five years toward the City's contribution for this project; and

**WHEREAS**, the City Commission desires to support this event;

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

**SECTION 1.** That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon the adoption hereof.

**SECTION 2.** That the City Commission does hereby authorize the City Manager to execute the Professional Services Agreement with such modifications to the form attached hereto as Exhibit "A" as may be approved by the City Manager and City Attorney that are necessary to implement the intent of this resolution.

**SECTION 3.** That the City Commission does authorize in the Fiscal Year 2013-2014 Annual Budget \$30,000 to fund the Million Orchid Project.

**SECTION 4.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ELEVENTH DAY OF MARCH, A.D., 2014.  
(Moved: Quesada / Seconded: Kerdyk)  
(Yeas: Quesada, Keon, Kerdyk, Lago, Cason)  
(Unanimous: 5-0 Vote)  
(Agenda Item: H-2)

APPROVED:

  
JIM CASON  
MAYOR

ATTEST

  
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
CRAIG E. LEEN  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2017-49**

A RESOLUTION TO CONTINUE AGENDA ITEM E-2 [SUBJECT MATTER: A PROPOSED ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY CREATING SECTION 62-137 "PRIVATE SIDEWALKS ADJOINING STREETScape IMPROVEMENTS ALONG MIRACLE MILE AND GIRALDA AVENUE" IN CHAPTER 62, ARTICLE IV] UNTIL THE CITY COMMISSION MEETING OF MARCH 14, 2017.

**BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**


**SECTION 1.** That the City Commission does hereby continue the above-subject matter of Agenda Item E-2 from the February 28, 2017 to the March 14, 2017 City Commission Meeting unless additional time is needed by staff.

**SECTION 2.** That said resolution shall become effective upon its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF FEBRUARY, A.D., 2017.

(Moved: Quesada / Seconded: Lago)  
(Yeas: Lago, Quesada, Slesnick, Keon, Cason)  
(Unanimous: 5-0 Vote)  
(Agenda Item: E-2)

APPROVED:

  
JIM CASON  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
CRAIG E. LEEN  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2019-58**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA AUTHORIZING THE CITY MANAGER TO EXTEND AND AMEND AN AGREEMENT WITH FAIRCHILD TROPICAL BOTANIC GARDEN, INC. TO CONTINUE PARTICIPATION IN THE MILLION ORCHID PROJECT, AS INITIALLY AUTHORIZED IN RESOLUTION 2014-52.

**WHEREAS**, in March of 2014 the City Commission passed Resolution 2014-52 authorizing the City to enter into an agreement with Fairchild Tropical Botanic Garden, Inc. to participate in the Million Orchid Project for a five year period; and

**WHEREAS**, in the original agreement the City was to provide approximately \$30,000 a year for five years, provide the Fairchild Tropical Botanic Garden with the use of a bucket truck and driver in exchange for the installation of approximately 50,000 native orchids a year in the City street trees, totaling 250,000 orchids during the term of the agreement; and

**WHEREAS**, due to various circumstances the installation of orchids did not begin until 2016, and approximately 43,140 orchids have been installed over the three years the project has been operating; and

**WHEREAS**, the City estimates it will take approximately 16 years at the current rates of installation to acquire the 250,000 orchids initially contemplated in the agreement; and

**WHEREAS**, to date the City has expended \$13,482 of the \$150,000 appropriated and budgeted in the 2014 agreement and resolution; and

**WHEREAS**, the City requires no additional funding or appropriation in order to complete its financial consideration under the existing or amended agreement; and

**WHEREAS**, the City wishes to extend and amend the original agreement with the Fairchild Tropical Botanic Garden, Inc. for a term of 10 years, with up to five (5) additional one (1) year renewals as needed to complete the installation of 250,000 orchids, amending the original terms to account for the fact that City staff will be working with the Fairchild to assist with labor for installations, but will not be providing a bucket truck and driver ; and extending the term for payment, leaving the not to exceed amount at \$150,000;

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

**SECTION 1.** That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon the adoption hereof.

**SECTION 2.** The City Commission does hereby authorize the City Manager to extend and amend the original agreement with the Fairchild Tropical Botanic Garden, Inc. for a term of 10 years, with up to five (5) additional one (1) year renewals as needed to complete the installation of 250,000 orchids, amending the original terms to account for the fact that City staff will be working with the Fairchild to assist with labor for installations, but will not be providing a bucket truck and driver ; and extending the term for payment, leaving the not to exceed amount at \$150,000.

**SECTION 3.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWELFTH DAY OF FEBRUARY A.D., 2019.

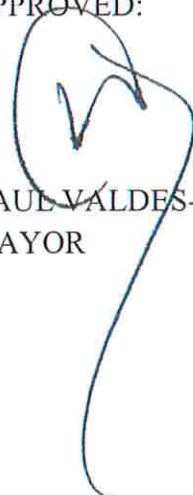
(Moved: Quesada / Seconded: Mena)

(Yeas: Mena, Quesada, Keon, Lago, Valdes-Fauli)

(Unanimous: 5-0 Vote)

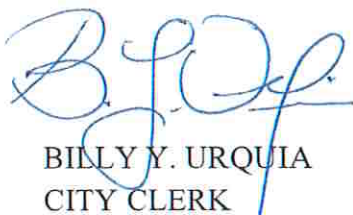
(Agenda Item: J-4)

APPROVED:



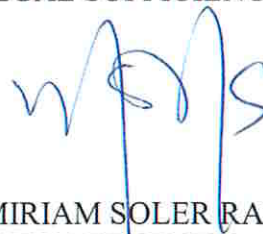
RAUL VALDES-FAULI  
MAYOR

ATTEST:



BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY



*Keep America Beautiful Affiliate*

## **Appendix IV**

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**CITY OF CORAL GABLES, FLORIDA**

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**MASTER SERVICE ASSESSMENT ORDINANCE**

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**FIRST READING MAY 12, 2015**  
**SECOND READING AND ADOPTION MAY 26, 2015**

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**TABLE OF CONTENTS**

**PAGE**

**ARTICLE I  
INTRODUCTION**

SECTION 1.01. DEFINITIONS.....2  
SECTION 1.02. INTERPRETATION; TITLE AND CITATION. ....7  
SECTION 1.03. GENERAL FINDINGS. ....7

**ARTICLE II  
ASSESSMENTS**

SECTION 2.01. GENERAL AUTHORITY.....9  
SECTION 2.02. INITIAL ASSESSMENT RESOLUTION.....10  
SECTION 2.03. INITIAL SERVICE ASSESSMENT ROLL.....10  
SECTION 2.04. NOTICE BY PUBLICATION. ....11  
SECTION 2.05. NOTICE BY MAIL.....12  
SECTION 2.06. ADOPTION OF FINAL ASSESSMENT RESOLUTION. ....13  
SECTION 2.07. ANNUAL ADOPTION PROCEDURES.....14  
SECTION 2.08. EFFECT OF FINAL ASSESSMENT RESOLUTIONS. ....18  
SECTION 2.09. LIEN OF SERVICE ASSESSMENTS.....18  
SECTION 2.10. REVISIONS TO SERVICE ASSESSMENTS.....19  
SECTION 2.11. PROCEDURAL IRREGULARITIES.....19  
SECTION 2.12. CORRECTION OF ERRORS AND OMISSIONS. ....20  
SECTION 2.13. INTERIM ASSESSMENTS.....21  
SECTION 2.14. AUTHORIZATION FOR EXEMPTIONS AND  
HARDSHIP ASSISTANCE. ....24

**ARTICLE III  
COLLECTION OF ASSESSMENTS**

SECTION 3.01. METHOD OF COLLECTION.....26  
SECTION 3.02. ALTERNATIVE METHOD OF COLLECTION.....27  
SECTION 3.03. GOVERNMENT PROPERTY.....29

**ARTICLE IV  
GENERAL PROVISIONS**

SECTION 4.01. ALTERNATIVE METHOD. ....32  
SECTION 4.02. REPEALER. ....32  
SECTION 4.03. CODIFICATION.....32  
SECTION 4.04. SEVERABILITY.....32  
SECTION 4.05. EFFECTIVE DATE. ....33



**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2015-09**

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, RELATING TO THE PROVISION OF SERVICES, FACILITIES AND PROGRAMS THROUGHOUT THE INCORPORATED AREAS OF CORAL GABLES, FLORIDA; AUTHORIZING THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS AGAINST PROPERTY; PROVIDING CERTAIN DEFINITIONS; PROVIDING FOR THE CREATION OF ASSESSMENT AREAS; PROVIDING A PROCEDURE TO IMPOSE SPECIAL ASSESSMENTS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS AND FOR CORRECTION OF ERRORS AND OMISSIONS; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLLS; PROVIDING FOR INTERIM ASSESSMENTS; AUTHORIZING HARDSHIP ASSISTANCE AND CERTAIN EXEMPTIONS; PROVIDING A PROCEDURE FOR COLLECTION OF SPECIAL ASSESSMENTS; PROVIDING A MECHANISM FOR THE IMPOSITION OF ASSESSMENTS ON GOVERNMENT PROPERTY; REPEALING ORDINANCE NO. 2009-37 CONCERNING FIRE PROTECTION ASSESSMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:**

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## ARTICLE I

### INTRODUCTION

**SECTION 1.01. DEFINITIONS.** When used in this Ordinance, the following terms shall have the following meanings, unless the context clearly requires otherwise:

**"Annual Assessment Resolution"** means the resolution described in Section 2.07 hereof, establishing the rate at which a Service Assessment for a specific Fiscal Year will be computed.

**"Assessment Area"** means any of the areas created by resolution of the Commission pursuant to this Ordinance, that specially benefit from services, facilities, and/or programs provided by the City.

**"Assessed Property"** means all parcels of land included on the Assessment Roll that receive a special benefit from the delivery of the service or provision of the facility or program identified in the Initial Assessment Resolution or a Preliminary Assessment Resolution.

**"Assessment Roll"** means the special assessment roll relating to a Service Assessment, approved by a Final Assessment Resolution pursuant to Section 2.06 hereof or an Annual Assessment Resolution pursuant to Section 2.07 hereof.

**"Building"** means any structure, whether temporary or permanent, built for support, shelter or enclosure of persons, chattel, or property of any kind, including mobile homes. This term shall include the use of land in which lots or spaces are offered for use, rent or lease for the placement of mobile homes for residential purposes.

**"Building Permit"** means an official document or certificate issued by the City, under the authority of ordinance or law, authorizing the construction or siting of any Building within the City. The term "Building Permit" shall also include set up or tie down permits for those structures or Buildings, such as a mobile home, that do not require a Building Permit in order to be constructed.

**"Certificate of Occupancy"** means the written certification issued by the City that a Building is ready for occupancy for its intended use. For the purposes of this Ordinance, a set up or tie down permit or its equivalent issued for a mobile home shall be considered a Certificate of Occupancy.

**"City"** means the City of Coral Gables, Florida.

**"City Manager"** means the chief executive officer of the City or such person's designee.

**"Clerk"** means the City Clerk, or such person as may be duly authorized to act on such person's behalf.

**"Commission"** means the City Commission for the City.

**"County"** means Miami-Dade County, Florida.

**"Final Assessment Resolution"** means the resolution described in Section 2.06 hereof, which shall confirm, modify or repeal the Initial Assessment Resolution and which shall be the final proceeding for the imposition of a Service Assessment.

**"Finance Director"** means the chief financial officer of the City or such person's designee.

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**"Fiscal Year"** means the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law as the fiscal year for the City.

**"Government Property"** means property owned by the United States of America, the State of Florida, a county, a special district, a municipal corporation, or any of their respective agencies or political subdivisions.

**"Initial Assessment Resolution"** means the resolution described in Section 2.02 hereof, which shall be the initial proceeding for the identification of the service, facility, or program for which an assessment is to be made and for the imposition of a Service Assessment.

**"Maximum Assessment Rate"** means the maximum rate of assessment established by the Final Assessment Resolution for the service, facility, or program identified in the Initial Assessment Resolution.

**"Ordinance"** means this Master Service Assessment Ordinance, as amended from time-to-time.

**"Owner"** shall mean the Person reflected as the owner of Assessed Property on the Tax Roll.

**"Person"** means any individual, partnership, firm, organization, corporation, association, or any other legal entity, whether singular or plural, masculine or feminine, as the context may require.

**"Preliminary Assessment Resolution"** means the resolution described in Section 2.07 hereof initiating the annual process for updating the Annual Roll and

directing the reimposition of Service Assessments pursuant to an Annual Assessment Resolution.

**"Property Appraiser"** means the Property Appraiser of the County.

**"Resolution of Intent"** means the resolution expressing the Commission's intent to collect Assessments on the ad valorem tax bill required by the Uniform Assessment Collection Act.

**"Service Assessment"** means a special assessment lawfully imposed by the City against Assessed Property to fund all or any portion of the Service Cost for a service, facility, or program providing a special benefit to property as a consequence of a logical relationship to the value, use, or characteristics of property identified in the Initial Assessment Resolution.

**"Service Cost"** means the amount necessary in any Fiscal Year to fund the provision of a defined service, facility, or program which provides a special benefit to Assessed Property, and can include, but not be limited to: (A) the cost of physical construction, reconstruction or completion of any required facility or improvement; (B) the costs incurred in any required acquisition or purchase; (C) the cost of all labor, materials, machinery, and equipment; (D) the cost of fuel, parts, supplies, maintenance, repairs, and utilities; (E) the cost of computer services, data processing, and communications; (F) the cost of all lands and interest therein, leases, property rights, easements, and franchises of any nature whatsoever; (G) the cost of any indemnity or surety bonds and premiums for insurance; (H) the cost of salaries, volunteer pay, workers' compensation insurance, or other employment benefits; (I) the cost of uniforms, training, travel, and per diem; (J) the cost of construction plans and

specifications, surveys and estimates of costs; (K) the cost of engineering, financial, legal, and other professional services; (L) the costs of compliance with any contracts or agreements entered into by the City relating to the provision of said services; (M) all costs associated with the structure, implementation, collection, and enforcement of the Service Assessments, including any service charges of the Clerk, Tax Collector, or Property Appraiser, and delinquent amounts from prior impositions, and amounts necessary to off-set discounts received for early payment of Service Assessments pursuant to the Uniform Assessment Collection Act or for early payment of Service Assessments collected pursuant to Section 3.02 herein; (N) all other costs and expenses necessary or incidental to the acquisition, provision, or construction of the service, facility, or program to be funded by the Service Assessment, and such other expenses as may be necessary or incidental to any related financing authorized by the Commission by subsequent resolution; (O) an amount for contingencies and anticipated delinquencies and uncollectible Service Assessments; and (P) reimbursement to the City or any other Person for any moneys advanced for any costs incurred by the City or such Person in connection with any of the foregoing items of Service Cost.

**"Tax Collector"** means the Tax Collector of the County.

**"Tax Roll"** means the real property ad valorem tax assessment roll maintained by the Property Appraiser for the purpose of the levy and collection of ad valorem taxes.

**"Uniform Assessment Collection Act"** means Sections 197.3632 and 197.3635, Florida Statutes, or any successor statutes authorizing the collection of non-ad valorem assessments on the same bill as ad valorem taxes, and any applicable regulations promulgated thereunder.

**SECTION 1.02. INTERPRETATION; TITLE AND CITATION.**

(A) Unless the context indicates otherwise, words importing the singular number include the plural number and vice versa; the terms "hereof," "hereby," "herein," "hereto," "hereunder" and similar terms refer to this Ordinance; and the term "hereafter" means after, and the term "heretofore" means before, the effective date of this Ordinance. Words of any gender include the correlative words of the other gender, unless the context indicates otherwise.

(B) This Ordinance, being necessary for the welfare of the inhabitants of the City, particularly the Owners of property located within the Assessment Areas, shall be liberally construed to effect the purposes hereof.

(C) This Ordinance shall be known and cited as the "Master Service Assessment Ordinance."

**SECTION 1.03. GENERAL FINDINGS.** It is hereby ascertained, determined and declared that:

(A) Pursuant to Article VIII, section 2(b), Florida Constitution, and sections 166.021 and 166.041, Florida Statutes, the City has all powers of local self-government to perform municipal functions and render municipal services except when prohibited by law, and such power may be exercised by the enactment of legislation in the form of City ordinances.

(B) The Commission may exercise any governmental, corporate, or proprietary power for a municipal purpose except when expressly prohibited by law, and the Commission may legislate on any subject matter on which the Florida Legislature may act, except those subjects described in (a), (b), (c), and (d) of section 166.021(3),

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Florida Statutes. The subject matter of paragraphs (a), (b), (c), and (d) of section 166.021(3), Florida Statutes, are not relevant to the imposition of Assessments by the City.

(C) The Service Assessments authorized by this Ordinance shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act.

(D) The Service Assessments imposed pursuant to this Ordinance will be imposed by the Commission, not the Property Appraiser or Tax Collector. Any activity of the Property Appraiser or Tax Collector under the provisions of this Ordinance shall be construed solely as ministerial.

(E) The purpose of this Ordinance is to (1) provide procedures and standards for the imposition of Service Assessments within the City under the general home rule powers of a city to impose special assessments, and (2) authorize a procedure for the funding of public services, facilities, or programs providing a special benefit to subsequently identified property with the City.



## ARTICLE II

### ASSESSMENTS

#### SECTION 2.01. GENERAL AUTHORITY.

(A) The Commission is hereby authorized to impose an annual Service Assessment to fund all or any portion of the Service Cost on benefitted property at a rate of assessment based on the special benefit accruing to such property from the City's provision of the subsequently identified service, facility, or program. All Service Assessments shall be imposed in conformity with the procedures set forth in this Article II.

(B) The amount of the Service Assessment that is imposed each Fiscal Year against each parcel of Assessed Property shall be determined pursuant to an apportionment methodology based upon a classification of property designed to provide a fair and reasonable apportionment of the Service Cost among properties on a basis reasonably related to the special benefit provided by the service, facility, or program funded with assessment proceeds. Nothing contained in this Ordinance shall be construed to require the imposition of Service Assessments against Government Property.

(C) The Commission is hereby authorized to create Assessment Areas in accordance with the procedures set forth herein, to include Property located within the incorporated areas of the City that are benefitted by the services, facilities, and/or programs proposed for funding from the proceeds of Service Assessments to be levied or imposed to fund the Services Costs for said services, facilities and/or programs. Either the Initial Assessment Resolution proposing each Assessment Area, or the Final

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Assessment Resolution creating each Assessment Area, shall include brief descriptions of: the proposed services, facilities, and/or programs being funded; a description of the Property to be included within the Assessment Area; and, specific legislative findings that recognize the special benefit to be provided by each proposed service, facility, and/or program to the property within the Assessment Area.

**SECTION 2.02. INITIAL ASSESSMENT RESOLUTION.** The initial proceeding for the imposition of a Service Assessment shall be the Commission's adoption of an Initial Assessment Resolution (A) containing a brief and general description of the services, facilities or programs to be provided; (B) determining the Service Cost to be assessed; (C) describing the method of apportioning the Service Cost and the computation of the Service Assessment for specific properties; (D) describing the boundaries of and creating an Assessment Area in the event the Commission elects to designate a geographic area within the City where the Commission provides the relevant services, facilities, and programs; (E) establishing an estimated assessment rate for the upcoming Fiscal Year; (F) establishing a Maximum Assessment Rate, if desired by the Commission; (G) authorizing the date, time, and place of a public hearing to consider the adoption of the Final Assessment Resolution for the upcoming Fiscal Year; and (H) directing the City Manager to (1) prepare the initial Assessment Roll, as required by Section 2.03 hereof, (2) publish the notice required by Section 2.04 hereof, and (3) mail the notice required by Sections 2.05 hereof.

**SECTION 2.03. INITIAL SERVICE ASSESSMENT ROLL.**

(A) The Finance Director shall prepare a preliminary Assessment Roll that contains the following:

(1) A summary description of each parcel of Assessed Property (conforming to the description contained on the Tax Roll) subject to the Assessment;

(2) The name of the Owner of the record of the Assessed Property, as shown on the Tax Roll;

(3) The amount of the Service Assessment to be imposed against each Assessed Property; and

(4) the estimated maximum annual Service Assessment to become due in any Fiscal Year for each parcel of Assessed Property.

(B) Copies of the Initial Assessment Resolution and the preliminary Assessment Roll shall be available in the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the Assessment Roll be in printed form if the amount of the Service Assessment for each parcel of property can be determined by use of a computer terminal available to the public.

**SECTION 2.04. NOTICE BY PUBLICATION.**

(A) Upon completion of the Assessment Roll for the initial year and each year thereafter, the Finance Director shall publish, or direct the publication of, once in a newspaper of general circulation within the City a notice stating that at a meeting of the Commission on a certain day and hour, not earlier than 20 calendar days from such publication, which meeting shall be a regular, adjourned, or special meeting, the Commission will hold a public hearing and hear objections of all interested persons to

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the Final Assessment Resolution which shall establish the rate of assessment and approve the aforementioned initial Assessment Roll.

(B) The published notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. Such notice shall include (1) a geographic depiction of the property subject to the Service Assessment; (2) a brief and general description of the services, facilities, or programs to be provided; (3) the rate of assessment including a Maximum Assessment Rate in the event one was adopted by in the Initial Assessment Resolution; (4) the procedure for objecting provided in Section 2.06; (5) the method by which the Service Assessment will be collected; and (6) a statement that the initial Assessment Roll is available for inspection at the office of the City Clerk and all interested persons may ascertain the amount to be assessed against a parcel of Assessed Property at the office of the City Clerk.

**SECTION 2.05. NOTICE BY MAIL.**

(A) In addition to the published notice required by Section 2.04, the Finance Director shall provide notice, or direct the provision of notice, of the proposed Service Assessment by first class mail to the Owner of each parcel of property subject to the Service Assessment.

(B) Such notice shall include (1) the purpose of the Service Assessment; (2) the rate of assessment to be levied against each parcel of property, including a Maximum Assessment Rate in the event one was adopted by the Initial Assessment Resolution; (3) the unit of measurement applied to determine the Service Assessment; (4) the number of such units contained in each parcel of property; (5) the total revenue to be collected by the City from the Assessment; (6) a statement that failure to pay the

Service Assessment will cause a tax certificate to be issued against the property or foreclosure proceedings to be instituted, either of which may result in a loss of title to the property; (7) a statement that all affected Owners have a right to appear at the hearing and to file written objections with the Commission within 20 days of the notice; and (8) the date, time, and place of the hearing.

(C) The mailed notice shall conform to the requirements set forth in the Uniform Assessment Collection Act. Notice shall be mailed at least 20 calendar days prior to the hearing to each Owner at such address as is shown on the Tax Roll. Notice shall be deemed mailed upon delivery thereof to the possession of the United States Postal Service. The Finance Director may provide proof of such notice by affidavit. Failure of the Owner to receive such notice due to mistake or inadvertence shall not affect the validity of the Assessment Roll nor release or discharge any obligation for payment of a Service Assessment imposed by the Commission pursuant to this Ordinance. Notice by mail for Fiscal Years after the initial Fiscal Year shall be controlled by Section 2.07(F) hereof.

**SECTION 2.06. ADOPTION OF FINAL ASSESSMENT RESOLUTION.**

(A) At the time named in such notice or to such time as an adjournment or continuance may be taken by the Commission, the Commission shall receive any written objections of interested persons and may then, or at any subsequent meeting of the Commission, adopt the Final Assessment Resolution which shall (A) create any Assessment Area; (B) confirm, modify, or repeal the Initial Assessment Resolution with such amendments, if any, as may be deemed appropriate by the Commission; (C) establish the Maximum Assessment Rate, if desired by the Commission, and set the

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rate of assessment to be imposed in the upcoming Fiscal Year; (D) approve the initial Assessment Roll, with such amendments as it deems just and right; and (E) determine the method of collection.

(B) The adoption of the Final Assessment Resolution by the Commission shall constitute a legislative determination that all parcels assessed derive a special benefit from the service, facility or program to be provided or constructed and the Service Assessment is fairly and reasonably apportioned among the properties that receive the special benefit. All written objections to the Final Assessment Resolution shall be filed with the Finance Director at or before the time or adjourned time of such hearing. The Final Assessment Resolution shall constitute the Annual Assessment Resolution for the initial Fiscal Year in which Service Assessments are imposed or reimposed hereunder.

