

City of Coral Gables City Commission Meeting
Agenda Item E-7
May 20, 2025
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Richard D. Lara

City Staff

Acting City Manager, Joe L. Gomez

City Attorney, Cristina Suárez

City Clerk, Billy Urquia

Assistant City Attorney, Gus Ceballos

Public Works Director, Hermes Diaz

Public Speaker(s)

Agenda Item E-7 [3:22 p.m.]

An Ordinance of the City Commission amending City Code Section 78-101, "Compulsory Connection Required Where Sanitary Sewer Available," to provide for City responsibility for sewer laterals located in the right-of-way under certain conditions; to establish circumstances under which property owners remain responsible for repairs; to establish triggers for mandatory lateral replacement during new construction or substantial improvements; providing for repealer provision, severability clause, codification, and providing for an effective date.

Mayor Lago: Moving onto item E-7.

City Attorney Suarez: E-7 is an Ordinance of the City Commission amending City Code Section 78-101, "Compulsory Connection Required Where Sanitary Sewer Available," to provide for City responsibility for sewer laterals located in the right-of-way under certain conditions; to establish circumstances under which property owners remain responsible for repairs; to establish triggers

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for mandatory lateral replacement during new construction or substantial improvements; providing for repealer provision, severability clause, codification, and providing for an effective date. Mr. Ceballos will present the item.

Assistant City Attorney Ceballos: Good afternoon, Mr. Mayor, Vice Mayor, Commissioners, Assistant City Attorney, Gus Ceballos. So, E-7