**SECTION 2.07. ANNUAL ADOPTION PROCEDURES.**

(A) Annually, during the budget adoption process, the Commission shall determine whether to reimpose a Service Assessment for each Fiscal Year following the initial Fiscal Year. If the Commission elects to reimpose a Service Assessment, the procedures in this Section 2.07 shall be followed.

(B) The initial proceedings for the reimposition of an annual Service Assessment shall be the adoption of a Preliminary Assessment Resolution by the Commission: (1) containing a brief and general description of the services, facilities, or programs to be provided; (2) determining the Service Cost to be assessed for the upcoming Fiscal Year and the Assessment Area, if applicable; (3) establishing the estimated assessment rate for the upcoming Fiscal Year; (4) establishing or increasing a Maximum Assessment Rate, if desired by the Commission; (5) authorizing the date,

time, and place of a public hearing to receive and consider comments from the public and consider the adoption of the Annual Assessment Resolution for the upcoming Fiscal Year; and (6) directing the Finance Director to (i) update the Assessment Roll, (ii) provide notice by publication and first class mail to affected Owners in the event circumstances described in subsection (F) of this Section so require, and (iii) directing and authorizing any supplemental or additional notice deemed proper, necessary or convenient by the City.

(C) At the public hearing established in the Preliminary Assessment Resolution or to which an adjournment or continuance may be taken by the Commission, the Commission shall receive any oral or written objections of interested persons and may then, or at any subsequent meeting of the Commission, adopt the Annual Assessment Resolution, which shall: (1) establish the rate of assessment to be imposed in the upcoming Fiscal Year and (2) approve the Assessment Roll for the upcoming Fiscal Year with such adjustments as the Commission deems just and right. The Assessment Roll shall be prepared in accordance with the method of apportionment set forth in the Initial Assessment Resolution, or any subsequent Preliminary Assessment Resolution, together with modifications, if any, that are provided and confirmed in the Final Assessment Resolution or any subsequent Annual Assessment Resolution.

(D) Nothing herein shall preclude the Commission from providing annual notification to all Owners of Assessed Property in the manner provided in Section 2.05 hereof or any other method as provided by law.

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(E) The Commission may establish or increase a Maximum Assessment Rate in an Initial Assessment Resolution or Preliminary Assessment Resolution and confirm such Maximum Assessment Rate in the Final Assessment Resolution or Annual Assessment Resolution in the event notice of such Maximum Rate Assessment has been included in the notices required by Sections 2.04 and 2.05 hereof.

(F) In the event (1) the proposed Service Assessment for any Fiscal Year exceeds the rates of assessment adopted by the Commission, including a Maximum Assessment Rate, if any, that were listed in the notices previously provided to the Owners of Assessed Property pursuant to Sections 2.04 and 2.05 hereof, (2) the purpose for which the Service Assessment is imposed or the use of the revenue from the Service Assessment is substantially changed from that represented by notice previously provided to the Owners of Assessed Property pursuant to Sections 2.04 and 2.05 hereof, (3) Assessed Property is reclassified or the method of apportionment is revised or altered resulting in an increased Service Assessment from that represented by notice previously provided to the Owners of Assessed Property pursuant to Sections 2.04 and 2.05 hereof, or (4) an Assessment Roll contains Assessed Property that was not included on the Assessment Roll approved for the prior Fiscal Year, notice shall be provided by publication and first class mail to the Owners of such Assessed Property as provided by law. Such notice shall substantially conform with the notice requirements set forth in Sections 2.04 and 2.05 hereof and inform the Owner of the date, time, and place for the adoption of the Annual Assessment Resolution. The failure of the Owner to receive such notice due to mistake or inadvertence, shall not affect the validity of the



Assessment Roll nor release or discharge any obligation for payment of a Service Assessment imposed by the Commission pursuant to this Ordinance.

(G) As to any Assessed Property not included on an Assessment Roll approved by the adoption of the Final Assessment Resolution or a prior year's Annual Assessment Resolution, the adoption of the succeeding Annual Assessment Resolution shall be the final adjudication of the issues presented as to such Assessed Property (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the method of apportionment and assessment, the rate of assessment, the establishment or increase of a Maximum Assessment Rate, the Assessment Roll, and the levy and lien of the Service Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of the Commission action on the Annual Assessment Resolution. Nothing contained herein shall be construed or interpreted to affect the finality of any Service Assessment not challenged within the required 20-day period for those Service Assessments previously imposed against Assessed Property by the inclusion of the Assessed Property on an Assessment Roll approved in the Final Assessment Resolution or any subsequent Annual Assessment Resolution.

(H) The Assessment Roll, as approved by the Annual Assessment Resolution, shall be delivered to the Tax Collector as required by the Uniform Assessment Collection Act, or if the alternative method described in Section 3.02 hereof is used to collect the Service Assessments, such other official as the Commission by resolution shall designate. If the Assessment against any property shall be sustained, reduced, or abated by the court, an adjustment shall be made on the Assessment Roll.

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**SECTION 2.08. EFFECT OF FINAL ASSESSMENT RESOLUTION.** The adoption of the Final Assessment Resolution or Annual Assessment Resolution, as applicable, shall be the final adjudication of the issues presented (including, but not limited to, the apportionment methodology, the rate of assessment, the adoption of the Assessment Roll and the levy and lien of the Service Assessments), unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of Commission adoption of the Final Assessment Resolution or Annual Assessment Resolution, as applicable. The Assessments for each Fiscal Year shall be established upon adoption of the Final Assessment Resolution or Annual Assessment Resolution, as applicable. The Assessment Roll, as approved by the Final Assessment Resolution or Annual Assessment Resolution, as applicable, shall be certified to the Tax Collector, or such other official as the Commission by resolution deems appropriate.

**SECTION 2.09. LIEN OF SERVICE ASSESSMENTS.**

(A) Upon adoption of the Annual Assessment Resolution for each Fiscal Year, Service Assessments to be collected under the Uniform Assessment Collection Act shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected upon adoption by the Commission of the Annual Assessment Resolution and shall attach to the property included on the Assessment Roll as of the prior January 1, the lien date for ad valorem taxes.

(B) Upon adoption of the Final Assessment Resolution, Service Assessments to be collected under any alternative method of collection provided in Section 3.02

hereof shall constitute a lien against assessed property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Such lien shall be superior in dignity to all other liens, titles and claims, until paid. The lien shall be deemed perfected on the date notice thereof is recorded in the Official Records of Miami-Dade County, Florida.

**SECTION 2.10. REVISIONS TO SERVICE ASSESSMENTS.** If any Service Assessment made under the provisions of this Ordinance is either in whole or in part annulled, vacated or set aside by the judgment of any court of competent jurisdiction, or if the Commission is satisfied that any such Service Assessment is so irregular or defective that the same cannot be enforced or collected, or if the Commission has omitted to include any property on the Assessment Roll which property should have been so included, the Commission may take all necessary steps to impose a new Service Assessment against any property benefited by the Service Costs, following as nearly as may be practicable, the provisions of this Ordinance and in case such second Service Assessment is annulled, vacated or set aside, the Commission may obtain and impose other Service Assessments until a valid Service Assessment is imposed.

**SECTION 2.11. PROCEDURAL IRREGULARITIES.** Any irregularity in the proceedings in connection with the levy of any Service Assessment under the provisions of this Ordinance shall not affect the validity of the same after the approval thereof, and any Service Assessment as finally approved shall be competent and sufficient evidence that such Service Assessment was duly levied, that the Service Assessment was duly made and adopted, and that all other proceedings adequate to such Service Assessment were duly had, taken and performed as required by this

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Ordinance; and no variance from the directions hereunder shall be held material unless it be clearly shown that the party objecting was materially injured thereby. Notwithstanding the provisions of this Section 2.11, any party objecting to a Service Assessment imposed pursuant to this Ordinance must file an objection with a court of competent jurisdiction within the time periods prescribed herein.

**SECTION 2.12. CORRECTION OF ERRORS AND OMISSIONS.**

(A) No act of error or omission on the part of the Commission, City Manager, City Attorney, Property Appraiser, Tax Collector, Finance Director, Clerk, their respective deputies, employees, or designees, shall operate to release or discharge any obligation for payment of a Service Assessment imposed by the Commission under the provisions of this Ordinance.

(B) When it shall appear that any Service Assessment should have been imposed under this Ordinance against a lot or parcel of property specially benefited by the provision of a service, facility, or program, but such property was omitted from the Assessment Roll, the Commission may, upon provision of appropriate notice as set forth in this Article, impose the applicable Service Assessment for the Fiscal Year in which such error is discovered, in addition to the applicable Service Assessment due for the prior two Fiscal Years. Such total Service Assessment shall become delinquent if not fully paid upon the expiration of 90 days from the date of the adoption of said resolution. The Service Assessment so imposed shall constitute a lien against such property equal in rank and dignity with the liens of all state, county, district, or municipal taxes and special assessments, and superior in rank and dignity to all other prior liens,

mortgages, titles and claims in and to or against the real property involved and may be collected as provided in Article III hereof.

(C) Prior to the delivery of the Assessment Roll to the Tax Collector in accordance with the Uniform Assessment Collection Act, the Finance Director shall have the authority at any time, upon his or her own initiative or in response to a timely filed petition from the Owner of any Assessed Property, to correct any error in applying the Service Assessment apportionment method to any particular property not otherwise requiring the provision of notice pursuant to the Uniform Assessment Collection Act. Any such correction shall be considered valid ab initio and shall in no way affect the enforcement of the Service Assessment imposed under the provisions of this Ordinance. All requests from affected property owners for any such changes, modifications or corrections shall be referred to, and processed by, the Finance Director and not, the Property Appraiser or Tax Collector.

(D) After the Assessment Roll has been delivered to the Tax Collector in accordance with the Uniform Assessment Collection Act, any changes, modifications or corrections thereto shall be made in accordance with the procedures applicable to correcting errors and insolvencies on the Tax Roll upon timely written request and direction of the Finance Director.

**SECTION 2.13. INTERIM ASSESSMENTS.**

(A) An interim Service Assessment may be imposed against all property, for which a Certificate of Occupancy (or Building Permit, as determined by the Commission) is issued, after adoption of the Final Assessment Resolution or Annual Assessment Resolution. The amount of the interim Service Assessment shall be

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calculated upon a monthly rate, which shall be one-twelfth of the annual rate for such property computed in accordance with the Final Assessment Resolution or Annual Assessment Resolution for the Fiscal Year for which the interim Service Assessment is being imposed. Such monthly rate shall be imposed for each full calendar month remaining in the Fiscal Year. In addition to the monthly rate, the interim Service Assessment may also include an estimate of the subsequent Fiscal Year's Service Assessment.

(B) No Certificate of Occupancy (or Building Permit, as determined by the Commission) shall be issued until full payment of the interim Service Assessment is received by the City. Issuance of the Certificate of Occupancy (or Building Permit, as determined by the Commission) without the payment in full of the interim Service Assessment shall not relieve the Owner of such property of the obligation of full payment. Any interim Service Assessment not collected prior to the issuance of the Certificate of Occupancy (or Building Permit, as determined by the Commission) may be collected pursuant to the Uniform Assessment Collection Act as provided in Section 3.01 of this Ordinance or by any other method authorized by law. Any interim Service Assessment shall be deemed due and payable on the date the Certificate of Occupancy (or Building Permit, as determined by the Commission) was issued and shall constitute a lien against such property as of that date. Said lien shall be equal in rank and dignity with the liens of all state, county, district or municipal taxes and special assessments, and superior in rank and dignity to all other liens, encumbrances, titles and claims in and to or against the real property involved and shall be deemed perfected upon the

issuance of the Certificate of Occupancy (or Building Permit, as determined by the Commission).

(C) In the event the Commission chooses to collect the interim Service Assessments at the time a Building Permit is issued, the following procedures shall apply:

(1) In the event a Building Permit expires prior to completion of the Building for which it was issued, and the applicant paid the interim Service Assessment at the time the Building Permit was issued, the applicant may within 90 days of the expiration of the Building Permit apply for a refund of the interim Service Assessment. Failure to timely apply for a refund of the interim Service Assessment shall waive any right to a refund.

(2) The application for refund shall be filed with the City and contain the following:

- (a) The name and address of the applicant;
- (b) The location of the property and the tax parcel identification number for the property which was the subject of the Building Permit;
- (c) The date the Service Assessment was paid;
- (d) A copy of the receipt of payment for the Service Assessment; and
- (e) The date the Building Permit was issued and the date of expiration.

(3) After verifying that the Building Permit has expired and that the Building has not been completed, the City shall refund the interim Service Assessment paid for such Building.

(4) A Building Permit which is subsequently issued for a Building on the same property which was subject of a refund shall pay the interim Service Assessment as required by this Section 2.13.

**SECTION 2.14. AUTHORIZATION FOR EXEMPTIONS AND HARDSHIP ASSISTANCE.**

(A) The Commission, in its sole discretion, shall determine whether to provide exemptions from payment of a Service Assessment for Government Property or other property whose use is wholly or partially exempt from ad valorem taxation under Florida law.

(B) The Commission, in its sole discretion, shall determine whether to provide a program of hardship assistance to City residents who are living below or close to the poverty level and are at risk of losing title to their homes as a result of the imposition of a Service Assessment.

(C) The Commission shall designate the funds available to provide any exemptions or hardship assistance. The provision of an exemption or hardship assistance in any one year shall in no way establish a right or entitlement to such exemption or assistance in any subsequent year and the provision of funds in any year may be limited to the extent funds are available and appropriated by the Commission. Any funds designated for exemptions or hardship assistance shall be paid by the City from funds other than those generated by the Service Assessment.



(D) - Any shortfall in the expected Service Assessment proceeds due to any hardship assistance or exemption from payment of the Assessments required by law or authorized by the Commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Assessments. In the event a court of competent jurisdiction determines any exemption or reduction by the Commission is improper or otherwise adversely affects the validity of the Service Assessment imposed for any Fiscal Year, the sole and exclusive remedy shall be the imposition of a Service Assessment upon each affected Tax Parcel in the amount of the Assessment that would have been otherwise imposed save for such reduction or exemption afforded to such Tax Parcel by the Commission.

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## ARTICLE III

### COLLECTION OF ASSESSMENTS

#### SECTION 3.01. METHOD OF COLLECTION.

(A) Unless directed otherwise by the Commission, the Service Assessments (other than Assessments imposed against Government Property) shall be collected pursuant to the Uniform Assessment Collection Act, and the City shall comply with all applicable provisions thereof. The Resolution of Intent required by the Uniform Assessment Collection Act may be adopted either prior to or following the Initial Assessment Resolution; provided however, that the Resolution of Intent must be adopted prior to January 1 (or March 1 with consent of the Property Appraiser and Tax Collector) of the year in which the Assessments are first collected on the ad valorem tax bill. Any hearing or notice required by this Ordinance may be combined with any other hearing or notice required by the Uniform Assessment Collection Act.

(B) The amount of a Service Assessment to be collected using the uniform method pursuant to the Uniform Assessment Collection Act for any specific tax parcel of benefited property may include an amount equivalent to the payment delinquency, delinquency fees and recording costs for a prior year's Assessment for a comparable service, facility, or program provided, (1) the collection method used in connection with the prior year's Assessment was not made pursuant to the Uniform Assessment Collection Act, (2) notice is provided to the Owner as required under the Uniform Assessment Collection Act, and (3) any lien on the affected tax parcel for the prior year's Service Assessment is supplanted and transferred to such current year's Service Assessment upon certification of the Assessment Roll to the Tax Collector by the City.

**SECTION 3.02. ALTERNATIVE METHOD OF COLLECTION.** In lieu of using the Uniform Assessment Collection Act, the City may elect to collect the Service Assessments by any other method which is authorized by law or provided by this Section 3.02 as follows:

(A) The City shall provide Service Assessment bills by first class mail to the Owner of each affected parcel of property, other than Government Property. The bill or accompanying explanatory material shall include (1) a brief explanation of the Service Assessment, (2) a description of the unit of measurement used to determine the amount of the Service Assessment, (3) the number of units contained within the parcel, (4) the total amount of the Service Assessment imposed against the parcel for the appropriate period, (5) the location at which payment will be accepted, (6) the date on which the Service Assessment is due, and (7) a statement that the Service Assessment constitutes a lien against Assessed Property equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments.

(B) A general notice of the lien resulting from imposition of the Service Assessments shall be recorded in the Official Records of Miami-Dade County, Florida. Nothing herein shall be construed to require that individual liens or releases be filed in the Official Records.

(C) The City shall have the right to appoint or retain an agent to foreclose and collect all delinquent Service Assessments in the manner provided by law. A Service Assessment shall become delinquent if it is not paid within 30 days from the date any installment is due. The City or its agent shall notify any property owner who is delinquent in payment of his or her Service Assessment within 60 days from the date

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such assessment was due. Such notice shall state in effect that the City or its agent will either (1) initiate a foreclosure action or suit in equity and cause the foreclosure of such property subject to a delinquent Service Assessment in a method now or hereafter provided by law for foreclosure of mortgages on real property, or (2) cause an amount equivalent to the delinquent Service Assessment, not previously subject to collection using the uniform method under the Uniform Assessment Collection Act, to be collected on the tax bill for a subsequent year.

(D) All costs, fees and expenses, including reasonable attorney fees and title search expenses, related to any foreclosure action as described herein shall be included in any judgment or decree rendered therein. At the sale pursuant to decree in any such action, the City may be the purchaser to the same extent as any Person. The City or its agent may join in one foreclosure action the collection of Service Assessments against any or all property assessed in accordance with the provisions hereof. All delinquent Owners whose property is foreclosed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City and its agents, including reasonable attorney fees, in collection of such delinquent Service Assessments and any other costs incurred by the City as a result of such delinquent Service Assessments including, but not limited to, costs paid for draws on a credit facility and the same shall be collectible as a part of or in addition to, the costs of the action.

(E) In lieu of foreclosure, any delinquent Service Assessment and the costs, fees and expenses attributable thereto, may be collected pursuant to the Uniform Assessment Collection Act; provided however, that (1) notice is provided to the Owner

in the manner required by the Uniform Assessment Collection Act and this Ordinance, and (2) any existing lien of record on the affected parcel for the delinquent Service Assessment is supplanted by the lien resulting from certification of the Assessment Roll, as applicable, to the Tax Collector.

(F) Notwithstanding the Commission's use of an alternative method of collection, the Finance Director shall have the same power and authority to correct errors and omissions as provided to her or other City officials in Section 2.11 hereof.

(G) Any Commission action required in the collection of Service Assessments may be by resolution.

**SECTION 3.03. GOVERNMENT PROPERTY.**

(A) The County, any school district, or other governmental entity wholly, or partly within the City shall be subject to the same duties and liabilities regarding Assessments under this Ordinance affecting their Government Property that private property owners are subject to hereunder, and at the Commission's discretion, such Government Property may be subject to Assessments in all cases where the same property would be subject had it been owned by a non-governmental entity.

(B) If Assessments are imposed against Government Property, the City shall provide Service Assessment bills by first class mail to the Owner of each affected parcel of Government Property. The bill or accompanying explanatory material shall include (1 ) a brief explanation of the Service Assessment, (2) a description of the unit of measurement used to determine the amount of the Service Assessment, (3) the number of units contained within the parcel, (4) the total amount of the parcel's Service

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Assessment for the appropriate period, (5) the location at which payment will be accepted, and (6) the date on which the Service Assessment is due.

(C) Service Assessments imposed against Government Property shall be due on the same date as all other Service Assessments and, if applicable, shall be subject to the same discounts for early payment.

(D) A Service Assessment shall become delinquent if it is not paid within 30 days from the date any installment is due. The City shall notify the Owner of any Government Property that is delinquent in payment of its Service Assessment within 60 days from the date such Assessment was due. Such notice shall state in effect that the City will initiate a mandamus or other appropriate judicial action to compel payment.

(E) All costs, fees and expenses, including reasonable attorney fees and title search expenses, related to any mandamus or other action as described herein shall be included in any judgment or decree rendered therein. All delinquent Owners of Government Property against which a mandamus or other appropriate action is filed shall be liable for an apportioned amount of reasonable costs and expenses incurred by the City, including reasonable attorney fees, in collection of such delinquent Service Assessments and any other costs incurred by the City as a result of such delinquent Service Assessments including, but not limited to, costs paid for draws on a credit facility and the same shall be collectible as a part of or in addition to, the costs of the action.

(F) As an alternative to the foregoing, any Service Assessment imposed against Government Property may be collected on the bill for any utility service provided

to such Government Property. The Commission may contract for such billing services with any utility not owned by the City.

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## **ARTICLE IV**

### **GENERAL PROVISIONS**

**SECTION 4.01. ALTERNATIVE METHOD.** This Ordinance shall be deemed to provide an additional and alternative method for the imposition and collection of Assessments and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as in derogation of any powers now existing or which may hereafter come into existence.

**SECTION 4.02 REPEALER.**

(A) City of Coral Gables Ordinance No. 2009-37, concerning Fire Protection Assessments, is hereby repealed in its entirety and replaced with the procedures embodied herein.

(B) Any assessments imposed pursuant to Ordinance No. 2009-37 that are still outstanding shall continue to be imposed, collected, enforced, and expended pursuant to the terms of Ordinance No. 2009-37 until paid in full and fully expended.

**SECTION 4.03 CODIFICATION.** It is the intention of the Commission that the provisions of this Ordinance shall become a part of the City's Code of Ordinances, as amended. The provisions of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article" or other appropriate word to accomplish such intention.

**SECTION 4.04. SEVERABILITY.** If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provision



thereof shall be held to be inapplicable to any person, property or circumstances, such holding shall not affect its applicability to any other person, property or circumstances.

**SECTION 4.05.EFFECTIVE DATE.** This Ordinance shall take effect immediately upon its passage and adoption on second reading by the City Commission.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF MAY, A.D., 2015.  
(Moved: Quesada / Seconded: Slesnick)  
(Yeas: Keon, Lago, Quesada, Slesnick, Cason)  
(Unanimous: 5-0 Vote)  
(Agenda Item: E-10)

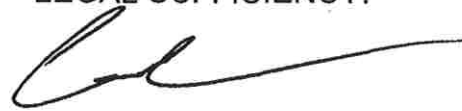
APPROVED:

  
JIM CASON  
MAYOR

ATTEST:

  
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
CRAIG E. LEEN  
CITY ATTORNEY

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2017-13**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES CODE BY:

- CREATING SECTION 62-245 "PROHIBITION ON USE OF SINGLE-USE CARRY OUT PLASTIC BAGS" IN CHAPTER 62, ARTICLE VII SPECIAL EVENTS; AND
- CREATING ARTICLE IX "SALE, USE OR DISTRIBUTION OF SINGLE-USE CARRY OUT PLASTIC BAGS BY RETAIL ESTABLISHMENTS WITHIN THE CITY" IN CHAPTER 34 NUISANCE, OF THE CITY CODE.

PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, ENFORCEABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Coral Gables declares that it is in the best interest of the public health, safety and welfare of its residents and visitors to reduce litter and pollutants on the land and in the waters of the City; and

**WHEREAS**, distribution of single-use carry out plastic bags by retailers to consumers for use in carrying purchased goods has a detrimental effect on the environment of the City, County and State; and

**WHEREAS**, discarded single-use carry out plastic bags contribute to overburdened landfills, threaten wildlife and marine life and degrade and litter the beaches and waters off the Florida coast, which include areas within the City; and

**WHEREAS**, single-use carry out plastic bags are photo-biodegradable and break down into smaller pieces which can make their way into the food chain via such animals as jellyfish and endangered sea turtles; and

**WHEREAS**, plastic bags constitute a portion of the litter in the City's streets, parks, public places and waterways; and

**WHEREAS**, as an environmental leader among local governments in the State of Florida, the goal of the City is to replace single-use carry out plastic bags with reusable, recyclable, or compostable alternatives whenever possible; and

**WHEREAS**, retailers establishments such as ALDI, Trader Joes, and Whole Foods have successfully incorporated programs that encourage the use of reusable and/or recyclable alternatives to single use carry-out plastic bags; and

**WHEREAS**, the City's Sustainability Advisory Board and Economic Development Board have unanimously voted in support of this Ordinance; and

**WHEREAS**, the City has collaborated with the business community, including the Coral Gables Chamber of Commerce, Coral Gables Business Improvement District, University of Miami, and others in the development of the proposed Ordinance, including discussions on the potential impacts to businesses, educating businesses on the benefits of the Ordinance and on potential alternative products, and incorporating accommodations as necessary and appropriate; and

**WHEREAS**, this Ordinance provides for a 1 year implementation period allowing for an extensive education campaign and for retail establishments to expend their current stock of single-use carry out plastic bags and transition to reusable, recyclable, or compostable alternatives; and

**WHEREAS**, the City Commission finds that this Ordinance is necessary for the preservation of our environment and the public health, safety and welfare of City residents and visitors and future generations; and

**WHEREAS**, the City was a party in a lawsuit with the State of Florida, the Florida Retail Federation and Super Progreso in which the Court held that Sections 403.708(9) and 403.7033, F.S., relating to plastic bags and packaging, are unconstitutional.

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

**SECTION 1.** That the foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance upon adoption hereof.

**SECTION 2.** That Chapter 62, Article VII "Special Events," of the Code of the City of Coral Gables, Florida, be hereby amended to add Section 62-245 as follows:

**Sec. 62-245. – Prohibition on Use of Single-Use Carry Out Plastic Bags**

(a) *Definitions.* For purposes of this section only, the following definitions should apply:

- (1) *Single-use carry out plastic bag* means a bag provided by a company or individual to a customer, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from petroleum or a biologically-based source. This definition includes bags, as defined above, provided to an individual to transport items

provided free of charge, including but not limited to, samples and informational materials.

- (2) *City facility* includes, but is not limited to, any building, structure, park, or golf course owned, operated or managed by the City.
  - (3) *Special event permittee* means any entity or individual, and their subcontractor(s), who has been issued a special events permit by the City for a special event on City property, in a City facility or in the City's right-of-way, for the promotion or sale of their product(s) and/or business(es).
  - (4) *Compostable carry out bag* means a bag that (1) conforms to the current ASTM D6400; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) must be capable of undergoing biological decomposition in a compost site such that the material breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials
- (b) *Prohibited Use of Plastic Bags; Penalties; Exceptions*
- (1) Special event permittees shall not provide items in single-use carry out plastic bags during special events as a condition of approval.
  - (2) Upon warning, the special event permittee must cease providing the single-use carry out plastic bags immediately. If the special events permittee does not do so he or she may be forced to discontinue the service, sale or participation in the special event.
  - (3) A violation of this section shall constitute a City code violation and may result in the revocation of the special events permit and fines and may be grounds for the placement of conditions on or for denial of a future special events permit.
  - (4) *Exceptions.* This prohibition shall not apply to Exempt Bags in 34-191(e) or other types of single-use plastic bags used, provided or given out by individuals who are special events permittees for the purpose of hosting a small private event (100 people or less) (e.g. birthday party, family reunion).

**SECTION 3.** That Chapter 34 "Nuisances," of the Code of the City of Coral Gables, Florida, be hereby amended to add Article IX as follows:

**Article IX. – Sale, Use or Distribution of Single-Use Carry Out Plastic Bags by Retail Establishments within the City**

**Sec. 34-191. – Definitions**

For purposes of this section only the following definitions should apply:

- (a) *Customer* means any person purchasing goods from a retail establishment.
- (b) *Single-use carry out plastic bag* means a bag provided by a company or individual to a customer, typically at the point of sale, for the purpose of transporting purchases, which is made predominantly of plastic derived from petroleum or a biologically-based source. This definition includes bags

provided to a customer to transport items provided free of charge, including but not limited to, samples and informational materials.

- (c) *Exempt bags* means (1) a compostable carry out bag (as defined in 62-245(a)(4)) or any bag without handles provided to a customer (2) to protect food or merchandise from being damaged or contaminated by other food or merchandise, when items are placed together in a reusable bag or recyclable bag, including produce bags; (3) to hold prescription medications dispensed from a pharmacy or veterinary office; (4) designed to be placed over articles of clothing on a hanger, including dry cleaning bags; (5) door hanger bags; (6) newspaper bags, (7) garbage bags; (8) pet waste bags; (9) yard waste bags; and (10) bags of any type that a customer previously owned and brings to a retail establishment for his or her own use in carrying away store goods.
- (d) *Reusable bag* means a bag with handles that is specifically designed and manufactured for multiple reuse and made of durable material specifically designed for and provided to consumers with the intention of multiple, long-term use and does not include any film plastic bags.
- (e) *Recyclable paper bag* means a bag that contains a minimum average of forty percent (40%) post-consumer recycled materials and displays the minimum percent of post-consumer content on the outside of the bag.
- (f) *Compostable carry out bag* means a bag that (1) conforms to the current ASTM D6400; (2) is certified and labeled as meeting the ASTM D6400 standard specification by a recognized verification entity; and (3) must be capable of undergoing biological decomposition in a compost site such that the material breaks down into carbon dioxide, water, inorganic compounds and biomass at a rate consistent with known compostable materials
- (g) *Retail establishment* means any entity or individual engaged in the retail sale of goods. Retail establishment includes any supermarket, grocery store, convenience store, shop, service station, restaurant, farmers' market vendor, and any other sales outlet where a customer can directly purchase goods, materials, and products.

#### **Sec. 34-192. – Single-Use Carry Out Plastic Bags Prohibited; Exceptions**

- (a) No retail establishment shall provide to any customer a single-use carry out plastic bag, unless noted in exceptions below.
- (b) *Exceptions:* Although the discontinuation of the use of single-use carry out plastic bags is strongly encouraged by the City of Coral Gables Commission, this article shall not apply to Exempt Bags in 34-191(c).
- (c) Retail establishments can propose innovative and creative environmentally sustainable alternative programs that eliminate the use of single use plastic bags. After being submitted, the program is reviewed by City staff for approval. Each program is reviewed on a case by case basis.

**Sec. 34-193. – Use of reusable bags**

Retail establishments are strongly encouraged to educate their staff to promote reusable bags and to post signs encouraging customers to use reusable bags. Should retail establishments provide carryout bags, they shall be reusable (as defined in 34-191(d)), compostable carryout bags and/or recyclable paper bags free of charge or for a fee as determined by the merchant. Retail establishments may keep any fees charged for providing such bags to offset the cost of providing the bag.

**Sec. 34-194. – Enforcement; penalties**

- (a) If a code enforcement officer finds a violation of section 34-192 or 34-193, prior to issuing a ticket the code enforcement officer shall issue a warning to allow for time to correct violation before citing. After the warning, the code enforcement officer may issue a ticket. The ticket shall inform the retail establishment of the nature of the violation, amount of fine for which the violator is liable, instructions and due date for paying the fine, and that the violation may be appealed pursuant to the procedures in Chapter 101, Article VI, Division 3 of the City Code of Ordinances. A violation of this ordinance is deemed to be irreparable as it may only be complied with in the future and not retroactively.
- (b) A retail establishment that has been issued a ticket must elect to either:
  - (1) pay the following civil fine (per day, irrespective of the number of violations in a given day):
    - (a) First violation within a 12-month period.....\$50.00;
    - (b) Second violation within a 12-month period..... \$100.00;
    - (c) Third violation within a 12-month period..... \$500.00;
    - (d) Any subsequent violation within a 12-month period..... \$1,000.00.
  - (2) request an administrative hearing before a special master as set forth in Chapter 101, Article VI, Division 3 of the City Code of Ordinances
- (c) Failure to pay the civil fine, or to timely request an administrative hearing before a hearing officer, shall constitute a waiver of the violator's right to an administrative hearing before the special master, and shall be treated as an admission to the violation, for which fines and penalties shall be assessed accordingly.
- (d) A certified copy of an order imposing the fine may be recorded in the public records, and thereafter shall constitute a lien upon any real or personal property owned by the violator, which may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the violator's real or personal property, but shall not be deemed to be a court judgment except for enforcement purposes.

- (e) The hearing officer shall not have discretion to alter the penalties prescribed in this article. Any party aggrieved by a decision of a hearing officer may appeal that decision to a court of competent jurisdiction.

#### **SECTION 4. EDUCATIONAL CAMPAIGN.**

The City, desires to collaborate with the Coral Gables Chamber of Commerce (the Chamber) Business Improvement District of Coral Gables (BID), and others in a joint marketing and education effort aimed at businesses & customers. The education campaign, which will begin upon the adoption of this Ordinance, is aimed at informing special events permittees, retail establishments, and customers of its requirements. The campaign may include: community meetings, workshops, green products expos, the use of social media, citywide newsletters, programming on Coral Gables T.V., printed informational materials, email blasts to members of the Chamber and/or BID, website, resident letters and/or emails and mail inserts. New businesses will be informed about ordinance through the business tax license application process. After the conclusion of the educational campaign, the City will continue to make the Ordinance known to special event permittees and retail establishments within the City. The City will explore the possibility of joint bulk purchasing of reusable bags, compostable bags and/or recycled paper bags with its partners to assist businesses in the transition to alternative products. In addition, the City will explore and pursue grants and assistance to facilitate the transition for small businesses.

#### **SECTION 5. SEVERABILITY.**

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

#### **SECTION 6. REPEALER.**

All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

#### **SECTION 7. CODIFICATION.**

It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances immediately upon the signing of the Ordinance; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

#### **SECTION 8. EFFECTIVE DATE.**

This ordinance shall become effective upon adoption and enforcement shall begin immediately with the issuance of warnings; citations will not be issued for 1 year after said date to allow for education and the transition to alternative products. In the case of special events, enforcement shall commence immediately with all new applications. On February 27, 2017, the Court entered an Order in *Florida Retail Federation, Inc. and Super Progreso, Inc. v. City of Coral Gables*, 2016-018370-CA-01

finding Sections 403.708(9) and 403.7033, F.S. relating to plastic bags and packaging unconstitutional thereby clarifying the City's ability to pass this Ordinance.

PASSED AND ADOPTED THIS NINTH DAY OF MAY, A.D., 2017.

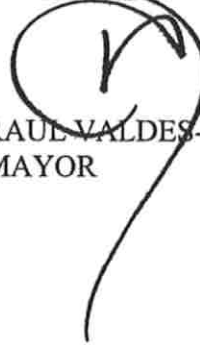
(Moved: Lago / Seconded: Keon)

(Yeas: Quesada, Keon, Lago, Mena, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: E-1)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY



**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2010-284**

RESOLUTION ELECTING TO USE THE UNIFORM METHOD OF COLLECTING SOLID WASTE COLLECTION NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Coral Gables, Florida (the "City") has the authority of imposing and collecting charges or fees for trash and/or garbage collection made by the City; and

**WHEREAS**, the City intends to use the uniform method for collecting non-ad valorem assessments for the cost of providing solid waste collection services to property within the incorporated area of the City as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such assessments to be collected in the same manner as provided for ad valorem taxes; and

**WHEREAS**, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A;

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission does hereby approve commencing with the Fiscal Year beginning on October 1, 2011, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing solid waste collection services. Such non-ad valorem assessments shall be levied within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

**SECTION 3.** That the City Commission does hereby determine that the levy of the assessments is needed to fund the cost of solid waste collection services within the incorporated area of the City.

**SECTION 4.** That upon passage and adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Miami-Dade County Tax Collector, and the Miami-Dade County Property Appraiser by January 10, 2011.

**SECTION 5.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FOURTEENTH DAY OF DECEMBER, A.D., 2010.  
(Moved: Withers / Seconded: Kerdyk)  
(Yeas: Kerdyk, Withers, Cabrera, Anderson, Slesnick)  
(Unanimous: 5-0 Vote)  
(Agenda Item: E-7)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

**EXHIBIT A**

**PROOF OF PUBLICATION**

[INSERT PROOF OF PUBLICATION]

# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

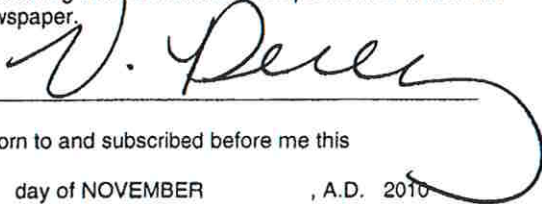
Before the undersigned authority personally appeared V. PEREZ, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

THE CITY OF CORAL GABLES - NOTICE OF INTENT TO USE  
UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

in the XXXX Court,  
was published in said newspaper in the issues of

11/16/2010

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this

16 day of NOVEMBER, A.D. 2010



(SEAL)

V. PEREZ personally known to me

NOTARY PUBLIC  
STATE OF FLORIDA  
Notary Public State of Florida  
Cheryl H. Marmor  
My Commission DD793490  
Expires 07/18/2012

## NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

The City of Coral Gables, Florida (the "City"), hereby provides notice pursuant to Section 187.3632, Florida Statutes, that commencing with the Fiscal Year beginning on October 1, 2011, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments for the cost of providing solid waste collection services. Such non-ad valorem assessments shall be levied within the incorporated area of the City.

The City will consider the adoption of a resolution electing to use the uniform method of collecting such assessments at a public hearing to be held at 9:00 a.m. on December 14, 2010 at the Commission Chambers, 405 Biltmore Way, Coral Gables, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the City Manager's Office, City Hall, 405 Biltmore Way, Coral Gables, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the City with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, each person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding, should contact Glenn Kephart, Public Works Director, (305) 460-5001, at least one (1) day prior to the date of the hearing.

DATED this 16th day of November 2010.



WALTER J. FOEMAN  
CITY CLERK

11/16

10-4-132/1603762M

# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

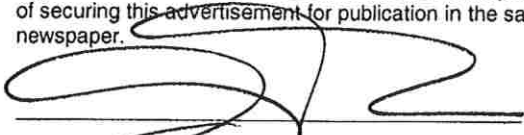
Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - COLLECTING NON-AD VALOREM ASSESSMENTS - SOLID WASTE COLLECTION SERVICES

in the XXXX Court,  
was published in said newspaper in the issues of

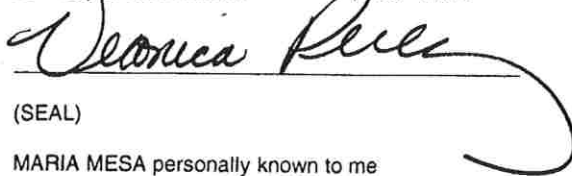
11/23/2010

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



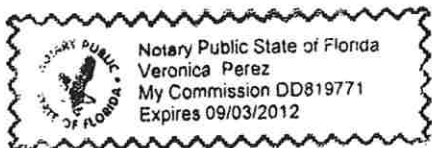
Sworn to and subscribed before me this

23 day of NOVEMBER, A.D. 2010



(SEAL)

MARIA MESA personally known to me



## NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

The City of Coral Gables, Florida (the "City"), hereby provides notice pursuant to Section 197.3632, Florida Statutes, that commencing with the Fiscal Year beginning on October 1, 2011, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments for the cost of providing solid waste collection services. Such non-ad valorem assessments shall be levied within the incorporated area of the City.

The City will consider the adoption of a resolution electing to use the uniform method of collecting such assessments at a public hearing to be held at 9:00 a.m. on December 14, 2010 at the Commission Chambers, 405 Biltmore Way, Coral Gables, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the City Manager's Office, City Hall, 405 Biltmore Way, Coral Gables, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the City with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding, should contact Glenn Kephart, Public Works Director, (305) 460-5001, at least one (1) day prior to the date of the hearing.

DATED this 23rd day of November 2010.



WALTER J. FOEMAN  
CITY CLERK

11/23

10-4-138/1607527M

# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review I/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - COLLECTING NON-AD VALOREM ASSESSMENTS RE: SOLID WASTE COLLECTION SERVICES

in the XXXX Court,  
was published in said newspaper in the issues of

12/01/2010

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

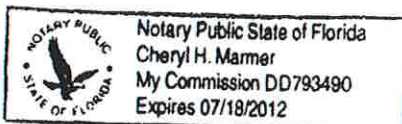
Sworn to and subscribed before me this

01 day of DECEMBER, A.D. 2010



(SEAL)

MARIA MESA personally known to me



## NOTICE OF INTENT TO USE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS

The City of Coral Gables, Florida (the "City"), hereby provides notice pursuant to Section 197.3632, Florida Statutes, that commencing with the Fiscal Year beginning on October 1, 2011, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments for the cost of providing solid waste collection services. Such non-ad valorem assessments shall be levied within the incorporated area of the City.

The City will consider the adoption of a resolution electing to use the uniform method of collecting such assessments at a public hearing to be held at 9:00 a.m. on December 14, 2010 at the Commission Chambers, 405 Biltmore Way, Coral Gables, Florida. Such resolution will state the need for the levy and will contain a legal description of the boundaries of the real property subject to the levy. Copies of the proposed form of resolution, which contains the legal description of the real property subject to the levy, are on file at the City Manager's Office, City Hall, 405 Biltmore Way, Coral Gables, Florida. All interested persons are invited to attend.

In the event any person decides to appeal any decision by the City with respect to any matter relating to the consideration of the resolution at the above-referenced public hearing, a record of the proceeding may be needed and in such an event, such person may need to ensure that a verbatim record of the public hearing is made, which record includes the testimony and evidence on which the appeal is to be based. In accordance with the Americans with Disabilities Act, persons needing special accommodations or an interpreter to participate in this proceeding, should contact Glenn Kephart, Public Works Director, (305) 460-5001, at least one (1) day prior to the date of the hearing.

DATED this 1st day of December 2010.



WALTER J. FOEMAN  
CITY CLERK

12/1

10-4-143/1610734M

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**EXHIBIT B**

**LEGAL DESCRIPTION**

[INSERT LEGAL DESCRIPTION]

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2004-19**

**AN ORDINANCE AMENDING SEC. 5 OF CITY CHARTER ENTITLED "BOUNDARIES - METES AND BOUNDS" TO INCLUDE SURVEY/LEGAL DESCRIPTION OF RECENTLY ANNEXED AREAS, COMMONLY REFERRED TO AS "CORAL WATERWAY", "KINGS BAY", AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.**

**WHEREAS**, the Charter of the City of Coral Gables was adopted through various Special Acts of the Florida Legislature, including Chapter 13972, Special Acts, 1929 and Chapter 21160, Special Acts 1941, as well as subsequent Charter amendments and revisions; and

**WHEREAS**, on December 19, 1995, the City Commission appointed a Charter Review Committee to review the status of the City Charter and advise the City Commission on the status of prior Charter provisions and to make recommendations as to whether and how the City should adopt or readopt provisions of the City Charter, adopt or readopt provisions as ordinances, repeal or delete provisions as inconsistent with or preempted by state law, or recognize the repeal or obsolescence of a Charter provision by official action; and

**WHEREAS**, in 1973, the Florida Legislature enacted the Municipal Home Rule Powers Act, Public Law 73-129, Laws of Florida, codified at Section 166.01, Florida Statutes et seq., the purpose of which was to allow municipalities to exercise the broadest possible powers not inconsistent with the Florida Constitution and general laws; and

**WHEREAS**, consistent with such purpose the Municipal Home Rule Powers Act, in Section 166.021 (4), preserved existing Charter provisions or special laws addressing certain limited municipal powers, and expressly nullified and repealed municipal Charter provisions enacted prior to July 1, 1973, which imposed "any other limitation" on municipalities' powers. Further, Section 166.021 (5) Florida Statutes, provided that all existing special acts pertaining exclusively to the power or jurisdiction of a particular municipality except as otherwise provided in Section 166.021 (4), Florida Statutes, shall become an ordinance of the municipality subject to modification or repeal as other ordinances; and

**WHEREAS**, since the adoption of the Municipal Home Rule Powers Act in 1973, the City of Coral Gables has taken numerous official acts and it is the intent of this Commission to ratify and confirm and readopt all such prior acts so as not to call into question any resolution, ordinance, designation, decision, contract, or other action taken by this or any previously assembled City Commission;

**WHEREAS**, The area commonly known as Coral Waterway and Kings Bay, forms part of the annexed boundaries of the City of Coral Gables, as more particularly described as follows:



**Section 1.** The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

**Section 2.** That Section 5 of the City Charter is hereby amended to include the metes and bounds descriptions of the newly annexed areas commonly known as "Coral Waterway", and "Kings Bay", as in hereinafter set forth.

**Section 3. Boundaries--Metes and Bounds.**

The boundaries of the City of Coral Gables hereby established and organized shall be as follows:

Beginning at the Northwest corner of Section 7, Township 54 South, Range 41 East; the same being the center lines intersection of Tamiami Trail (SW 8<sup>th</sup> Street) with Red Road (SW 57<sup>th</sup> Avenue);

Thence South along the Range Line between Ranges 40 and 41 East, this line also being the center line of Red Road (SW 57<sup>th</sup> Avenue), to the Southwest corner of Section 30, Township 54 South, Range 41 East;

Thence East along the South line of said Section 30, this line also being the center line of Sunset Road (SW 72<sup>nd</sup> Street), to the Southwest corner of the East One Half (E $\frac{1}{2}$ ), of the Southeast Quarter (SE $\frac{1}{4}$ ), of the Southwest Quarter (SW $\frac{1}{4}$ ), of said Section 30;

Thence North along the West line of the East Half (E  $\frac{1}{2}$ ), of the Southeast Quarter (SE  $\frac{1}{4}$ ), of the Southwest Quarter (SW  $\frac{1}{4}$ ), of said Section 30, for a distance of 250 feet to a point;

Thence East along a line 250 feet North of, and parallel, to the South line of said Section 30, this line also being the south right-of-way line of Avenue San Ignacio, as shown on the Plat of Coral Gables Riviera Section, Part 14, as recorded in Plat Book 28, at Page 32, of the Public Records of Miami-Dade County, Florida, to a point on the East line of the Southwest Quarter (SW  $\frac{1}{4}$ ), of said Section 30;

Thence South along the above mentioned East line of the Southwest Quarter (SW  $\frac{1}{4}$ ), this line also being the center line of Trionfo Street, as shown on said Plat of Coral Gables Riviera Section, Part 14, for a distance of 250 feet to the Southeast corner of the Southwest Quarter (SW  $\frac{1}{4}$ ), of said Section 30;

Thence East along the South line of said Section 30 and the North line of Section 31, Township 54 South, Range 41 East, also being the center line of said Sunset Road, to the Northwest corner of the East Half (E $\frac{1}{2}$ ), of the Northwest Quarter (NW $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 31;

Thence South along the West line of the aforementioned East Half (E $\frac{1}{2}$ ), of the Northwest Quarter (NW $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 31, to the Southwest corner thereof;

Thence East along the South line of said East Half (E½), of the Northwest Quarter (NW¼), of the Northeast Quarter (NE¼), of the Northeast Quarter (NE¼), of said Section 31, to the Southeast corner thereof;

Thence North along the East line of said East Half (E½), of the Northwest Quarter (NW¼), of the Northeast Quarter (NE¼), of the Northeast Quarter (NE¼), of said Section 31, to the Northeast corner thereof, the last three described courses as shown on the plat of Sunset Acre Estates, as recorded in Plat Book 87, at Page 81, of the Public Records of Dade County, Florida;

Thence East along the North line of said Section 31, this line also being the center line of said Sunset Road (SW 72<sup>nd</sup> ST), to the Northeast corner thereof, also being the Northwest corner of Section 32, Township 54 South, Range 41 East;

Thence East along the North line of said Section 32, also being the centerline of said Sunset Road, to the Northeast corner of the West One Half (W½), of the Northwest Quarter (NW¼), of the Northwest Quarter (NW¼), of said Section 32;

Thence South along the East line of the West One Half (W½), of the Northwest Quarter (NW¼), of the Northwest Quarter (NW¼), of said Section 32, to the Southeast corner of Lot "E" of the Mary W. Dorn Homestead, as shown upon the plat thereof recorded in Plat Book 48, at Page 37, of the Public Records of Dade County, Florida;

Thence West along the South line of Lots "E," "D," "C" and "B" of Mary W. Dorn Homestead as aforesaid, and along the North boundary of the land sold by Harley Stuart to Samuel E. Larkin as shown by deed in Deed Book 42, at Page 167, of the Public Records of Dade County, Florida, to a point 210 feet East of the West line of the aforesaid Section 32;

Thence North along a line parallel with and 210 feet East of the West line of said Section 32, to a point 210 feet South of the North line of said Section 32;

Thence West along a line parallel with and 210 feet South of the North line of said Section 32, to the West line of said Section 32;

Thence South along the East line of Section 31, Township 54 South, Range 41 East, and along the West line of Section 32, Township 54 South, Range 41 East, this line also being the center line of Erwin Road, to its intersection with the Easterly line of Lot 1 of the subdivision of Coco Plum Estates, as shown upon the plat thereof recorded in Plat Book 49, at page 93, of the Public Records of Dade County, Florida, and a point on the Westerly right-of-way line of Old Cutler Road;

Thence in a Southwesterly direction along the Easterly line of Lot 1 of Coco Plum Estates, as aforesaid, and along a line 85 feet from, measured at right angles to the Westerly line of lots 3, 2, and 1, Block A, of the Plat of Gables Estates Number 2, as recorded in Plat Book 60, at page 37, of the Public Records of Dade County, Florida, to the intersection thereof with the North line of

Section 6, Township 55 South, Range 41 East, this line also being the center line of N. Kendall Drive (SW 88<sup>th</sup> ST), and this point being 35 feet Westerly of and parallel, to the center line of Old Cutler Road (Ingraham Highway);

Thence Westerly along the North line of said Section 6, to the point of intersection with the East right-of-way line of Red Road (S.W. 57th Ave.), this line also being 50 feet East of and parallel, to the West line of Section 6, Township 55 South, Range 41 East;

Thence South along the East right-of-way line of Red Road (S.W. 57th Ave.), to its point of intersection with the South line of the Northwest Quarter (NW<sup>1</sup>/<sub>4</sub>), of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>), of the Northwest Quarter (NW<sup>1</sup>/<sub>4</sub>), of Section 7, Township 55 South, Range 41 East;

Thence East along said South line, to its point of intersection with the center line of the Snapper Creek Canal (Canal C-2), as the same is shown on the plat of Snapper Creek Lakes Subdivision, as recorded in Plat Book 57, at Page 86, of the Public Records of Dade County, Florida;

Thence Southeasterly along said center line, to its point of intersection with the Westerly right-of-way line of the aforementioned Old Cutler Road, this line lying 35 feet Westerly of and parallel, to the center line of said Old Cutler Road, as the same is shown on the aforesaid plat of Snapper Creek Lakes Subdivision;

Thence Southerly and Westerly along the line 35 feet Westerly and Northerly of and parallel, to the center line of Old Cutler Road (Ingraham Highway), as described in DB2091, Page 36, to its intersection with the North line of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>), of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>), of Section 7, Township 55 South, Range 41 East;

Thence Westerly along said North line of said Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>), of Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>), to its intersection with the range line between Section 7, Township 55 South, Range 41 East, and Section 12, Township 55 South, Range 40 East, this point being the Northwest corner of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>), of the Southwest Quarter (SW<sup>1</sup>/<sub>4</sub>), of said Section 7;

Thence North along the East line of the aforementioned Section 12, Township 55 South, Range 40 East, also being the center line of Red Road (SW 57<sup>th</sup> Ave), to its intersection with the Easterly extension of the North line of Block 1, of the plat of Pine Bay Estates Section No. 1, as recorded in Plat Book 82, at Page 24, of the Public Records of Dade County, Florida;

Thence Westerly along said North line of said Block 1 and its Easterly and Westerly extensions, to its intersection with the center line of SW 60th Ave., said line being the West line of Tracts 8, 9 and 10, as shown upon the plat of Avocado Land Cox's, as recorded in Plat Book 2, at Page 44, of the Public Records of Dade County, Florida;

Thence Southerly along said center line of SW 60th Ave., to its intersection with the Westerly extension of the South line of Block 4, of the aforementioned Plat of Pine Bay Estates Section No. 1;

Thence Easterly along the South line of Lots 1 and 2, of said Block 4, and its Westerly extension, to the Northwest corner of Lot 3, in Block 4, of Pine Bay Estates Section No. 2, as recorded in Plat Book 87, at Page 83, of the Public Records of Dade County, Florida, this point being on the Southwesterly right-of-way line of SW 59th Avenue Road;

Thence South along the West line of said Lot 3, in said Block 4, to its Southwest corner thereof;

Thence East along the South line of said Lot 3, to the Northwest corner of Lot 4, in said Block 4, of said Pine Bay Estates Section No. 2, this point being on the Westerly right-of-way line of said SW 59th Avenue Road;

Thence Southerly along the West line of said Lot 4, Block 4, and its Southerly extension, to its intersection with the South line of the aforementioned Section 12, Township 55 South, Range 40 East, this line also being the center line of SW 120th Street ( Montgomery Drive );

Thence Easterly along said South line of said Section 12, Township 55 South, Range 40 East, to a point 35 feet West of its Southeast corner thereof;

Thence South along a line 35 feet West of the Range line between Section 18, Township 55 South, Range 41 East, and Section 13, Township 55 South, Range 40 East, this line being the West right-of-way line of Red Road (SW 57<sup>th</sup> Ave.), to a point of curve as shown on the plat of Town and Ranch Estates, as recorded in Plat Book 50, at page 46, of the Public Records of Dade County, Florida, lying on the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 13;

Thence continue Southwesterly along the aforementioned curve on the Westerly right-of-way line of Old Cutler Road, as shown on said Plat of Town and Ranch Estates, to its intersection thereof with the South line of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 13;

Thence East along the South line of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 13, the same being the center line of Lugo Avenue, to the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ) of said Section 13;

Thence South along the East line of the Southeast Quarter (SE $\frac{1}{4}$ ), of said Section 13, to the Northeast corner of Section 24, Township 55 South, Range 40 East;

Thence West along the North line of said Section 24 for a distance of 2336.54 feet, more or less, to a point, the same being the Northeast corner of the U.S. Department of Agriculture property, as described in Deed Book 3221, at Page 377, of the Public Records of Dade County, Florida;

Thence Southerly along the Easterly boundary line of said U.S. Department of Agriculture property, for a distance of 579.95 feet, more or less, to a point;

Thence Southeasterly along the Northeasterly boundary line of said U.S. Department of Agriculture property, for a distance of 551.89 feet, more or less, to a point;

Thence Southwesterly along the Southeasterly boundary line of said U.S. Department of Agriculture property, for a distance of 1754.40 feet, more or less, to a point;

Thence Westerly along the Southerly boundary line of said U. S. Department of Agriculture property, for a distance of 1454.27 feet, more or less, to a point;

Thence Southwesterly along the Southeasterly boundary line of said U. S. Department of Agriculture property, for a distance of 221.70 feet, more or less, this point being the Northwest corner of Tract D-6, as shown on the plat of Deering Bay, as recorded in Plat Book 139, at Page 60, of the Public Records of Dade County, Florida;

Thence Southwesterly along the Southeasterly boundary line of said U.S. Department of Agriculture property, this line also being the most Westerly line of said Tract D-6 to its Southwest corner thereof, this point being on the North right-of-way line of Mitchell Drive (S. W. 144th St.);

Thence South along a line drawn at right angle to the North line of the Southwest Quarter (SW $\frac{1}{4}$ ), of the aforementioned Section 24, Township 55 South, Range 40 East, for a distance of 15 feet, to its intersection thereof;

Thence West along the North line of said Southwest Quarter (SW  $\frac{1}{4}$ ), of said Section 24, this line also being the center line of said Mitchell Drive (SW 144<sup>th</sup> St.), as shown on the plat of King's Bay Subdivision, as recorded in Plat Book 57, at Page 45, of the Public Records of Miami-Dade County, Florida, to the Northwest corner thereof;

Thence South along the West line of said Southwest Quarter (SW  $\frac{1}{4}$ ), of said Section 24, this line also being the center line of Ludlam Rd. (SW 67<sup>th</sup> Ave.), to the Northwest corner of the South 200 feet, of the West 1035 feet, of the North Half (N  $\frac{1}{2}$ ), of said Southwest Quarter (SW  $\frac{1}{4}$ );

Thence East along the North line of the above mentioned South 200 feet, of the West 1035 feet, of the North Half (N  $\frac{1}{2}$ ), of said Southwest Quarter (SW $\frac{1}{4}$ ), this line also being the South line of Lot 1, and Lots 55 thru 61 inclusive, and its prolongation West, of said King's Bay Subdivision, to the Northeast corner thereof;

Thence South along the East line of said South 200 feet, of the West 1035 feet, of the North Half (N $\frac{1}{2}$ ), of said Southwest Quarter (SW  $\frac{1}{4}$ ), this line also being the West line of Lot 62 and its prolongation North, of said King's Bay Subdivision, to the Southeast corner thereof;

Thence East along the South line of the North Half (N  $\frac{1}{2}$ ), of the Southwest Quarter (SW  $\frac{1}{4}$ ), of said Section 24, this line also being the South line of Lots 62 thru 75 inclusive, of said King's Bay Subdivision, to the Southeast corner thereof;

Thence South along the East line of said Southwest Quarter (SW  $\frac{1}{4}$ ), of said Section 24, to the southeast corner thereof;

Thence East along said South line, of said Section 24, to the Southeast corner of said Section 24;

Thence South along the South prolongation of the East line of said Section 24, to the intersection thereof with a line drawn at right angles to a straight line connecting the center of the North end of the Intracoastal Waterway channel through Featherbed Bank in Biscayne Bay, with the center of draw bridge of the Rickenbacker Causeway across Biscayne Bay, and through the Northerly end of Chicken Key;

Thence in a Southeasterly direction along the last described course, to the intersection thereof with a straight line connecting the center of the North end of the Intracoastal Waterway channel through Featherbed Bank in Biscayne Bay with the center of the draw bridge of the Rickenbacker Causeway across Biscayne Bay;

Thence in a Northerly direction along the aforesaid straight line connecting the center of the North end of the Intracoastal Waterway Channel through Featherbed Bank in Biscayne Bay with the center of the draw bridge of the Rickenbacker Causeway across Biscayne Bay, to the intersection thereof with the prolongation East of the North line of the South One Half ( $S\frac{1}{2}$ ), of the South One Half ( $S\frac{1}{2}$ ), of Section 28, Township 54 South, Range 41 East;

Thence West along the prolongation East of the North line of the South One Half ( $S\frac{1}{2}$ ), of the South One Half ( $S\frac{1}{2}$ ), of said Section 28, and along the North line of the South One Half ( $S\frac{1}{2}$ ), of the Southeast Quarter ( $SE\frac{1}{4}$ ), of Section 29, Township 54 South, Range 41 East, to the West line of the Southeast Quarter ( $SE\frac{1}{4}$ ), of said Section 29, this line also being the center line of Le Jeune Road;

Thence North along said West line of the Southeast Quarter ( $SE\frac{1}{4}$ ), of said Section 29, and continuing North along the West line of the Northeast Quarter ( $NE\frac{1}{4}$ ), of said Section 29, and along the West line of the Southeast Quarter ( $SE\frac{1}{4}$ ), of Section 20, Township 54 South, Range 41 East, this lines being the said center line of Le Jeune Road (SW 42<sup>nd</sup> Ave.), to a point four hundred thirty feet and eighty-nine hundredths (430.89) North of the Southwest corner of the Northwest Quarter ( $NW\frac{1}{4}$ ), of the Southeast Quarter ( $SE\frac{1}{4}$ ), of said Section 20;

Thence East parallel to, and four hundred thirty feet and eighty-nine hundredths (430.89) North of, the South line of the said Northwest Quarter ( $NW\frac{1}{4}$ ), of the Southeast Quarter ( $SE\frac{1}{4}$ ), of Section 20, to a point one thousand and ten feet and sixty-seven hundredths (1010.67) East of the West line of the Southeast Quarter ( $SE\frac{1}{4}$ ), of said Section 20;

Thence North parallel with the said West line of the Southeast Quarter ( $SE\frac{1}{4}$ ) of Section 20, to the East-West center line of Section 20, this line being the center line of Grand Avenue;

Thence East along the East-West center line of said Section 20, and the said center line of Grand Avenue, to the center line of Brooker Street as shown upon the Plat of McFarlane Homestead and St. Albans Park, as recorded in the Public Records of Dade County, Florida, in Plat Book 5, at Page 81;

Thence north along the center line of said Brooker Street, to the center line of Read Street (now known as Oak Avenue), as shown upon the said Plat of McFarlane Homestead and St. Albans Park;

Thence East along the center line of said Read Street, (now known as Oak Avenue), to the West line of the East Quarter (E $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 20;

Thence North along said West line of the East Quarter (E $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 20, the same being the East right-of-way line of Brooker Street, and the center line of SW 38<sup>th</sup> Avenue, to the Northeast corner of the South One Half (S $\frac{1}{2}$ ), of the Southwest Quarter (SW $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of Section 20;

Thence West along the North line of said South One Half (S $\frac{1}{2}$ ), of the Southwest Quarter (SW $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), the same being the center line of Orange Street, to the East line of the Northwest Quarter (NW $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 20;

Thence North along the last mentioned East line, and continuing North along the East line of the Southwest Quarter (SW $\frac{1}{4}$ ), of the Southeast Quarter (SE $\frac{1}{4}$ ), of Section 17, Township 54 South, Range 41 East, the same being the center line of SW 39<sup>th</sup> Avenue, to the South line of the Northeast Quarter (NE $\frac{1}{4}$ ), of the Southeast Quarter (SE $\frac{1}{4}$ ), of said Section 17;

Thence East along the last mentioned South line, to the East line of the West One Half (W $\frac{1}{2}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of the Southeast Quarter (SE $\frac{1}{4}$ ), of said Section 17;

Thence North along the last mentioned East line, also being the West right-of-way line of SW 38<sup>th</sup> avenue, to the North line of the Southeast Quarter (SE $\frac{1}{4}$ ), of said Section 17;

Thence East along the last mentioned North line, to the East line of said Section 17, this line also being the center line of Douglas Road (SW 37<sup>th</sup> Ave);

Thence North along the last mentioned East line, and continuing North along the East line of Sections 8 and .5, of Township 54 South, Range 41 East, also being the center line of said Douglas Road (SW 37<sup>th</sup> Ave.), to the center line of Palma Court, as shown by the Plat of Flagler Street Section of Coral Gables, as recorded in Plat Book 10, at Page 12, of the Public Records of Dade County, Florida;

Thence East and North along the center line of said Palma Court, to a point one hundred sixty-five (165) feet South of the North line of the Southwest Quarter (SW $\frac{1}{4}$ ), of Section 4, Township 54 South, Range 41 East;

Thence East from said point, one hundred feet and twenty-two hundredths (100.22), along the South line of Block 8 of Kirkland Heights, according to the plat thereof, as recorded in Plat Book 3, at Page 214, of the Public Records of Dade County, Florida, and its prolongation to the West;

Thence Northerly one hundred and sixty-five (165) feet along the East line of Lot 5, of said Block 8 of said Kirkland Heights, to the North line of the Southwest Quarter (SW $\frac{1}{4}$ ), of Section 4, Township 54 South, Range 41 East;

Thence West along the North line of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section 4, this line also being the center line of West Flagler Street, to the intersection thereof with the prolongation North of the West boundary line of the East ninety-three feet and six tenths (93.6) of Lots 1, 2 and 3, Block 1, of said Kirkland Heights;

Thence South along said prolongation North, and the West boundary of the East ninety-three feet and six tenths (93.6) of Lots 1, 2 and 3, Block 1, of Kirkland Heights, as aforesaid, to the North line of Block 1, of the above mentioned Flagler Street Section of Coral Gables;

Thence West along the North line of Block 1 of said Flagler Street Section of Coral Gables and its prolongation West, to a point on the West line of the Southwest Quarter (SW $\frac{1}{4}$ ), of Section 4, Township 54 South, Range 41 East, this line also being the center line of the aforementioned Douglas Road (SW 37<sup>th</sup> Ave.);

Thence South along the West line of the Southwest Quarter (SW $\frac{1}{4}$ ), of said Section 4, to the intersection thereof with the prolongation East of the North line of Block 3, of said Flagler Street Section of Coral Gables;

Thence West along said prolongation East, and along the North line of said Block 3, to the West line of said Block 3;

Thence South along the West lines of Blocks 3 and 4, of said Flagler Street Section, to the North line of Block 12;

Thence West along the North line of said Block 12, to the West line of said Block 12;

Thence South along the West lines of Blocks 12 and 13, and the prolongation South thereof, all as shown on the Plat of Flagler Street Section of Coral Gables as aforesaid, to the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$ ), of the Southeast Quarter (SE $\frac{1}{4}$ ), of Section 5, Township 54 South, Range 41 East, Dade County, Florida, and the Northwest corner of the Northeast Quarter (NE $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of Section 8, Township 54 South, Range 41 East;

Thence West along the North line of Section 8, Township 54 South, Range 41 East, this line also being the center line of Tamiami Trail (SW 8<sup>th</sup> ST.), to the Northwest corner of the East One Half (E $\frac{1}{2}$ ), of the Northwest Quarter (NW $\frac{1}{4}$ ), of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 8;

Thence South along the West line of Blocks 1, 10, 18, 27 and 34, and its prolongation North and South thereof, of the Revised Plat of Coral Gables Douglas Section, as shown upon the plat recorded in Plat Book 25, at Page 69, of the Public Records of Dade County, Florida, to the intersection thereof with the North line of Block 1 and/or the prolongation East thereof, of Coral



Gables Section "K," as shown upon the plat recorded in Plat Book 8, at Page 33, of the Public Records of Dade County, Florida;

Thence West along the North line of Block 1, of the aforesaid plat of Coral Gables Section "K", and its prolongation West, to a point on the East line of the Southwest Quarter (SW $\frac{1}{4}$ ), of Section 8, Township 54 South, Range 41 East, this line also being the center line of Le Jeune Road (SW 42<sup>nd</sup> Ave);

Thence North along the East line of the Southwest Quarter (SW $\frac{1}{4}$ ), of said Section 8, and the center line of said Le Jeune Road, to the Northeast corner of the Southwest Quarter (SW $\frac{1}{4}$ ), of said Section 8;

Thence West along the North line of the Southwest Quarter (SW $\frac{1}{4}$ ), of said Section 8, this line being the center line of Avenue Mendoza, to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$ ), of said Section 8, and the Southeast corner of the Northeast Quarter (NE $\frac{1}{4}$ ), of Section 7, Township 54 South, Range 41 East;

Thence North along the East line of the Northeast Quarter (NE $\frac{1}{4}$ ), of said Section 7, this line being the center line of Avenue Cortez, to the intersection thereof with the prolongation West of the South line of Block 81 of the Revised Plat of Coral Gables Granada Section, as shown upon the plat recorded in Plat Book 8, at Page 113, of the Public Records of Dade County, Florida;

Thence East along the prolongation West of said South line of Block 81, and along the South line of said Block 81, of said Revised Plat of Coral Gables Granada Section, to the Southeast corner of said Block 81;

Thence North along the East line of said Block 81, of the Revised Plat of Coral Gables Granada Section as aforesaid, and its prolongation North, to a point on the North line of Section 8, Township 54 South, Range 41 East;

Thence West along the North line of the aforementioned Section 8, this line being the center line of Tamiami Trail (SW 8<sup>th</sup> ST), to the Northwest corner of said Section 8, also being the Northeast corner of Section 7, Township 54 South, Range 41 East;

Thence West along the North line of said Section 7, Township 54 South, Range 41 East, and the aforesaid center line of Tamiami Trail, to the point of beginning.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

#### **Section 4. BOUNDARIES – METES AND BOUNDS**

The document entitled Metes and Bounds Description of the City of Coral Gables, prepared by Juan Martinez, Professional Land Surveyor, and dated January 16, 2004, is hereby adopted by reference as the metes and bounds description of the City of Coral Gables, Florida.

**Section 5.** That all ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed insofar as there is conflict or inconsistency.

**Section 6.** This ordinance shall become effective ten days from the date of its adoption by the City Commission.

PASSED AND ADOPTED THIS ELEVENTH DAY OF MAY, A.D., 2004.

(Moved: Kerdyk/Seconded: Anderson)

(Yeas: Kerdyk, Withers, Anderson, Cabrera, Slesnick)

(Vote: 5/0)

(Agenda Item E-2)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

**RESOLUTION NO. 2015-189**

**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; ESTABLISHING THE RATE OF ASSESSMENT FOR CERTAIN RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY; IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; APPROVING THE SOLID WASTE ASSESSMENT ROLL; CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission (the "City Commission") of the City of Coral Gables, Florida (the "City"), has enacted the Master Service Assessment Ordinance, Ordinance No. 2015-09 (the "Ordinance"), which authorizes the imposition of Service Assessments for Solid Waste and Recyclable Materials collection and disposal services, facilities and programs against certain Residential Property within the County; and

**WHEREAS**, pursuant to Article III of Chapter 54 of the City of Coral Gables Code of Ordinances, the City has prescribed reasonable rules and regulations for the collection and disposal of Solid Waste and Recyclable Materials, including rates, fees, and charges, payment terms, and collection mechanisms; and

**WHEREAS**, certain parcels of Residential Property within the City have become delinquent in payment of these rates, fees, and charges, which hinders the City's ability to efficiently and effectively provide Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs from both a financial and operational perspective; and

**WHEREAS**, the imposition of a Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs to

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recoup the rates, fees, and charges that are currently owed to the City based upon the amount of services provided to the parcels of Residential Property, plus interest as prescribed by 54-189 of the City of Coral Gables Code of Ordinances and reasonable administrative and collection costs, is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Residential Property; and

**WHEREAS**, the City Commission desires to impose an assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs against certain Residential Property within all incorporated areas of the City using the tax bill collection method for the Fiscal Year beginning on October 1, 2015; and

**WHEREAS**, the City Commission, on June 16, 2015, adopted Resolution No. 2015-96 (the "Initial Assessment Resolution"), containing a brief and general description of the Solid Waste and Recyclable Materials collection and disposal services, facilities and programs that were provided to Residential Property, describing the method of apportioning the Solid Waste Cost to compute the Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs against Residential Property, designating a rate of assessment, and directing preparation of the Solid Waste Solid Waste Assessment Roll and provision of the notice required by the Ordinance; and

**WHEREAS**, pursuant to the provisions of the Ordinance, the City is required to confirm or repeal the Initial Assessment Resolution, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties and adopt a Final Assessment Resolution; and

**WHEREAS**, the Solid Waste Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

**WHEREAS**, notice of a public hearing has been published and, as required by the terms of the Ordinance, mailed to each Owner of Residential Property proposed to be assessed notifying such Owners of their opportunity to be heard, an affidavit regarding the form of notice mailed to each Owner of Residential Property being attached hereto as Appendix A and the proof of publication being attached hereto as Appendix B; and

**WHEREAS**, a public hearing was held on August 25, 2015, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance;

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2. AUTHORITY.** This resolution is adopted pursuant to the Ordinance; the Initial Assessment Resolution; Article VIII, Florida Constitution, sections 166.021 and 166.041, Florida Statutes, the City Charter of the City of Coral Gables, Florida, Article III of Chapter 54 of the City of Coral Gables Code of Ordinances, and other applicable provisions of law.

**SECTION 3. DEFINITIONS AND INTERPRETATION.** This resolution constitutes the Final Assessment Resolution as defined in the Ordinance. All capitalized terms in this resolution shall have the meanings defined in the Ordinance, Sec. 54-84 of the City of Coral Gables Code of Ordinances, and the Initial Assessment Resolution.

**SECTION 4. IMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.**

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(A) The parcels of Residential Property described in the Solid Waste Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs described in the Initial Assessment Resolution, in the amount of the Solid Waste Service Assessment set forth in the Solid Waste Assessment Roll, a copy of which was present at the above referenced public hearing and is incorporated herein by reference.

(B) It is hereby ascertained, determined and declared that each parcel of Residential Property within the City has been benefited by the City's provision of Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs in an amount not less than the Solid Waste Service Assessment for such parcel, computed in the manner set forth in this Resolution.

(C) Adoption of this Final Assessment Resolution constitutes a legislative determination that all parcels assessed derived a special benefit, as set forth in the Ordinance and the Initial Assessment Resolution from the Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs to be provided and a legislative determination that the Solid Waste Service Assessments are fairly and reasonably apportioned among the Residential Properties that received the special benefit as set forth in the Initial Assessment Resolution.

(D) The method for computing Solid Waste Service Assessments described in the Initial Assessment Resolution is hereby approved.

(E) For the Fiscal Year beginning October 1, 2015, the Solid Waste Cost shall be allocated among all parcels of Residential Property, based upon each parcels' classification as Residential Property and the amount of unpaid fees and accrued interest for Solid Waste and Recyclable Materials collection and disposal services, facilities, and

programs provided to such parcels, plus reasonable administrative and collection costs associated therewith. The rates of assessment for each parcel of Residential Property is provided in the Solid Waste Assessment Roll, which is attached hereto as Appendix C and incorporated herein by reference. Solid Waste Service Assessments for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs in the amounts set forth in the Solid Waste Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in the Solid Waste Assessment Roll for the Fiscal Year beginning October 1, 2015.

(F) Any shortfall in the expected Solid Waste Service Assessment proceeds due to any reduction or exemption from payment of the Solid Waste Service Assessments required by law or authorized by the Board shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Solid Waste Service Assessments.

(G) Solid Waste Service Assessments shall constitute a lien upon the Residential Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(H) The Solid Waste Assessment Roll, as herein approved, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance. The Solid Waste Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Solid Waste Assessment Roll in substantially the form attached hereto as Appendix D.

**SECTION 5. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION.** The Initial Assessment Resolution is hereby confirmed.


**SECTION 6. EFFECT OF ADOPTION OF RESOLUTION.** The adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment, the rate of assessment, the Solid Waste Assessment Roll and the levy and lien of the Solid Waste Service Assessments) unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Final Assessment Resolution.

**SECTION 7. SEVERABILITY.** If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this resolution.

**SECTION 8. EFFECTIVE DATE.** This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF AUGUST, A.D., 2015.  
(Moved: Lago / Seconded: Quesada)  
(Yeas: Quesada, Slesnick, Keon, Lago, Cason)  
(Unanimous: 5-0 Vote)  
(Agenda Item: E-4)

APPROVED:

  
JIM CASON  
MAYOR

ATTEST:

  
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
CRAIG E. LEEN  
CITY ATTORNEY



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**CITY OF CORAL GABLES, FLORIDA**

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**FINAL ASSESSMENT RESOLUTION  
SOLID WASTE**

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**ADOPTED AUGUST 25, 2015**

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## TABLE OF CONTENTS

	<b>Page</b>
SECTION 1.	AUTHORITY.....3
SECTION 2.	DEFINITIONS AND INTERPRETATION.....3
SECTION 3.	IMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.....3
SECTION 4.	CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION.....6
SECTION 5.	EFFECT OF ADOPTION OF RESOLUTION.....1
SECTION 6.	SEVERABILITY.....1
SECTION 7.	EFFECTIVE DATE.....1
APPENDIX A:	AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS ..... A-1
APPENDIX B:	PROOF OF PUBLICATION..... B-1
APPENDIX C:	SOLID WASTE ASSESSMENT ROLL..... C-1
APPENDIX D:	FORM OF CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL..... D-1

**APPENDIX A**  
**AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS**

## **AFFIDAVIT OF MAILING**

BEFORE ME, the undersigned authority, personally appeared Diana M. Gomez and Sandi Melgarejo, who, after being duly sworn, depose and say:

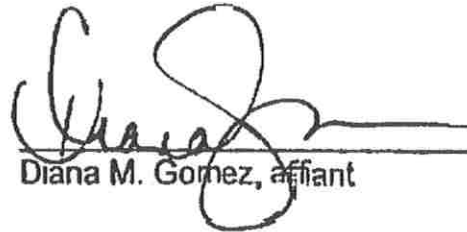
1. Diana M. Gomez, as Finance Director of the City of Coral Gables, Florida ("City"), pursuant to the authority and direction received from the City Commission, timely directed the preparation of the Solid Waste Assessment Roll and the preparation, mailing, and publication of notices in accordance with the Master Service Assessment Ordinance adopted by the City Commission on May 26, 2015 (the "Assessment Ordinance") and in conformance with the Initial Assessment Resolution adopted by the City Commission on June 16, 2015 (the "Initial Assessment Resolution"). The Initial Assessment Resolution directed and authorized notice by First Class Mail only to affected owners in the event circumstances described in the Assessment Ordinance so required.

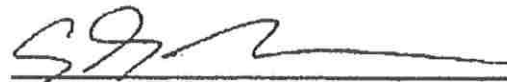
2. Sandi Melgarejo is Project Coordinator for GSG. GSG has caused the notices required by the Assessment Ordinance to be prepared in conformance with the Initial Assessment Resolution. An exemplary form of such notice is attached hereto. GSG has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a

statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. On or before August 4, 2015, GSG caused the mailing of the above-referenced notices in accordance with Sections 2.05 of the Assessment Ordinance and the Initial Assessment Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Miami-Dade County Property Appraiser for the purpose of the collection of ad valorem taxes.

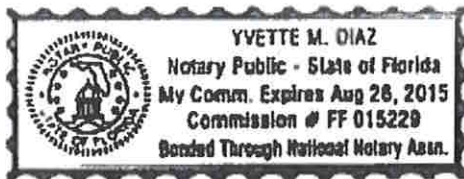
FURTHER AFFIANTS SAYETH NOT.

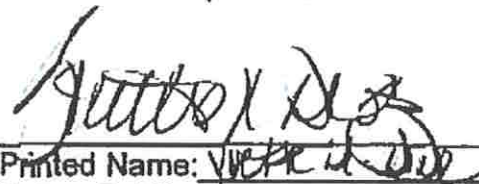
  
\_\_\_\_\_  
Diana M. Gomez, affiant

  
\_\_\_\_\_  
Sandi Melgarejo, affiant

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 28 day of August, 2015 by Diana M. Gomez, Finance Director, City of Coral Gables, Florida. She is personally known to me or has produced as identification and did take an oath.



  
\_\_\_\_\_  
Printed Name: YVETTE M. DIAZ  
Notary Public,  
State of Florida At Large  
My City Commission Expires: 8/28/2015  
City Commission No.: FF 015229

STATE OF FLORIDA  
COUNTY OF LEON

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 16 day of August, 2015 by Sandi Melgarejo, Project Coordinator, Government Services Group, Inc., a Florida corporation. She is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.



*Tammy Peters*  
Printed Name Tammy Peters  
Notary Public, State of Florida  
My Commission Expires August 31, 2017  
Commission No.: FF 020548

City of Coral Gables  
P.O. Box 141549  
Coral Gables, FL 33114-1549

CITY OF CORAL GABLES, FLORIDA  
NOTICE OF HEARING TO IMPOSE AND PROVIDE  
FOR COLLECTION OF SOLID WASTE  
NON-AD VALOREM ASSESSMENTS  
NOTICE DATED: AUGUST 4, 2015

CAROLINE D RUEDA & CELIA P VAR  
60 CAMPINA CT  
CORAL GABLES FL 33134-1812

Parcel Tax ID: 03-4105-051-0030  
Sequence Number: 000027

\*\*\*\*\* NOTICE TO PROPERTY OWNER \*\*\*\*\*

As required by Section 197.3632, Florida Statutes, notice is given by the City of Coral Gables, Florida, that an assessment for solid waste and recyclable materials services, facilities, and programs using the tax bill collection method, may be levied on your property for the fiscal year October 1, 2015 - September 30, 2016. The purpose of this assessment is to recoup the costs for the City's provision of solid waste and recyclable materials collection and disposal services, facilities, and programs that benefitted your property located within the incorporated area of the City. The total annual solid waste assessment revenue to be collected within the City, is estimated to be \$2,887,681 for the Fiscal Year 2015-16. The solid waste service assessment is based on the amount of unpaid fees and accrued interest for solid waste and recyclable materials collection and disposal services, facilities, and programs provided to your property, plus reasonable administrative and collection costs associated therewith.

Total amount of unpaid fees and accrued interest for the above parcel:	\$1,754.62
<b>Total solid waste service assessment for the above parcel for Fiscal Year 2015-16:</b>	<b>\$1,842.35</b>

A public hearing will be held at 9:00 a.m. on August 25, 2015, in the Commission Chambers, 405 Biltmore Way, Coral Gables, Florida, for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If you decide to appeal any decision made by the City Commission with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Public Works Director, at 305-460-5004, with requests for auxiliary aids or services at least two (2) business days before the meeting. Hearing impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at (800) 955-8770.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Commission action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Master Service Assessment Ordinance, the Initial Assessment Resolution, and the initial assessment roll are available for inspection at the Finance Director's Office, City Hall, located at 405 Biltmore Way, Coral Gables, Florida.

Both the solid waste service non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill which will be mailed in November 2015. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions, please contact the Finance Director's office at (305) 460-5276, Monday through Friday between 8:30 a.m. and 4:30 p.m.

\*\*\*\*\* THIS IS NOT A BILL \*\*\*\*\*

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**APPENDIX B**  
**PROOF OF PUBLICATION**

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# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared  
M. ZALDIVAR, who on oath says that he or she is the  
LEGAL CLERK, Legal Notices of the Miami Daily Business  
Review f/k/a Miami Review, a daily (except Saturday, Sunday  
and Legal Holidays) newspaper, published at Miami in Miami-Dade  
County, Florida; that the attached copy of advertisement,  
being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - HEARING TO IMPOSE AND PROVIDE  
FOR COLLECTION OF SOLID WASTE SERVICE, ETC. - 8/25/2015

in the XXXX Court,  
was published in said newspaper in the issues of

07/31/2015

SEE ATTACHED

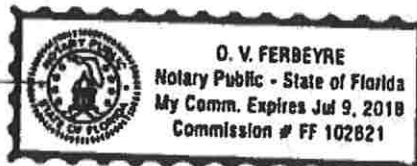
Affiant further says that the said Miami Daily Business  
Review is a newspaper published at Miami in said Miami-Dade  
County, Florida and that the said newspaper has  
heretofore been continuously published in said Miami-Dade County,  
Florida, each day (except Saturday, Sunday and Legal Holidays)  
and has been entered as second class mail matter at the post  
office in Miami in said Miami-Dade County, Florida, for a  
period of one year next preceding the first publication of the  
attached copy of advertisement; and affiant further says that he or  
she has neither paid nor promised any person, firm or corporation  
any discount, rebate, commission or refund for the purpose  
of securing this advertisement for publication in the said  
newspaper.

Sworn to and subscribed before me this

31 day of JULY, A.D. 2015

(SEAL)

M. ZALDIVAR personally known to me



## NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF SOLID WASTE SERVICE SPECIAL ASSESSMENTS

Notice is hereby given that the City Commission of Coral Gables, Florida will conduct a public hearing to consider imposing solid waste service assessments against certain improved residential properties located within the incorporated area of the City to recoup the cost of solid waste and recyclable materials collection and disposal services, facilities and programs provided to such properties and to authorize collection of such assessments on the tax bill.

The hearing will be held at 9:00 a.m. on August 25, 2015, in the Commission Chambers, 405 Biltmore Way, Coral Gables, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Coral Gables Public Works Director, at (305) 460-5004, at least two days prior to the date of the hearing. Hearing impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at (800) 955-8770.

The assessments will be determined by including the amount of unpaid fees and accrued interest for solid waste and recyclable materials collection and disposal services, facilities, and programs provided to such parcels, plus reasonable administrative and collection costs associated therewith. In accordance with the approved assessment schedule any residential properties with unpaid fees in excess of \$850 that remain unpaid as of June 15, 2015 for solid waste and recyclable materials collection and disposal services, facilities, and programs shall be included on the initial assessment roll; however, any affected property owner shall have the ability to pay the City in full on or before August 28, 2015 and be removed from the final assessment roll.

Copies of the Master Service Assessment Ordinance, the Initial Assessment Resolution for Solid Waste Services, and the initial assessment roll, showing the amount of the assessment to be imposed against each parcel of property are available for inspection at the office of the Finance Director, City Hall, located at 405 Biltmore Way, Coral Gables, Florida. The assessments will be collected on the ad valorem tax bill to be mailed in November 2015, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the Finance Director's office, at (305) 460-5276, Monday through Friday between 8:30 a.m. and 5:00 p.m.



City Clerk  
Coral Gables, Florida  
15-144/2468015M

**APPENDIX C**  
**SOLID WASTE ASSESSMENT ROLL**

Folio	Amount	Folio	Amount	Folio	Amount
0341050500130	1,965.27	0341070090060	3,705.79	0341070180070	9,938.53
0341050500240	3,911.64	0341070090150	1,855.66	0341070180080	5,064.45
0341050500360	6,709.72	0341070090260	6,949.12	0341070180110	7,097.13
0341050500370	1,094.20	0341070090270	1,319.88	0341070180170	14,462.89
0341050500590	1,265.44	0341070100220	4,736.34	0341070180800	3,004.87
0341050500640	2,972.31	0341070100290	9,187.68	0341070180842	7,259.07
0341050500650	5,654.82	0341070100320	4,203.54	0341070181011	7,168.71
0341050500710	2,661.04	0341070100450	5,993.57	0341070181070	4,315.80
0341050500890	3,560.88	0341070110090	4,937.52	0341070181080	3,454.88
0341050500900	1,319.88	0341070110200	1,377.90	0341070181090	2,022.25
0341050501040	8,846.99	0341070110220	12,918.71	0341070181130	6,514.39
0341050501060	5,492.17	0341070110290	5,272.98	0341070181590	9,938.53
0341050501360	3,952.17	0341070110430	6,472.84	0341070181650	2,932.71
0341050501410	6,476.08	0341070110440	6,324.57	0341070181771	8,943.45
0341050501440	2,498.77	0341070140060	3,070.43	0341070181970	1,777.96
0341050501510	2,797.73	0341070140620	3,386.57	0341070182221	6,143.01
0341050501810	7,070.39	0341070140770	1,356.88	0341070182310	4,198.88
0341050502210	6,477.04	0341070140791	3,239.49	0341070182330	1,131.18
0341050502240	2,312.32	0341070141201	10,689.43	0341070182441	1,564.79
0341050502760	7,435.48	0341070141230	2,133.62	0341070182470	1,094.20
0341050510020	2,545.54	0341070141401	3,496.52	0341070182550	4,626.97
0341050510030	1,842.35	0341070141650	6,925.47	0341070182690	2,371.24
0341070010020	4,108.45	0341070141670	1,443.36	0341070183070	1,074.09
0341070010140	2,783.10	0341070141700	5,844.75	0341070183240	10,493.01
0341070010180	6,365.88	0341070160050	5,241.94	0341070183371	1,549.70
0341070010190	1,013.38	0341070160200	5,743.42	0341070183631	5,505.28
0341070030072	4,560.61	0341070160390	1,319.88	0341070183641	5,915.33
0341070030090	1,319.88	0341070160400	9,414.89	0341070183831	10,318.79
0341070040070	6,229.32	0341070160431	2,238.39	0341070183970	3,468.84
0341070040130	12,407.94	0341070160810	2,003.95	0341070183980	1,517.43
0341070040300	6,196.37	0341070161010	7,199.44	0341070184002	5,299.44
0341070050030	1,538.95	0341070161200	7,511.55	0341070184110	1,094.20
0341070050110	4,467.98	0341070161800	1,377.64	0341070184120	7,442.03
0341070050280	6,472.84	0341070162050	6,472.84	0341070184140	8,320.80
0341070050380	10,201.22	0341070162340	5,623.44	0341070184170	1,548.68
0341070050390	3,228.90	0341070162440	11,041.22	0341070184220	6,472.84
0341070060060	2,973.54	0341070170340	7,449.44	0341070185090	5,707.74
0341070060180	6,949.12	0341070170720	5,302.48	0341070185220	5,586.53
0341070070170	2,320.43	0341070170782	5,645.18	0341070185271	1,613.57
0341070070200	1,485.00	0341070170830	7,136.94	0341070185530	1,094.20
0341070090040	7,682.44	0341070170990	1,531.65	0341070185591	1,548.68
0341070090050	1,319.88	0341070171180	1,551.74	0341070185990	1,637.58

Folio	Amount	Folio	Amount	Folio	Amount
0341070186021	2,008.03	0341080014090	1,186.24	0341170056110	1,623.00
0341070186090	7,435.48	0341080014450	7,455.64	0341170057630	3,460.41
0341070186152	7,435.48	0341080014490	2,974.46	0341170058030	2,236.17
0341070186300	4,975.61	0341080014570	3,460.41	0341170058240	1,548.68
0341070186680	2,393.42	0341080015070	2,237.18	0341170058250	1,000.65
0341070186860	8,762.76	0341080015180	2,236.17	0341170058270	4,451.88
0341070186870	1,623.37	0341080015270	4,493.47	0341170058730	2,236.17
0341070187340	1,118.06	0341080015360	4,975.61	0341170058920	8,779.44
0341070187360	1,548.68	0341080015720	6,949.12	0341170059030	2,235.15
0341070187461	4,719.00	0341080015840	5,523.29	0341170059220	9,679.33
0341070187520	4,578.40	0341080020050	7,191.04	0341170070030	3,089.99
0341070187920	4,792.94	0341080020070	8,438.44	0341170070110	6,709.72
0341070188000	8,182.92	0341080020360	5,959.86	0341170070230	3,463.85
0341070188020	4,789.44	0341080020380	1,046.87	0341170070240	2,003.95
0341070188040	8,881.83	0341080020400	7,435.48	0341170070470	2,658.14
0341070188120	3,465.74	0341080020490	2,235.15	0341170070531	8,438.44
0341070188160	1,094.20	0341080020601	5,611.47	0341170071280	6,225.77
0341070188390	1,094.20	0341080020830	6,472.84	0341170071460	10,181.44
0341070188500	1,319.88	0341080020890	2,799.27	0341170071791	1,548.68
0341070188750	6,472.84	0341080030050	10,451.79	0341170071800	1,548.68
0341070188760	6,477.54	0341080030210	7,438.00	0341170072100	2,731.07
0341070189050	9,269.58	0341080030430	3,846.07	0341170072140	997.78
0341070189100	5,045.75	0341080030460	2,519.20	0341170072665	6,472.84
0341070200190	6,226.76	0341080030470	5,507.93	0341170072690	9,429.55
0341070210090	1,489.19	0341080030640	7,935.28	0341170072700	1,005.63
0341080010050	1,415.04	0341080030650	1,094.20	0341170072980	1,094.20
0341080010260	4,204.54	0341080030820	1,659.42	0341170073150	6,834.82
0341080010390	5,355.38	0341080030840	3,212.10	0341170073660	5,983.33
0341080010760	8,438.44	0341080030870	6,476.20	0341170073910	3,461.40
0341080010891	5,700.27	0341080390160	7,041.52	0341170074110	5,994.10
0341080010990	1,094.20	0341170040050	6,541.61	0341170074720	1,302.66
0341080011120	1,094.20	0341170041280	6,951.64	0341170082370	4,960.70
0341080011140	11,082.66	0341170041520	6,934.25	0341170082830	2,352.68
0341080012120	4,212.97	0341170041610	1,548.68	0341170082850	1,319.88
0341080012483	10,185.79	0341170041861	1,721.89	0341170082940	3,169.96
0341080012490	6,226.76	0341170042620	7,634.63	0341170083420	6,477.87
0341080012830	10,451.79	0341170042840	4,322.17	0341170083500	3,467.85
0341080013060	5,120.26	0341170043020	4,203.54	0341170083600	3,872.01
0341080013080	10,689.43	0341170043320	7,444.55	0341170084170	2,007.04
0341080013270	6,472.84	0341170043510	2,147.28	0341170084970	6,472.84
0341080013500	10,451.79	0341170055930	2,862.54	0341170110120	4,639.78
0341080013860	8,440.83	0341170055980	1,207.53	0341170150060	4,454.53

Folio	Amount	Folio	Amount	Folio	Amount
0341170170100	908.50	0341180062170	5,505.28	0341200060980	6,544.75
0341180010120	1,319.88	0341180062260	7,435.48	0341200061080	6,226.76
0341180010340	2,899.71	0341190010004	1,360.06	0341200061330	1,774.79
0341180010390	1,094.20	0341190010030	12,918.71	0341200061380	1,095.25
0341180010590	1,019.65	0341190010080	1,964.90	0341200061390	1,381.44
0341180011460	1,317.47	0341190010120	6,728.70	0341200061450	3,993.18
0341180011600	1,782.28	0341190010190	12,918.71	0341200061480	2,258.18
0341180020040	1,106.58	0341190010220	3,076.03	0341200061530	1,054.95
0341180020540	6,822.09	0341190010320	5,241.94	0341200061570	6,472.84
0341180020770	1,959.70	0341190010330	1,472.94	0341200061800	3,215.46
0341180020950	2,261.21	0341190010670	2,986.92	0341200061820	10,939.87
0341180020980	9,332.75	0341190010680	10,763.51	0341200061830	7,109.50
0341180021140	1,480.20	0341190010990	7,191.04	0341200061840	5,739.94
0341180021560	911.64	0341190011460	11,157.77	0341200061890	1,922.88
0341180021680	4,062.53	0341190011640	1,590.93	0341200220250	1,094.20
0341180030441	11,747.80	0341190012030	1,548.68	0341200220510	6,755.74
0341180030580	9,599.15	0341190012180	1,001.37	0341200220600	1,101.00
0341180030780	2,739.07	0341190012650	2,897.87	0341200221090	1,795.57
0341180031790	1,094.20	0341190012811	8,683.42	0341200221260	13,706.30
0341180031870	5,422.71	0341190013930	5,238.95	0341200221380	12,918.71
0341180032190	12,487.65	0341190014430	7,931.92	0341200221460	13,148.03
0341180032550	1,094.20	0341190014550	1,320.92	0341200221740	1,742.11
0341180040030	1,094.20	0341190015380	1,094.20	0341200222870	1,715.41
0341180040460	1,548.68	0341190040010	1,319.88	0341200223010	6,239.48
0341180040620	9,590.99	0341190040100	2,235.15	0341200223101	4,403.71
0341180040820	7,435.48	0341190041600	8,234.11	0341200223471	4,367.01
0341180050070	2,026.22	0341190041700	2,821.24	0341200223580	5,743.42
0341180050500	7,703.66	0341190042400	6,716.43	0341200223800	1,324.01
0341180051020	1,549.71	0341190060460	1,665.67	0341200223810	12,918.71
0341180051090	3,653.45	0341190070120	7,684.96	0341200223840	6,598.42
0341180051480	1,762.75	0341190070140	1,205.30	0341200223960	3,221.82
0341180051690	3,467.52	0341190070380	1,749.77	0341200230970	955.53
0341180060400	3,709.16	0341190070970	5,505.28	0341200231570	4,168.48
0341180060970	6,472.84	0341190071080	1,136.81	0341200232730	1,091.55
0341180061000	7,191.04	0341190071740	1,319.88	0341200232750	12,557.46
0341180061070	7,682.44	0341190071900	6,388.60	0341200232790	9,397.23
0341180061180	5,469.33	0341190071910	5,363.72	0341200232960	4,850.54
0341180061200	1,650.89	0341190071931	894.83	0341200233690	1,116.89
0341180061500	6,806.47	0341190072020	1,775.74	0341200233700	5,028.60
0341180061650	4,457.91	0341190072800	6,454.54	0341200233850	6,300.01
0341180061860	5,130.52	0341190072910	4,199.56	0341200233860	1,816.94
0341180062140	9,426.36	0341190074140	2,515.19	0341200233950	898.25

Folio	Amount	Folio	Amount	Folio	Amount
0341200250011	10,146.72	0341290270280	9,684.91	0341300020854	1,091.65
0341200250014	3,783.30	0341290270440	5,983.33	0341300030020	3,460.41
0341200250230	6,734.89	0341290270500	10,195.93	0341300050410	1,559.71
0341200250240	907.76	0341290270941	1,094.20	0341300050440	6,061.84
0341200250270	1,548.68	0341290271230	5,743.42	0341300050580	995.52
0341200250330	3,717.23	0341290271890	2,973.54	0341300050640	2,003.95
0341200250350	2,034.24	0341290272100	2,500.79	0341300050740	7,052.37
0341200250380	5,637.39	0341290272300	1,669.57	0341300051260	7,191.04
0341200250410	1,548.68	0341290272490	5,269.34	0341300051300	4,203.54
0341200250450	1,455.85	0341290272540	9,179.78	0341300060250	9,195.74
0341200250460	9,230.70	0341290273485	3,751.20	0341300080930	7,682.44
0341200250530	3,460.41	0341290273550	1,323.03	0341300081020	1,094.20
0341200250560	8,216.56	0341290280200	8,572.46	0341300092670	5,537.91
0341200250581	7,980.11	0341290281060	2,541.47	0341320000120	3,000.90
0341200250610	1,134.11	0341290281760	8,927.61	0341320040110	1,319.88
0341200250620	3,215.46	0341290281820	7,439.05	0341320051110	5,255.08
0341200250650	6,383.63	0341290282080	3,925.44	0341320051430	1,151.53
0341200250691	1,301.48	0341290282250	1,096.30	0341320051440	3,908.10
0341200250720	5,514.50	0341290282400	4,718.25	0341320051730	5,744.30
0341200560020	1,420.88	0341290320080	7,523.15	0341320051830	1,960.24
0341200560030	2,221.29	0341290320230	3,952.17	0341320051850	4,730.10
0341200560070	12,075.25	0341290320370	5,000.10	0341320070050	1,107.99
0341200560090	3,418.55	0341290320840	6,720.76	0341320080020	4,987.30
0341200570020	4,997.67	0341290321920	1,693.24	0341320100100	6,432.05
0341200630050	1,548.68	0341290321960	9,324.67	0341320150040	4,854.62
0341280230240	7,435.48	0341290322080	2,181.93	0341320190530	1,145.48
0341280230510	6,566.59	0341290322110	5,109.26	0341320190620	3,241.19
0341290240390	6,212.94	0341290322180	12,918.71	0341320210060	1,774.79
0341290240450	1,221.21	0341290322250	1,281.31	0341320210660	3,971.20
0341290240471	6,472.84	0341290322270	1,319.88	0341320210710	10,130.11
0341290260290	1,319.88	0341290322811	1,548.68	0341320211170	4,905.48
0341290260430	8,685.82	0341290400090	4,727.23	0341320211760	2,973.54
0341290260491	2,235.15	0341290400280	2,498.77	0341320250050	1,549.70
0341290260990	1,718.10	0341290400480	3,459.30	0341320250300	1,896.31
0341290261030	6,905.77	0341290400760	5,125.98	0341320260380	2,011.08
0341290261220	2,370.84	0341290410740	1,548.68	0341320260630	1,319.88
0341290261330	2,560.47	0341290411160	3,952.17	0341320260660	4,064.92
0341290261461	5,743.42	0341300010100	10,929.24	0341320260690	4,457.42
0341290261620	5,573.01	0341300020280	5,423.82	0341320260790	3,956.16
0341290261870	5,983.33	0341300020360	8,438.44	0341320280150	5,715.54
0341290262060	1,094.20	0341300020580	2,969.17	0341320280370	1,548.68
0341290270100	5,233.23	0341300020710	6,332.37	0341320310430	1,319.88

Folio	Amount	Folio	Amount	Folio	Amount
0341330010250	3,800.53	0351180080290	5,609.50		
0350240000050	7,188.52	0351180100020	6,617.86		
0350240020050	8,681.83	0351180130020	1,774.79		
0350240020120	5,070.42				
0350240020130	1,876.28				
0350240020570	6,000.29				
0350240020630	5,807.81				
0350240020650	1,547.86				
0350240021210	2,055.93				
0350240021430	10,327.03				
0351050060020	5,507.05				
0351050100120	10,356.63				
0351060030090	7,133.28				
0351060050090	3,213.32				
0351060110010	4,204.54				
0351060120020	2,734.65				
0351060170180	7,721.54				
0351060200010	1,319.88				
0351060200020	1,347.78				
0351060220020	3,460.41				
0351070040340	1,319.88				
0351070040350	9,463.13				
0351070040660	2,498.77				
0351070040710	2,583.14				
0351070040990	10,662.29				
0351070080060	6,949.12				
0351070090040	7,437.16				
0351070110020	8,048.68				
0351070110050	7,800.88				
0351180050330	8,183.92				
0351180050410	5,574.87				
0351180050430	5,100.77				
0351180050600	8,927.61				
0351180050850	4,205.51				
0351180050930	3,103.65				
0351180060830	1,548.68				
0351180060900	6,472.84				
0351180061110	2,235.15				
0351180070040	2,030.29				
0351180070140	1,548.68				
0351180070470	5,136.18				
0351180070840	1,320.93				



**APPENDIX D**

**FORM OF CERTIFICATE TO  
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE  
TO  
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor, or authorized agent of the City of Coral Gables, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for solid waste management and disposal services (the "Non-Ad Valorem Solid Waste Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Solid Waste Assessment Roll will be delivered to the Miami-Dade County Tax Collector by September 15, 2015.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Miami-Dade County Tax Collector and made part of the above described Non-Ad Valorem Solid Waste Assessment Roll this 25<sup>th</sup> day of August, 2015.

THE CITY OF CORAL GABLES, FLORIDA

By: Jim Costa  
Mayor

[to be delivered to Tax Collector prior to September 15]

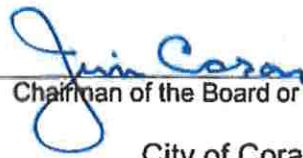


## CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of City of Coral Gables, Florida, located in Miami-Dade County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 15<sup>th</sup> day of September, 2015 year.

  
\_\_\_\_\_  
Chairman of the Board or authorized agent  
of City of Coral Gables  
\_\_\_\_\_  
Name of local government  
Miami-Dade County, Florida

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2015-269**

A RESOLUTION ENCOURAGING CITY OF CORAL GABLES' RESIDENTS, BUSINESSES, VENDORS AND VISITORS TO CEASE USING AND PURCHASING PRODUCTS MADE FROM EXPANDED POLYSTYRENE, AND REPLACING EXPANDED POLYSTYRENE PRODUCTS WITH REUSABLE, RECYCLABLE, AND COMPOSTABLE ALTERNATIVES THAT ARE SAFER FOR HUMAN HEALTH AND THE ENVIRONMENT.

**WHEREAS**, the City of Coral Gables declares that it is in the best interest of the public health, safety, and welfare of its residents and visitors to reduce litter and pollutants within the City; and

**WHEREAS**, expanded polystyrene, a petroleum by-product commonly known as Styrofoam, is neither readily recyclable nor biodegradable and takes hundreds to thousands of years to degrade in the environment; and

**WHEREAS**, expanded polystyrene is a common pollutant, which fragments into smaller, non-biodegradable pieces that are ingested by marine life and other wildlife, thus harming and killing them; and

**WHEREAS**, due to the physical properties of expanded polystyrene, the EPA states "that such materials can have serious impacts on human health, wildlife, the aquatic environment and the economy;" and

**WHEREAS**, polystyrene materials constitute a portion of the litter in the City's streets, parks, public places, and waterways; and

**WHEREAS**, the City's goal is to replace expanded polystyrene food service articles with reusable, recyclable or compostable alternatives; and

**WHEREAS**, this Resolution will preserve and enhance the environment of the City; and

**WHEREAS**, the City Commission finds that this Resolution is necessary for the preservation of the public health, safety and welfare of the City's residents;

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

**SECTION 1.** The City of Coral Gables encourages its residents, businesses, vendors and visitors to cease using and purchasing products made from expanded polystyrene.

**SECTION 2.** The City of Coral Gables recommends its residents, businesses, vendors and visitors replace the use and purchase of expanded polystyrene products with reusable, recyclable, or compostable alternatives that are safer for human health and the environment.

**SECTION 3.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF OCTOBER, A.D., 2015.

(Moved; Quesada / Seconded: Keon)

(Yeas: Lago, Quesada, Slesnick, Keon, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: F-3)

APPROVED:



JIM CASON  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY

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**CITY OF CORAL GABLES, FLORIDA**

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**AMENDED AND RESTATED  
FINAL ASSESSMENT RESOLUTION  
SOLID WASTE**

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**ADOPTED SEPTEMBER 13, 2016**

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**TABLE OF CONTENTS**

	<b>Page</b>
SECTION 1. AUTHORITY.....	3
SECTION 2. DEFINITIONS AND INTERPRETATION.....	3
SECTION 3. IMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.....	4
SECTION 4. CONFIRMATION OF AMENDED AND RESTATED INITIAL ASSESSMENT RESOLUTION.....	6
SECTION 5. EFFECT OF ADOPTION OF RESOLUTION.....	6
SECTION 6. SEVERABILITY.....	7
SECTION 7. EFFECTIVE DATE.....	7
APPENDIX A: AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS .....	A-1
APPENDIX B: PROOF OF PUBLICATION.....	B-1
APPENDIX C: FORM OF CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL.....	C-1

**RESOLUTION NO. 2016-207**

**A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS IN THE CITY OF CORAL GABLES, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT FOR RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY; IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016; APPROVING THE SOLID WASTE ASSESSMENT ROLL; CONFIRMING THE AMENDED AND RESTATED INITIAL ASSESSMENT RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission (the "City Commission") of the City of Coral Gables, Florida (the "City"), has enacted the Master Service Assessment Ordinance, Ordinance No. 2015-09 (the "Ordinance"), which authorizes the imposition of Service Assessments for Solid Waste and Recyclable Materials collection and disposal services, facilities and programs against certain Residential Property within the County;

**WHEREAS**, pursuant to Article III of Chapter 54 of the City of Coral Gables Code of Ordinances, the City has prescribed reasonable rules and regulations for the collection and disposal of Solid Waste and Recyclable Materials, including rates, fees, and charges, payment terms, and collection mechanisms.

**WHEREAS**, certain parcels of Residential Property within the City have become delinquent in payment of these rates, fees, and charges, which hinders the City's ability to efficiently and effectively provide Solid Waste and Recyclable Materials collection and



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disposal services, facilities, and programs from both a financial and operational perspective; and

**WHEREAS**, the imposition of a Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs, including any Delinquencies, is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Residential Property;

**WHEREAS**, the City Commission desires to impose an assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs against Residential Property within all incorporated areas of the City using the tax bill collection method for the Fiscal Year beginning on October 1, 2016;

**WHEREAS**, the City Commission, on June 14, 2016, adopted Resolution No. 2016-149 (the "Amended and Restated Initial Assessment Resolution"), containing a brief and general description of the Solid Waste and Recyclable Materials collection and disposal services, facilities and programs to be provided to Residential Property, describing the method of apportioning the Solid Waste Cost to compute the Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs against Residential Property, designating a rate of assessment, which includes any Delinquencies, and directing preparation of the Solid Waste Assessment Roll and provision of the notice required by the Ordinance;

**WHEREAS** the Amended and Restated Initial Assessment Resolution erroneously referred to Ordinance No. 2016-09 when the correct citation is Ordinance No. 2015-09, which scrivener's error is hereby corrected; and

**WHEREAS**, pursuant to the provisions of the Ordinance, the City is required to confirm or repeal the Amended and Restated Initial Assessment Resolution, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties and adopt a Final Assessment Resolution;

**WHEREAS**, the Solid Waste Solid Waste Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance;

**WHEREAS**, notice of a public hearing has been published and, as required by the terms of the Ordinance, mailed to each Owner of Residential Property proposed to be assessed notifying such Owners of their opportunity to be heard, an affidavit regarding the form of notice mailed to each Owner of Residential Property being attached hereto as Appendix A and the proof of publication being attached hereto as Appendix B; and

**WHEREAS**, a public hearing was held on September 13, 2016, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance;

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

**SECTION 1. AUTHORITY.** This resolution is adopted pursuant to the Ordinance; the Amended and Restated Initial Assessment Resolution; Article VIII, Florida Constitution, sections 166.021 and 166.041, Florida Statutes, the City Charter of the City of Coral Gables, Florida, Article III of Chapter 54 of the City of Coral Gables Code of Ordinances, and other applicable provisions of law.

**SECTION 2. DEFINITIONS AND INTERPRETATION.** This resolution constitutes the Amended and Restated Final Assessment Resolution as defined in the Ordinance. All

capitalized terms in this resolution shall have the meanings defined in the Ordinance, Sec. 54-84 of the City of Coral Gables Code of Ordinances, and the Amended and Restated Initial Assessment Resolution.

**SECTION 3. IMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.**

(A) The parcels of Residential Property described in the Solid Waste Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs described in the Amended and Restated Initial Assessment Resolution, in the amount of the Solid Waste Service Assessment set forth in the Solid Waste Assessment Roll, a copy of which was present at the above referenced public hearing and is incorporated herein by reference.

(B) It is hereby ascertained, determined and declared that each parcel of Residential Property within the City has been and will be benefited by the City's provision of Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs in an amount not less than the Solid Waste Service Assessment for such parcel, computed in the manner set forth in this Resolution, which shall include any Delinquencies attributable to that Tax Parcel.

(C) Adoption of this Amended and Restated Final Assessment Resolution constitutes a legislative determination that all parcels assessed derived a special benefit, as set forth in the Ordinance and the Amended and Restated Initial Assessment Resolution from the Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs that were provided and will be provided and a legislative determination that the Solid Waste Service Assessments are fairly and reasonably apportioned among the

Residential Properties receiving the special benefit as set forth in the Amended and Restated Initial Assessment Resolution.

(D) The method for computing Solid Waste Service Assessments described in the Amended and Restated Initial Assessment Resolution is hereby approved.

(E) For the Fiscal Year beginning October 1, 2016, the Solid Waste Cost of \$12,580,000.00 shall be allocated among all parcels of Residential Property, based upon each parcels' classification as Residential Property and the number and type of Dwelling Units for such parcels, plus any Delinquency allocated to that Tax Parcel. The following annual rates of assessment are hereby approved for the Fiscal Year beginning October 1, 2016:

<b>Property Type</b>	<b>Rate</b>
<b>General Residential Property</b>	\$869 per Dwelling Unit *
<b>Auxiliary Living Units</b>	\$416 per Dwelling Unit *

\* plus any Delinquencies attributable to that Residential Property

Solid Waste Service Assessments for Solid Waste and Recyclable Materials collection and disposal services, facilities and programs in the amounts set forth in the Solid Waste Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Residential Property described in the Solid Waste Assessment Roll.

(F) Any shortfall in the expected Solid Waste Service Assessment proceeds due to any reduction or exemption from payment of the Solid Waste Service Assessments required by law or authorized by the City Commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Solid Waste Service Assessments.

(G) As authorized in Section 2.13 of the Ordinance, interim Solid Waste Service Assessments are also levied and imposed against all Residential Property for which a Certificate of Occupancy is issued after adoption of this Amended and Restated Final Assessment Resolution based upon the rates of assessment approved herein.

(H) Solid Waste Service Assessments shall constitute a lien upon the Residential Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(I) The Solid Waste Assessment Roll, as herein approved, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance. The Solid Waste Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Solid Waste Assessment Roll in substantially the form attached hereto as Appendix C.

**SECTION 4. CONFIRMATION OF AMENDED AND RESTATED INITIAL ASSESSMENT RESOLUTION.** The Amended and Restated Initial Assessment Resolution is hereby confirmed.

**SECTION 5. EFFECT OF ADOPTION OF RESOLUTION.** The adoption of this Amended and Restated Final Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment, the rate of assessment, the Solid Waste Assessment Roll and the levy and lien of the Solid Waste Service Assessments) unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Final Assessment Resolution.

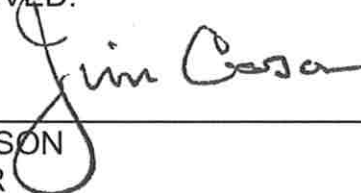
**SECTION 6. SEVERABILITY.** If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this resolution.

**SECTION 7. EFFECTIVE DATE.** This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF SEPTEMBER, A.D., 2016.

(Moved: Lago / Seconded: Slesnick)  
(Yeas: Slesnick, Keon, Lago, Cason)  
(Absent: Quesada)  
(Majority: 4-0 Vote)  
(Agenda Item: E-3)

APPROVED:




JIM CASON  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY

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**APPENDIX A**

**AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS**

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## **AFFIDAVIT OF MAILING**

BEFORE ME, the undersigned authority, personally appeared Diana M. Gomez and Tammy Peters, who, after being duly sworn, depose and say:

1. Diana M. Gomez, as Finance Director of the City of Coral Gables, Florida ("City"), pursuant to the authority and direction received from the City Commission, timely directed the preparation of the Solid Waste Assessment Roll and the preparation, mailing, and publication of notices in accordance with the Master Service Assessment Ordinance adopted by the City Commission on May 26, 2015 (the "Assessment Ordinance") and in conformance with the Amended and Restated Initial Assessment Resolution adopted by the City Commission on June 14, 2016 (the "Amended and Restated Initial Assessment Resolution").

2. In accordance with the Assessment Ordinance and the Amended and Restated Initial Assessment Resolution, Ms. Gomez timely provided all necessary information for notification of the Solid Waste Service Assessment to the Property Appraiser of Miami-Dade County to be included as part of the notice of proposed property taxes under section 200.069, Florida Statutes, the truth-in-millage notification. The information provided to the Property Appraiser to be included on the truth-in-millage notification included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property



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which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. Sandi Melgarejo is Project Coordinator for GSG. GSG has caused the notices required by the Assessment Ordinance and the Amended and Restated Initial Assessment Resolution for Tax Parcels with delinquent solid waste charges to be prepared in conformance with the Amended and Restated Initial Assessment Resolution. An exemplary form of such notice is attached hereto. GSG has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing City Commission within 20 days of the notice; and the date, time, and place of the hearing.

4. On or before August 23, 2016, GSG caused the mailing of the above-referenced notices in accordance with Sections 2.05 of the Assessment Ordinance and the Amended and Restated Initial Assessment Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Miami-Dade County Property Appraiser for the purpose of the collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.

\_\_\_\_\_  
Diana M. Gomez, affiant

\_\_\_\_\_  
Sandi Melgarejo, affiant

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing Affidavit of Mailing was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by Diana M. Gomez, Finance Director, City of Coral Gables, Florida. She is personally known to me or has produced as identification and did take an oath.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public,  
State of Florida At Large  
My City Commission Expires: \_\_\_\_\_  
City Commission No.: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF LEON

The foregoing Affidavit of Mailing was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by Sandi Melgarejo, Project Coordinator, Government Services Group, Inc., a Florida corporation. She is personally known to me or has produced \_\_\_ as identification and did take an oath.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

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**APPENDIX B**  
**PROOF OF PUBLICATION**

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**APPENDIX C**

**FORM OF CERTIFICATE TO  
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE  
TO  
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor, or authorized agent of the City of Coral Gables, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for solid waste management and disposal services (the "Non-Ad Valorem Solid Waste Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Solid Waste Assessment Roll will be delivered to the Miami-Dade County Tax Collector by September 15, 2016.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Miami-Dade County Tax Collector and made part of the above described Non-Ad Valorem Solid Waste Assessment Roll this 14<sup>th</sup> day of September, 2016.

THE CITY OF CORAL GABLES, FLORIDA

By: Jim Casa  
Mayor

[to be delivered to Tax Collector prior to September 15]

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2017-113**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES FOR THE ENFORCEMENT OF SECTION 8CC OF THE MIAMI-DADE COUNTY CODE, AS IT RELATES TO SECTION 21-81 OF THE MIAMI-DADE COUNTY CODE, REGARDING THE ESTABLISHMENT OF A CIVIL CITATION PROGRAM.

**WHEREAS**, Section 21-81 of the Miami-Dade County Code applies to all municipalities in the County and is enforced, in part, through civil penalties under Section 8CC of the County Code; and

**WHEREAS**, in 2015, Miami-Dade County approved the amendment of Section 21-81 of the County Code which provides for civil penalties for certain misdemeanors; and

**WHEREAS**, the intent of the amendment was to reclassify what was formally considered criminal behavior and allow a police officer the discretion to either apprehend the offender or issue a civil citation; and

**WHEREAS**, the misdemeanor offenses that are eligible to receive a civil citation in lieu of arrest are violations of: the Florida Litter Law (Sec. 403.413(6)(b), F.S.), Illegal Use of Dairy Cases, Egg Baskets, Poultry Boxes or Bakery Containers (Sec. 506.509, F.S.), Trespass on Property other than a Structure or Conveyance (Sec. 810.09, F.S.), Retail Theft by Removal of a Shopping Cart (Sec. 812.015(1)(d), F.S.), Loitering or Prowling (Sec. 856.021, F.S.), Possession of Cannabis in an amount of 20 grams or less (Sec. 893.13(6)(b), F.S.), and Possession of Drug Paraphernalia (Secs. 893.146 and 893.147(1)(b), F.S.); and

**WHEREAS**, municipalities in the County may enforce the provisions of Section 21-81 of the County Code, pursuant to Section 8CC-11 upon the adoption by the County and municipality of an interlocal agreement; and

**WHEREAS**, the City Commission finds it to be in the best interest of the City and its residents to have the City enforce the provisions of Section 21-81 of the County Code through Section 8CC as provided in the interlocal agreement;

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That an Interlocal Agreement be approved between Miami-Dade County and the City of Coral Gables for the enforcement of Section 8CC of the Miami-Dade County Code as it relates to Section 21-81 of the County Code regarding the establishment of a civil citation program.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS THIRTIETH DAY OF MAY, A.D., 2017.  
(Moved: Keon / Seconded: Quesada)  
(Yeas: Mena, Quesada, Keon, Lago, Valdes-Fauli)  
(Unanimous: 5-0 Vote)  
(Agenda Item: J-3)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY

**RESOLUTION NO. 2015-189**

**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; ESTABLISHING THE RATE OF ASSESSMENT FOR CERTAIN RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY; IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015; APPROVING THE SOLID WASTE ASSESSMENT ROLL; CONFIRMING THE INITIAL ASSESSMENT RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission (the "City Commission") of the City of Coral Gables, Florida (the "City"), has enacted the Master Service Assessment Ordinance, Ordinance No. 2015-09 (the "Ordinance"), which authorizes the imposition of Service Assessments for Solid Waste and Recyclable Materials collection and disposal services, facilities and programs against certain Residential Property within the County; and

**WHEREAS**, pursuant to Article III of Chapter 54 of the City of Coral Gables Code of Ordinances, the City has prescribed reasonable rules and regulations for the collection and disposal of Solid Waste and Recyclable Materials, including rates, fees, and charges, payment terms, and collection mechanisms; and

**WHEREAS**, certain parcels of Residential Property within the City have become delinquent in payment of these rates, fees, and charges, which hinders the City's ability to efficiently and effectively provide Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs from both a financial and operational perspective; and

**WHEREAS**, the imposition of a Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs to



recoup the rates, fees, and charges that are currently owed to the City based upon the amount of services provided to the parcels of Residential Property, plus interest as prescribed by 54-189 of the City of Coral Gables Code of Ordinances and reasonable administrative and collection costs, is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Residential Property; and

**WHEREAS**, the City Commission desires to impose an assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs against certain Residential Property within all incorporated areas of the City using the tax bill collection method for the Fiscal Year beginning on October 1, 2015; and

**WHEREAS**, the City Commission, on June 16, 2015, adopted Resolution No. 2015-96 (the "Initial Assessment Resolution"), containing a brief and general description of the Solid Waste and Recyclable Materials collection and disposal services, facilities and programs that were provided to Residential Property, describing the method of apportioning the Solid Waste Cost to compute the Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs against Residential Property, designating a rate of assessment, and directing preparation of the Solid Waste Solid Waste Assessment Roll and provision of the notice required by the Ordinance; and

**WHEREAS**, pursuant to the provisions of the Ordinance, the City is required to confirm or repeal the Initial Assessment Resolution, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties and adopt a Final Assessment Resolution; and

**WHEREAS**, the Solid Waste Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

**WHEREAS**, notice of a public hearing has been published and, as required by the terms of the Ordinance, mailed to each Owner of Residential Property proposed to be assessed notifying such Owners of their opportunity to be heard, an affidavit regarding the form of notice mailed to each Owner of Residential Property being attached hereto as Appendix A and the proof of publication being attached hereto as Appendix B; and

**WHEREAS**, a public hearing was held on August 25, 2015, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance;

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2. AUTHORITY.** This resolution is adopted pursuant to the Ordinance; the Initial Assessment Resolution; Article VIII, Florida Constitution, sections 166.021 and 166.041, Florida Statutes, the City Charter of the City of Coral Gables, Florida, Article III of Chapter 54 of the City of Coral Gables Code of Ordinances, and other applicable provisions of law.

**SECTION 3. DEFINITIONS AND INTERPRETATION.** This resolution constitutes the Final Assessment Resolution as defined in the Ordinance. All capitalized terms in this resolution shall have the meanings defined in the Ordinance, Sec. 54-84 of the City of Coral Gables Code of Ordinances, and the Initial Assessment Resolution.

**SECTION 4. IMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.**

(A) The parcels of Residential Property described in the Solid Waste Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs described in the Initial Assessment Resolution, in the amount of the Solid Waste Service Assessment set forth in the Solid Waste Assessment Roll, a copy of which was present at the above referenced public hearing and is incorporated herein by reference.

(B) It is hereby ascertained, determined and declared that each parcel of Residential Property within the City has been benefited by the City's provision of Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs in an amount not less than the Solid Waste Service Assessment for such parcel, computed in the manner set forth in this Resolution.

(C) Adoption of this Final Assessment Resolution constitutes a legislative determination that all parcels assessed derived a special benefit, as set forth in the Ordinance and the Initial Assessment Resolution from the Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs to be provided and a legislative determination that the Solid Waste Service Assessments are fairly and reasonably apportioned among the Residential Properties that received the special benefit as set forth in the Initial Assessment Resolution.

(D) The method for computing Solid Waste Service Assessments described in the Initial Assessment Resolution is hereby approved.

(E) For the Fiscal Year beginning October 1, 2015, the Solid Waste Cost shall be allocated among all parcels of Residential Property, based upon each parcels' classification as Residential Property and the amount of unpaid fees and accrued interest for Solid Waste and Recyclable Materials collection and disposal services, facilities, and

programs provided to such parcels, plus reasonable administrative and collection costs associated therewith. The rates of assessment for each parcel of Residential Property is provided in the Solid Waste Assessment Roll, which is attached hereto as Appendix C and incorporated herein by reference. Solid Waste Service Assessments for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs in the amounts set forth in the Solid Waste Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in the Solid Waste Assessment Roll for the Fiscal Year beginning October 1, 2015.

(F) Any shortfall in the expected Solid Waste Service Assessment proceeds due to any reduction or exemption from payment of the Solid Waste Service Assessments required by law or authorized by the Board shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Solid Waste Service Assessments.

(G) Solid Waste Service Assessments shall constitute a lien upon the Residential Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(H) The Solid Waste Assessment Roll, as herein approved, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance. The Solid Waste Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Solid Waste Assessment Roll in substantially the form attached hereto as Appendix D.

**SECTION 5. CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION.** The Initial Assessment Resolution is hereby confirmed.


**SECTION 6. EFFECT OF ADOPTION OF RESOLUTION.** The adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment, the rate of assessment, the Solid Waste Assessment Roll and the levy and lien of the Solid Waste Service Assessments) unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Final Assessment Resolution.

**SECTION 7. SEVERABILITY.** If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this resolution.

**SECTION 8. EFFECTIVE DATE.** This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF AUGUST, A.D., 2015.  
(Moved: Lago / Seconded: Quesada)  
(Yeas: Quesada, Slesnick, Keon, Lago, Cason)  
(Unanimous: 5-0 Vote)  
(Agenda Item: E-4)


APPROVED:

  
JIM CASON  
MAYOR

ATTEST:

  
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
CRAIG E. LEEN  
CITY ATTORNEY

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**CITY OF CORAL GABLES, FLORIDA**

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**FINAL ASSESSMENT RESOLUTION  
SOLID WASTE**

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**ADOPTED AUGUST 25, 2015**

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## TABLE OF CONTENTS

	Page
SECTION 1.	AUTHORITY.....3
SECTION 2.	DEFINITIONS AND INTERPRETATION.....3
SECTION 3.	IMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.....3
SECTION 4.	CONFIRMATION OF INITIAL ASSESSMENT RESOLUTION.....6
SECTION 5.	EFFECT OF ADOPTION OF RESOLUTION.....1
SECTION 6.	SEVERABILITY.....1
SECTION 7.	EFFECTIVE DATE.....1
APPENDIX A:	AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS ..... A-1
APPENDIX B:	PROOF OF PUBLICATION..... B-1
APPENDIX C:	SOLID WASTE ASSESSMENT ROLL..... C-1
APPENDIX D:	FORM OF CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL..... D-1

**APPENDIX A**  
**AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS**



## **AFFIDAVIT OF MAILING**

BEFORE ME, the undersigned authority, personally appeared Diana M. Gomez and Sandi Melgarejo, who, after being duly sworn, depose and say:

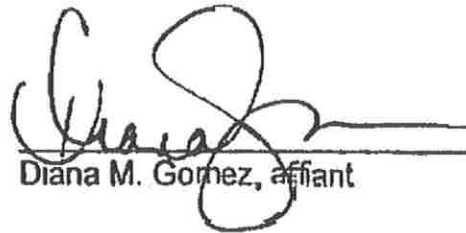
1. Diana M. Gomez, as Finance Director of the City of Coral Gables, Florida ("City"), pursuant to the authority and direction received from the City Commission, timely directed the preparation of the Solid Waste Assessment Roll and the preparation, mailing, and publication of notices in accordance with the Master Service Assessment Ordinance adopted by the City Commission on May 26, 2015 (the "Assessment Ordinance") and in conformance with the Initial Assessment Resolution adopted by the City Commission on June 16, 2015 (the "Initial Assessment Resolution"). The Initial Assessment Resolution directed and authorized notice by First Class Mail only to affected owners in the event circumstances described in the Assessment Ordinance so required.

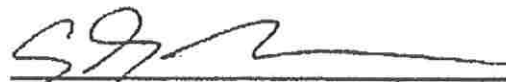
2. Sandi Melgarejo is Project Coordinator for GSG. GSG has caused the notices required by the Assessment Ordinance to be prepared in conformance with the Initial Assessment Resolution. An exemplary form of such notice is attached hereto. GSG has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a

statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. On or before August 4, 2015, GSG caused the mailing of the above-referenced notices in accordance with Sections 2.05 of the Assessment Ordinance and the Initial Assessment Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Miami-Dade County Property Appraiser for the purpose of the collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.

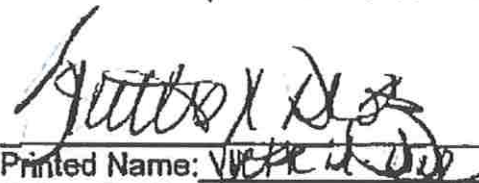
  
Diana M. Gomez, affiant

  
Sandi Melgarejo, affiant

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing Affidavit of Mailing was sworn to and subscribed before me this 28 day of August, 2015 by Diana M. Gomez, Finance Director, City of Coral Gables, Florida. She is personally known to me or has produced as identification and did take an oath.



  
Printed Name: Yvette M. Diaz  
Notary Public,  
State of Florida At Large  
My City Commission Expires: 8/26/2015  
City Commission No.: FF 015229

STATE OF FLORIDA  
COUNTY OF LEON

16 The foregoing Affidavit of Mailing was sworn to and subscribed before me this 16 day of August, 2015 by Sandi Melgarejo, Project Coordinator, Government Services Group, Inc., a Florida corporation. She is personally known to me or has produced \_\_\_\_\_ as identification and did take an oath.



*Tammy Peters*  
Printed Name Tammy Peters  
Notary Public, State of Florida  
My Commission Expires August 31, 2017  
Commission No.: FF 020548

City of Coral Gables  
P.O. Box 141549  
Coral Gables, FL 33114-1549

CITY OF CORAL GABLES, FLORIDA  
NOTICE OF HEARING TO IMPOSE AND PROVIDE  
FOR COLLECTION OF SOLID WASTE  
NON-AD VALOREM ASSESSMENTS  
NOTICE DATED: AUGUST 4, 2015

CAROLINE D RUEDA & CELIA P VAR  
60 CAMPINA CT  
CORAL GABLES FL 33134-1812

Parcel Tax ID: 03-4105-051-0030  
Sequence Number: 000027

\*\*\*\*\* NOTICE TO PROPERTY OWNER \*\*\*\*\*

As required by Section 197.3632, Florida Statutes, notice is given by the City of Coral Gables, Florida, that an assessment for solid waste and recyclable materials services, facilities, and programs using the tax bill collection method, may be levied on your property for the fiscal year October 1, 2015 - September 30, 2016. The purpose of this assessment is to recoup the costs for the City's provision of solid waste and recyclable materials collection and disposal services, facilities, and programs that benefitted your property located within the incorporated area of the City. The total annual solid waste assessment revenue to be collected within the City, is estimated to be \$2,887,681 for the Fiscal Year 2015-16. The solid waste service assessment is based on the amount of unpaid fees and accrued interest for solid waste and recyclable materials collection and disposal services, facilities, and programs provided to your property, plus reasonable administrative and collection costs associated therewith.

Total amount of unpaid fees and accrued interest for the above parcel:	\$1,754.62
<b>Total solid waste service assessment for the above parcel for Fiscal Year 2015-16:</b>	<b>\$1,842.35</b>

A public hearing will be held at 9:00 a.m. on August 25, 2015, in the Commission Chambers, 405 Biltmore Way, Coral Gables, Florida, for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If you decide to appeal any decision made by the City Commission with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Public Works Director, at 305-460-5004, with requests for auxiliary aids or services at least two (2) business days before the meeting. Hearing impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at (800) 955-8770.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Commission action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Master Service Assessment Ordinance, the Initial Assessment Resolution, and the initial assessment roll are available for inspection at the Finance Director's Office, City Hall, located at 405 Biltmore Way, Coral Gables, Florida.

Both the solid waste service non-ad valorem assessment amount shown on this notice and the ad valorem taxes for the above parcel will be collected on the ad valorem tax bill which will be mailed in November 2015. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions, please contact the Finance Director's office at (305) 460-5276, Monday through Friday between 8:30 a.m. and 4:30 p.m.

\*\*\*\*\* THIS IS NOT A BILL \*\*\*\*\*

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**APPENDIX B**  
**PROOF OF PUBLICATION**

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# MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared  
M. ZALDIVAR, who on oath says that he or she is the  
LEGAL CLERK, Legal Notices of the Miami Daily Business  
Review f/k/a Miami Review, a daily (except Saturday, Sunday  
and Legal Holidays) newspaper, published at Miami in Miami-Dade  
County, Florida; that the attached copy of advertisement,  
being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - HEARING TO IMPOSE AND PROVIDE  
FOR COLLECTION OF SOLID WASTE SERVICE, ETC. - 8/25/2015

in the XXXX Court,  
was published in said newspaper in the issues of

07/31/2015

SEE ATTACHED

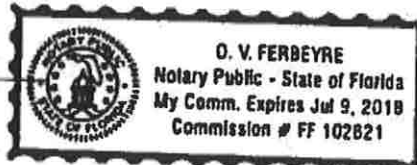
Affiant further says that the said Miami Daily Business  
Review is a newspaper published at Miami in said Miami-Dade  
County, Florida and that the said newspaper has  
heretofore been continuously published in said Miami-Dade County,  
Florida, each day (except Saturday, Sunday and Legal Holidays)  
and has been entered as second class mail matter at the post  
office in Miami in said Miami-Dade County, Florida, for a  
period of one year next preceding the first publication of the  
attached copy of advertisement; and affiant further says that he or  
she has neither paid nor promised any person, firm or corporation  
any discount, rebate, commission or refund for the purpose  
of securing this advertisement for publication in the said  
newspaper.

Sworn to and subscribed before me this

31 day of JULY, A.D. 2015

(SEAL)

M. ZALDIVAR personally known to me



## NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF SOLID WASTE SERVICE SPECIAL ASSESSMENTS

Notice is hereby given that the City Commission of Coral Gables, Florida will conduct a public hearing to consider imposing solid waste service assessments against certain improved residential properties located within the incorporated area of the City to recoup the cost of solid waste and recyclable materials collection and disposal services, facilities and programs provided to such properties and to authorize collection of such assessments on the tax bill.

The hearing will be held at 9:00 a.m. on August 25, 2015, in the Commission Chambers, 405 Biltmore Way, Coral Gables, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact the Coral Gables Public Works Director, at (305) 460-5004, at least two days prior to the date of the hearing. Hearing impaired persons can access the foregoing telephone number by contacting the Florida Relay Service at (800) 855-8770.

The assessments will be determined by including the amount of unpaid fees and accrued interest for solid waste and recyclable materials collection and disposal services, facilities, and programs provided to such parcels, plus reasonable administrative and collection costs associated therewith. In accordance with the approved assessment schedule any residential properties with unpaid fees in excess of \$850 that remain unpaid as of June 16, 2015 for solid waste and recyclable materials collection and disposal services, facilities, and programs shall be included on the initial assessment roll; however, any affected property owner shall have the ability to pay the City in full on or before August 28, 2015 and be removed from the final assessment roll.

Copies of the Master Service Assessment Ordinance, the Initial Assessment Resolution for Solid Waste Services, and the initial assessment roll, showing the amount of the assessment to be imposed against each parcel of property are available for inspection at the office of the Finance Director, City Hall, located at 405 Biltmore Way, Coral Gables, Florida. The assessments will be collected on the ad valorem tax bill to be mailed in November 2015, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the Finance Director's office, at (305) 460-5276, Monday through Friday between 8:30 a.m. and 5:00 p.m.



City Clerk  
Coral Gables, Florida  
15-144/2468015M

**APPENDIX C**  
**SOLID WASTE ASSESSMENT ROLL**



Folio	Amount	Folio	Amount	Folio	Amount
0341050500130	1,965.27	0341070090060	3,705.79	0341070180070	9,938.53
0341050500240	3,911.64	0341070090150	1,855.66	0341070180080	5,064.45
0341050500360	6,709.72	0341070090260	6,949.12	0341070180110	7,097.13
0341050500370	1,094.20	0341070090270	1,319.88	0341070180170	14,462.89
0341050500590	1,265.44	0341070100220	4,736.34	0341070180800	3,004.87
0341050500640	2,972.31	0341070100290	9,187.68	0341070180842	7,259.07
0341050500650	5,654.82	0341070100320	4,203.54	0341070181011	7,168.71
0341050500710	2,661.04	0341070100450	5,993.57	0341070181070	4,315.80
0341050500890	3,560.88	0341070110090	4,937.52	0341070181080	3,454.88
0341050500900	1,319.88	0341070110200	1,377.90	0341070181090	2,022.25
0341050501040	8,846.99	0341070110220	12,918.71	0341070181130	6,514.39
0341050501060	5,492.17	0341070110290	5,272.98	0341070181590	9,938.53
0341050501360	3,952.17	0341070110430	6,472.84	0341070181650	2,932.71
0341050501410	6,476.08	0341070110440	6,324.57	0341070181771	8,943.45
0341050501440	2,498.77	0341070140060	3,070.43	0341070181970	1,777.96
0341050501510	2,797.73	0341070140620	3,386.57	0341070182221	6,143.01
0341050501810	7,070.39	0341070140770	1,356.88	0341070182310	4,198.88
0341050502210	6,477.04	0341070140791	3,239.49	0341070182330	1,131.18
0341050502240	2,312.32	0341070141201	10,689.43	0341070182441	1,564.79
0341050502760	7,435.48	0341070141230	2,133.62	0341070182470	1,094.20
0341050510020	2,545.54	0341070141401	3,496.52	0341070182550	4,626.97
0341050510030	1,842.35	0341070141650	6,925.47	0341070182690	2,371.24
0341070010020	4,108.45	0341070141670	1,443.36	0341070183070	1,074.09
0341070010140	2,783.10	0341070141700	5,844.75	0341070183240	10,493.01
0341070010180	6,365.88	0341070160050	5,241.94	0341070183371	1,549.70
0341070010190	1,013.38	0341070160200	5,743.42	0341070183631	5,505.28
0341070030072	4,560.61	0341070160390	1,319.88	0341070183641	5,915.33
0341070030090	1,319.88	0341070160400	9,414.89	0341070183831	10,318.79
0341070040070	6,229.32	0341070160431	2,238.39	0341070183970	3,468.84
0341070040130	12,407.94	0341070160810	2,003.95	0341070183980	1,517.43
0341070040300	6,196.37	0341070161010	7,199.44	0341070184002	5,299.44
0341070050030	1,538.95	0341070161200	7,511.55	0341070184110	1,094.20
0341070050110	4,467.98	0341070161800	1,377.64	0341070184120	7,442.03
0341070050280	6,472.84	0341070162050	6,472.84	0341070184140	8,320.80
0341070050380	10,201.22	0341070162340	5,623.44	0341070184170	1,548.68
0341070050390	3,228.90	0341070162440	11,041.22	0341070184220	6,472.84
0341070060060	2,973.54	0341070170340	7,449.44	0341070185090	5,707.74
0341070060180	6,949.12	0341070170720	5,302.48	0341070185220	5,586.53
0341070070170	2,320.43	0341070170782	5,645.18	0341070185271	1,613.57
0341070070200	1,485.00	0341070170830	7,136.94	0341070185530	1,094.20
0341070090040	7,682.44	0341070170990	1,531.65	0341070185591	1,548.68
0341070090050	1,319.88	0341070171180	1,551.74	0341070185990	1,637.58

Folio	Amount	Folio	Amount	Folio	Amount
0341070186021	2,008.03	0341080014090	1,186.24	0341170056110	1,623.00
0341070186090	7,435.48	0341080014450	7,455.64	0341170057630	3,460.41
0341070186152	7,435.48	0341080014490	2,974.46	0341170058030	2,236.17
0341070186300	4,975.61	0341080014570	3,460.41	0341170058240	1,548.68
0341070186680	2,393.42	0341080015070	2,237.18	0341170058250	1,000.65
0341070186860	8,762.76	0341080015180	2,236.17	0341170058270	4,451.88
0341070186870	1,623.37	0341080015270	4,493.47	0341170058730	2,236.17
0341070187340	1,118.06	0341080015360	4,975.61	0341170058920	8,779.44
0341070187360	1,548.68	0341080015720	6,949.12	0341170059030	2,235.15
0341070187461	4,719.00	0341080015840	5,523.29	0341170059220	9,679.33
0341070187520	4,578.40	0341080020050	7,191.04	0341170070030	3,089.99
0341070187920	4,792.94	0341080020070	8,438.44	0341170070110	6,709.72
0341070188000	8,182.92	0341080020360	5,959.86	0341170070230	3,463.85
0341070188020	4,789.44	0341080020380	1,046.87	0341170070240	2,003.95
0341070188040	8,881.83	0341080020400	7,435.48	0341170070470	2,658.14
0341070188120	3,465.74	0341080020490	2,235.15	0341170070531	8,438.44
0341070188160	1,094.20	0341080020601	5,611.47	0341170071280	6,225.77
0341070188390	1,094.20	0341080020830	6,472.84	0341170071460	10,181.44
0341070188500	1,319.88	0341080020890	2,799.27	0341170071791	1,548.68
0341070188750	6,472.84	0341080030050	10,451.79	0341170071800	1,548.68
0341070188760	6,477.54	0341080030210	7,438.00	0341170072100	2,731.07
0341070189050	9,269.58	0341080030430	3,846.07	0341170072140	997.78
0341070189100	5,045.75	0341080030460	2,519.20	0341170072665	6,472.84
0341070200190	6,226.76	0341080030470	5,507.93	0341170072690	9,429.55
0341070210090	1,489.19	0341080030640	7,935.28	0341170072700	1,005.63
0341080010050	1,415.04	0341080030650	1,094.20	0341170072980	1,094.20
0341080010260	4,204.54	0341080030820	1,659.42	0341170073150	6,834.82
0341080010390	5,355.38	0341080030840	3,212.10	0341170073660	5,983.33
0341080010760	8,438.44	0341080030870	6,476.20	0341170073910	3,461.40
0341080010891	5,700.27	0341080390160	7,041.52	0341170074110	5,994.10
0341080010990	1,094.20	0341170040050	6,541.61	0341170074720	1,302.66
0341080011120	1,094.20	0341170041280	6,951.64	0341170082370	4,960.70
0341080011140	11,082.66	0341170041520	6,934.25	0341170082830	2,352.68
0341080012120	4,212.97	0341170041610	1,548.68	0341170082850	1,319.88
0341080012483	10,185.79	0341170041861	1,721.89	0341170082940	3,169.96
0341080012490	6,226.76	0341170042620	7,634.63	0341170083420	6,477.87
0341080012830	10,451.79	0341170042840	4,322.17	0341170083500	3,467.85
0341080013060	5,120.26	0341170043020	4,203.54	0341170083600	3,872.01
0341080013080	10,689.43	0341170043320	7,444.55	0341170084170	2,007.04
0341080013270	6,472.84	0341170043510	2,147.28	0341170084970	6,472.84
0341080013500	10,451.79	0341170055930	2,862.54	0341170110120	4,639.78
0341080013860	8,440.83	0341170055980	1,207.53	0341170150060	4,454.53

Folio	Amount	Folio	Amount	Folio	Amount
0341170170100	908.50	0341180062170	5,505.28	0341200060980	6,544.75
0341180010120	1,319.88	0341180062260	7,435.48	0341200061080	6,226.76
0341180010340	2,899.71	0341190010004	1,360.06	0341200061330	1,774.79
0341180010390	1,094.20	0341190010030	12,918.71	0341200061380	1,095.25
0341180010590	1,019.65	0341190010080	1,964.90	0341200061390	1,381.44
0341180011460	1,317.47	0341190010120	6,728.70	0341200061450	3,993.18
0341180011600	1,782.28	0341190010190	12,918.71	0341200061480	2,258.18
0341180020040	1,106.58	0341190010220	3,076.03	0341200061530	1,054.95
0341180020540	6,822.09	0341190010320	5,241.94	0341200061570	6,472.84
0341180020770	1,959.70	0341190010330	1,472.94	0341200061800	3,215.46
0341180020950	2,261.21	0341190010670	2,986.92	0341200061820	10,939.87
0341180020980	9,332.75	0341190010680	10,763.51	0341200061830	7,109.50
0341180021140	1,480.20	0341190010990	7,191.04	0341200061840	5,739.94
0341180021560	911.64	0341190011460	11,157.77	0341200061890	1,922.88
0341180021680	4,062.53	0341190011640	1,590.93	0341200220250	1,094.20
0341180030441	11,747.80	0341190012030	1,548.68	0341200220510	6,755.74
0341180030580	9,599.15	0341190012180	1,001.37	0341200220600	1,101.00
0341180030780	2,739.07	0341190012650	2,897.87	0341200221090	1,795.57
0341180031790	1,094.20	0341190012811	8,683.42	0341200221260	13,706.30
0341180031870	5,422.71	0341190013930	5,238.95	0341200221380	12,918.71
0341180032190	12,487.65	0341190014430	7,931.92	0341200221460	13,148.03
0341180032550	1,094.20	0341190014550	1,320.92	0341200221740	1,742.11
0341180040030	1,094.20	0341190015380	1,094.20	0341200222870	1,715.41
0341180040460	1,548.68	0341190040010	1,319.88	0341200223010	6,239.48
0341180040620	9,590.99	0341190040100	2,235.15	0341200223101	4,403.71
0341180040820	7,435.48	0341190041600	8,234.11	0341200223471	4,367.01
0341180050070	2,026.22	0341190041700	2,821.24	0341200223580	5,743.42
0341180050500	7,703.66	0341190042400	6,716.43	0341200223800	1,324.01
0341180051020	1,549.71	0341190060460	1,665.67	0341200223810	12,918.71
0341180051090	3,653.45	0341190070120	7,684.96	0341200223840	6,598.42
0341180051480	1,762.75	0341190070140	1,205.30	0341200223960	3,221.82
0341180051690	3,467.52	0341190070380	1,749.77	0341200230970	955.53
0341180060400	3,709.16	0341190070970	5,505.28	0341200231570	4,168.48
0341180060970	6,472.84	0341190071080	1,136.81	0341200232730	1,091.55
0341180061000	7,191.04	0341190071740	1,319.88	0341200232750	12,557.46
0341180061070	7,682.44	0341190071900	6,388.60	0341200232790	9,397.23
0341180061180	5,469.33	0341190071910	5,363.72	0341200232960	4,850.54
0341180061200	1,650.89	0341190071931	894.83	0341200233690	1,116.89
0341180061500	6,806.47	0341190072020	1,775.74	0341200233700	5,028.60
0341180061650	4,457.91	0341190072800	6,454.54	0341200233850	6,300.01
0341180061860	5,130.52	0341190072910	4,199.56	0341200233860	1,816.94
0341180062140	9,426.36	0341190074140	2,515.19	0341200233950	898.25

Folio	Amount	Folio	Amount	Folio	Amount
0341200250011	10,146.72	0341290270280	9,684.91	0341300020854	1,091.65
0341200250014	3,783.30	0341290270440	5,983.33	0341300030020	3,460.41
0341200250230	6,734.89	0341290270500	10,195.93	0341300050410	1,559.71
0341200250240	907.76	0341290270941	1,094.20	0341300050440	6,061.84
0341200250270	1,548.68	0341290271230	5,743.42	0341300050580	995.52
0341200250330	3,717.23	0341290271890	2,973.54	0341300050640	2,003.95
0341200250350	2,034.24	0341290272100	2,500.79	0341300050740	7,052.37
0341200250380	5,637.39	0341290272300	1,669.57	0341300051260	7,191.04
0341200250410	1,548.68	0341290272490	5,269.34	0341300051300	4,203.54
0341200250450	1,455.85	0341290272540	9,179.78	0341300060250	9,195.74
0341200250460	9,230.70	0341290273485	3,751.20	0341300080930	7,682.44
0341200250530	3,460.41	0341290273550	1,323.03	0341300081020	1,094.20
0341200250560	8,216.56	0341290280200	8,572.46	0341300092670	5,537.91
0341200250581	7,980.11	0341290281060	2,541.47	0341320000120	3,000.90
0341200250610	1,134.11	0341290281760	8,927.61	0341320040110	1,319.88
0341200250620	3,215.46	0341290281820	7,439.05	0341320051110	5,255.08
0341200250650	6,383.63	0341290282080	3,925.44	0341320051430	1,151.53
0341200250691	1,301.48	0341290282250	1,096.30	0341320051440	3,908.10
0341200250720	5,514.50	0341290282400	4,718.25	0341320051730	5,744.30
0341200560020	1,420.88	0341290320080	7,523.15	0341320051830	1,960.24
0341200560030	2,221.29	0341290320230	3,952.17	0341320051850	4,730.10
0341200560070	12,075.25	0341290320370	5,000.10	0341320070050	1,107.99
0341200560090	3,418.55	0341290320840	6,720.76	0341320080020	4,987.30
0341200570020	4,997.67	0341290321920	1,693.24	0341320100100	6,432.05
0341200630050	1,548.68	0341290321960	9,324.67	0341320150040	4,854.62
0341280230240	7,435.48	0341290322080	2,181.93	0341320190530	1,145.48
0341280230510	6,566.59	0341290322110	5,109.26	0341320190620	3,241.19
0341290240390	6,212.94	0341290322180	12,918.71	0341320210060	1,774.79
0341290240450	1,221.21	0341290322250	1,281.31	0341320210660	3,971.20
0341290240471	6,472.84	0341290322270	1,319.88	0341320210710	10,130.11
0341290260290	1,319.88	0341290322811	1,548.68	0341320211170	4,905.48
0341290260430	8,685.82	0341290400090	4,727.23	0341320211760	2,973.54
0341290260491	2,235.15	0341290400280	2,498.77	0341320250050	1,549.70
0341290260990	1,718.10	0341290400480	3,459.30	0341320250300	1,896.31
0341290261030	6,905.77	0341290400760	5,125.98	0341320260380	2,011.08
0341290261220	2,370.84	0341290410740	1,548.68	0341320260630	1,319.88
0341290261330	2,560.47	0341290411160	3,952.17	0341320260660	4,064.92
0341290261461	5,743.42	0341300010100	10,929.24	0341320260690	4,457.42
0341290261620	5,573.01	0341300020280	5,423.82	0341320260790	3,956.16
0341290261870	5,983.33	0341300020360	8,438.44	0341320280150	5,715.54
0341290262060	1,094.20	0341300020580	2,969.17	0341320280370	1,548.68
0341290270100	5,233.23	0341300020710	6,332.37	0341320310430	1,319.88

Folio	Amount	Folio	Amount	Folio	Amount
0341330010250	3,800.53	0351180080290	5,609.50		
0350240000050	7,188.52	0351180100020	6,617.86		
0350240020050	8,681.83	0351180130020	1,774.79		
0350240020120	5,070.42				
0350240020130	1,876.28				
0350240020570	6,000.29				
0350240020630	5,807.81				
0350240020650	1,547.86				
0350240021210	2,055.93				
0350240021430	10,327.03				
0351050060020	5,507.05				
0351050100120	10,356.63				
0351060030090	7,133.28				
0351060050090	3,213.32				
0351060110010	4,204.54				
0351060120020	2,734.65				
0351060170180	7,721.54				
0351060200010	1,319.88				
0351060200020	1,347.78				
0351060220020	3,460.41				
0351070040340	1,319.88				
0351070040350	9,463.13				
0351070040660	2,498.77				
0351070040710	2,583.14				
0351070040990	10,662.29				
0351070080060	6,949.12				
0351070090040	7,437.16				
0351070110020	8,048.68				
0351070110050	7,800.88				
0351180050330	8,183.92				
0351180050410	5,574.87				
0351180050430	5,100.77				
0351180050600	8,927.61				
0351180050850	4,205.51				
0351180050930	3,103.65				
0351180060830	1,548.68				
0351180060900	6,472.84				
0351180061110	2,235.15				
0351180070040	2,030.29				
0351180070140	1,548.68				
0351180070470	5,136.18				
0351180070840	1,320.93				

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**APPENDIX D**

**FORM OF CERTIFICATE TO  
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE  
TO  
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor, or authorized agent of the City of Coral Gables, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for solid waste management and disposal services (the "Non-Ad Valorem Solid Waste Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Solid Waste Assessment Roll will be delivered to the Miami-Dade County Tax Collector by September 15, 2015.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Miami-Dade County Tax Collector and made part of the above described Non-Ad Valorem Solid Waste Assessment Roll this 25<sup>th</sup> day of August, 2015.

THE CITY OF CORAL GABLES, FLORIDA

By: Jim Costa  
Mayor

[to be delivered to Tax Collector prior to September 15]



## CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of City of Coral Gables, Florida, located in Miami-Dade County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 15<sup>th</sup> day of September, 2015 year.

John Coran  
Chairman of the Board or authorized agent  
of City of Coral Gables  
Name of local government

Miami-Dade County, Florida



**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2015-269**

A RESOLUTION ENCOURAGING CITY OF CORAL GABLES' RESIDENTS, BUSINESSES, VENDORS AND VISITORS TO CEASE USING AND PURCHASING PRODUCTS MADE FROM EXPANDED POLYSTYRENE, AND REPLACING EXPANDED POLYSTYRENE PRODUCTS WITH REUSABLE, RECYCLABLE, AND COMPOSTABLE ALTERNATIVES THAT ARE SAFER FOR HUMAN HEALTH AND THE ENVIRONMENT.

**WHEREAS**, the City of Coral Gables declares that it is in the best interest of the public health, safety, and welfare of its residents and visitors to reduce litter and pollutants within the City; and

**WHEREAS**, expanded polystyrene, a petroleum by-product commonly known as Styrofoam, is neither readily recyclable nor biodegradable and takes hundreds to thousands of years to degrade in the environment; and

**WHEREAS**, expanded polystyrene is a common pollutant, which fragments into smaller, non-biodegradable pieces that are ingested by marine life and other wildlife, thus harming and killing them; and

**WHEREAS**, due to the physical properties of expanded polystyrene, the EPA states "that such materials can have serious impacts on human health, wildlife, the aquatic environment and the economy;" and

**WHEREAS**, polystyrene materials constitute a portion of the litter in the City's streets, parks, public places, and waterways; and

**WHEREAS**, the City's goal is to replace expanded polystyrene food service articles with reusable, recyclable or compostable alternatives; and

**WHEREAS**, this Resolution will preserve and enhance the environment of the City; and

**WHEREAS**, the City Commission finds that this Resolution is necessary for the preservation of the public health, safety and welfare of the City's residents;

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

**SECTION 1.** The City of Coral Gables encourages its residents, businesses, vendors and visitors to cease using and purchasing products made from expanded polystyrene.

**SECTION 2.** The City of Coral Gables recommends its residents, businesses, vendors and visitors replace the use and purchase of expanded polystyrene products with reusable, recyclable, or compostable alternatives that are safer for human health and the environment.

**SECTION 3.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF OCTOBER, A.D., 2015.

(Moved; Quesada / Seconded: Keon)

(Yeas: Lago, Quesada, Slesnick, Keon, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: F-3)

APPROVED:



JIM CASON  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY

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**CITY OF CORAL GABLES, FLORIDA**

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**AMENDED AND RESTATED  
FINAL ASSESSMENT RESOLUTION  
SOLID WASTE**

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**ADOPTED SEPTEMBER 13, 2016**

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## TABLE OF CONTENTS

	<b>Page</b>
SECTION 1. AUTHORITY.....	3
SECTION 2. DEFINITIONS AND INTERPRETATION.....	3
SECTION 3. IMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.....	4
SECTION 4. CONFIRMATION OF AMENDED AND RESTATED INITIAL ASSESSMENT RESOLUTION.....	6
SECTION 5. EFFECT OF ADOPTION OF RESOLUTION.....	6
SECTION 6. SEVERABILITY.....	7
SECTION 7. EFFECTIVE DATE.....	7
APPENDIX A: AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS .....	A-1
APPENDIX B: PROOF OF PUBLICATION.....	B-1
APPENDIX C: FORM OF CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL.....	C-1

**RESOLUTION NO. 2016-207**

**A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS IN THE CITY OF CORAL GABLES, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT FOR RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY; IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST RESIDENTIAL PROPERTY LOCATED WITHIN THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016; APPROVING THE SOLID WASTE ASSESSMENT ROLL; CONFIRMING THE AMENDED AND RESTATED INITIAL ASSESSMENT RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission (the "City Commission") of the City of Coral Gables, Florida (the "City"), has enacted the Master Service Assessment Ordinance, Ordinance No. 2015-09 (the "Ordinance"), which authorizes the imposition of Service Assessments for Solid Waste and Recyclable Materials collection and disposal services, facilities and programs against certain Residential Property within the County;

**WHEREAS**, pursuant to Article III of Chapter 54 of the City of Coral Gables Code of Ordinances, the City has prescribed reasonable rules and regulations for the collection and disposal of Solid Waste and Recyclable Materials, including rates, fees, and charges, payment terms, and collection mechanisms.

**WHEREAS**, certain parcels of Residential Property within the City have become delinquent in payment of these rates, fees, and charges, which hinders the City's ability to efficiently and effectively provide Solid Waste and Recyclable Materials collection and

disposal services, facilities, and programs from both a financial and operational perspective; and

**WHEREAS**, the imposition of a Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs, including any Delinquencies, is an equitable and efficient method of allocating and apportioning Solid Waste Costs among parcels of Residential Property;

**WHEREAS**, the City Commission desires to impose an assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs against Residential Property within all incorporated areas of the City using the tax bill collection method for the Fiscal Year beginning on October 1, 2016;

**WHEREAS**, the City Commission, on June 14, 2016, adopted Resolution No. 2016-149 (the "Amended and Restated Initial Assessment Resolution"), containing a brief and general description of the Solid Waste and Recyclable Materials collection and disposal services, facilities and programs to be provided to Residential Property, describing the method of apportioning the Solid Waste Cost to compute the Solid Waste Service Assessment for Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs against Residential Property, designating a rate of assessment, which includes any Delinquencies, and directing preparation of the Solid Waste Assessment Roll and provision of the notice required by the Ordinance;

**WHEREAS** the Amended and Restated Initial Assessment Resolution erroneously referred to Ordinance No. 2016-09 when the correct citation is Ordinance No. 2015-09, which scrivener's error is hereby corrected; and

**WHEREAS**, pursuant to the provisions of the Ordinance, the City is required to confirm or repeal the Amended and Restated Initial Assessment Resolution, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties and adopt a Final Assessment Resolution;

**WHEREAS**, the Solid Waste Solid Waste Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance;

**WHEREAS**, notice of a public hearing has been published and, as required by the terms of the Ordinance, mailed to each Owner of Residential Property proposed to be assessed notifying such Owners of their opportunity to be heard, an affidavit regarding the form of notice mailed to each Owner of Residential Property being attached hereto as Appendix A and the proof of publication being attached hereto as Appendix B; and

**WHEREAS**, a public hearing was held on September 13, 2016, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance;

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

**SECTION 1. AUTHORITY.** This resolution is adopted pursuant to the Ordinance; the Amended and Restated Initial Assessment Resolution; Article VIII, Florida Constitution, sections 166.021 and 166.041, Florida Statutes, the City Charter of the City of Coral Gables, Florida, Article III of Chapter 54 of the City of Coral Gables Code of Ordinances, and other applicable provisions of law.

**SECTION 2. DEFINITIONS AND INTERPRETATION.** This resolution constitutes the Amended and Restated Final Assessment Resolution as defined in the Ordinance. All

capitalized terms in this resolution shall have the meanings defined in the Ordinance, Sec. 54-84 of the City of Coral Gables Code of Ordinances, and the Amended and Restated Initial Assessment Resolution.

**SECTION 3. IMPOSITION OF SOLID WASTE SERVICE ASSESSMENTS.**

(A) The parcels of Residential Property described in the Solid Waste Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs described in the Amended and Restated Initial Assessment Resolution, in the amount of the Solid Waste Service Assessment set forth in the Solid Waste Assessment Roll, a copy of which was present at the above referenced public hearing and is incorporated herein by reference.

(B) It is hereby ascertained, determined and declared that each parcel of Residential Property within the City has been and will be benefited by the City's provision of Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs in an amount not less than the Solid Waste Service Assessment for such parcel, computed in the manner set forth in this Resolution, which shall include any Delinquencies attributable to that Tax Parcel.

(C) Adoption of this Amended and Restated Final Assessment Resolution constitutes a legislative determination that all parcels assessed derived a special benefit, as set forth in the Ordinance and the Amended and Restated Initial Assessment Resolution from the Solid Waste and Recyclable Materials collection and disposal services, facilities, and programs that were provided and will be provided and a legislative determination that the Solid Waste Service Assessments are fairly and reasonably apportioned among the



Residential Properties receiving the special benefit as set forth in the Amended and Restated Initial Assessment Resolution.

(D) The method for computing Solid Waste Service Assessments described in the Amended and Restated Initial Assessment Resolution is hereby approved.

(E) For the Fiscal Year beginning October 1, 2016, the Solid Waste Cost of \$12,580,000.00 shall be allocated among all parcels of Residential Property, based upon each parcels' classification as Residential Property and the number and type of Dwelling Units for such parcels, plus any Delinquency allocated to that Tax Parcel. The following annual rates of assessment are hereby approved for the Fiscal Year beginning October 1, 2016:

<b>Property Type</b>	<b>Rate</b>
<b>General Residential Property</b>	\$869 per Dwelling Unit *
<b>Auxiliary Living Units</b>	\$416 per Dwelling Unit *

\* plus any Delinquencies attributable to that Residential Property

Solid Waste Service Assessments for Solid Waste and Recyclable Materials collection and disposal services, facilities and programs in the amounts set forth in the Solid Waste Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Residential Property described in the Solid Waste Assessment Roll.

(F) Any shortfall in the expected Solid Waste Service Assessment proceeds due to any reduction or exemption from payment of the Solid Waste Service Assessments required by law or authorized by the City Commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Solid Waste Service Assessments.

(G) As authorized in Section 2.13 of the Ordinance, interim Solid Waste Service Assessments are also levied and imposed against all Residential Property for which a Certificate of Occupancy is issued after adoption of this Amended and Restated Final Assessment Resolution based upon the rates of assessment approved herein.

(H) Solid Waste Service Assessments shall constitute a lien upon the Residential Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(I) The Solid Waste Assessment Roll, as herein approved, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance. The Solid Waste Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Solid Waste Assessment Roll in substantially the form attached hereto as Appendix C.

**SECTION 4. CONFIRMATION OF AMENDED AND RESTATED INITIAL ASSESSMENT RESOLUTION.** The Amended and Restated Initial Assessment Resolution is hereby confirmed.

**SECTION 5. EFFECT OF ADOPTION OF RESOLUTION.** The adoption of this Amended and Restated Final Assessment Resolution shall be the final adjudication of the issues presented herein (including, but not limited to, the method of apportionment, the rate of assessment, the Solid Waste Assessment Roll and the levy and lien of the Solid Waste Service Assessments) unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Final Assessment Resolution.


**SECTION 6. SEVERABILITY.** If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this resolution.

**SECTION 7. EFFECTIVE DATE.** This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF SEPTEMBER, A.D., 2016.

(Moved: Lago / Seconded: Slesnick)  
(Yeas: Slesnick, Keon, Lago, Cason)  
(Absent: Quesada)  
(Majority: 4-0 Vote)  
(Agenda Item: E-3)

APPROVED:

  
\_\_\_\_\_  
JIM CASON  
MAYOR

ATTEST:

  
\_\_\_\_\_  
WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
CRAIG E. LEEN  
CITY ATTORNEY

**APPENDIX A**

**AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS**

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## **AFFIDAVIT OF MAILING**

BEFORE ME, the undersigned authority, personally appeared Diana M. Gomez and Tammy Peters, who, after being duly sworn, depose and say:

1. Diana M. Gomez, as Finance Director of the City of Coral Gables, Florida ("City"), pursuant to the authority and direction received from the City Commission, timely directed the preparation of the Solid Waste Assessment Roll and the preparation, mailing, and publication of notices in accordance with the Master Service Assessment Ordinance adopted by the City Commission on May 26, 2015 (the "Assessment Ordinance") and in conformance with the Amended and Restated Initial Assessment Resolution adopted by the City Commission on June 14, 2016 (the "Amended and Restated Initial Assessment Resolution").

2. In accordance with the Assessment Ordinance and the Amended and Restated Initial Assessment Resolution, Ms. Gomez timely provided all necessary information for notification of the Solid Waste Service Assessment to the Property Appraiser of Miami-Dade County to be included as part of the notice of proposed property taxes under section 200.069, Florida Statutes, the truth-in-millage notification. The information provided to the Property Appraiser to be included on the truth-in-millage notification included the following: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property

which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within 20 days of the notice; and the date, time, and place of the hearing.

3. Sandi Melgarejo is Project Coordinator for GSG. GSG has caused the notices required by the Assessment Ordinance and the Amended and Restated Initial Assessment Resolution for Tax Parcels with delinquent solid waste charges to be prepared in conformance with the Amended and Restated Initial Assessment Resolution. An exemplary form of such notice is attached hereto. GSG has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing City Commission within 20 days of the notice; and the date, time, and place of the hearing.

4. On or before August 23, 2016, GSG caused the mailing of the above-referenced notices in accordance with Sections 2.05 of the Assessment Ordinance and the Amended and Restated Initial Assessment Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the Miami-Dade County Property Appraiser for the purpose of the collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.

\_\_\_\_\_  
Diana M. Gomez, affiant

\_\_\_\_\_  
Sandi Melgarejo, affiant

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing Affidavit of Mailing was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by Diana M. Gomez, Finance Director, City of Coral Gables, Florida. She is personally known to me or has produced as identification and did take an oath.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public,  
State of Florida At Large  
My City Commission Expires: \_\_\_\_\_  
City Commission No.: \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF LEON

The foregoing Affidavit of Mailing was sworn to and subscribed before me this \_\_\_\_ day of \_\_\_\_\_, 2016 by Sandi Melgarejo, Project Coordinator, Government Services Group, Inc., a Florida corporation. She is personally known to me or has produced \_\_\_ as identification and did take an oath.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public, State of Florida  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

**APPENDIX B**  
**PROOF OF PUBLICATION**

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**APPENDIX C**

**FORM OF CERTIFICATE TO  
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE  
TO  
NON-AD VALOREM ASSESSMENT ROLL**

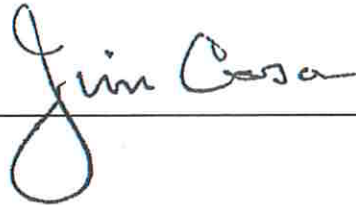
I HEREBY CERTIFY that, I am the Mayor, or authorized agent of the City of Coral Gables, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for solid waste management and disposal services (the "Non-Ad Valorem Solid Waste Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Solid Waste Assessment Roll will be delivered to the Miami-Dade County Tax Collector by September 15, 2016.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the Miami-Dade County Tax Collector and made part of the above described Non-Ad Valorem Solid Waste Assessment Roll this 14<sup>th</sup> day of September, 2016.

THE CITY OF CORAL GABLES, FLORIDA

By: \_\_\_\_\_  
Mayor



[to be delivered to Tax Collector prior to September 15]

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2017-113**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES FOR THE ENFORCEMENT OF SECTION 8CC OF THE MIAMI-DADE COUNTY CODE, AS IT RELATES TO SECTION 21-81 OF THE MIAMI-DADE COUNTY CODE, REGARDING THE ESTABLISHMENT OF A CIVIL CITATION PROGRAM.

**WHEREAS**, Section 21-81 of the Miami-Dade County Code applies to all municipalities in the County and is enforced, in part, through civil penalties under Section 8CC of the County Code; and

**WHEREAS**, in 2015, Miami-Dade County approved the amendment of Section 21-81 of the County Code which provides for civil penalties for certain misdemeanors; and

**WHEREAS**, the intent of the amendment was to reclassify what was formally considered criminal behavior and allow a police officer the discretion to either apprehend the offender or issue a civil citation; and

**WHEREAS**, the misdemeanor offenses that are eligible to receive a civil citation in lieu of arrest are violations of: the Florida Litter Law (Sec. 403.413(6)(b), F.S.), Illegal Use of Dairy Cases, Egg Baskets, Poultry Boxes or Bakery Containers (Sec. 506.509, F.S.), Trespass on Property other than a Structure or Conveyance (Sec. 810.09, F.S.), Retail Theft by Removal of a Shopping Cart (Sec. 812.015(1)(d), F.S.), Loitering or Prowling (Sec. 856.021, F.S.), Possession of Cannabis in an amount of 20 grams or less (Sec. 893.13(6)(b), F.S.), and Possession of Drug Paraphernalia (Secs. 893.146 and 893.147(1)(b), F.S.); and

**WHEREAS**, municipalities in the County may enforce the provisions of Section 21-81 of the County Code, pursuant to Section 8CC-11 upon the adoption by the County and municipality of an interlocal agreement; and

**WHEREAS**, the City Commission finds it to be in the best interest of the City and its residents to have the City enforce the provisions of Section 21-81 of the County Code through Section 8CC as provided in the interlocal agreement;

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

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That an Interlocal Agreement be approved between Miami-Dade County and the City of Coral Gables for the enforcement of Section 8CC of the Miami-Dade County Code as it relates to Section 21-81 of the County Code regarding the establishment of a civil citation program.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS THIRTIETH DAY OF MAY, A.D., 2017.

(Moved: Keon / Seconded: Quesada)

(Yeas: Mena, Quesada, Keon, Lago, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: J-3)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY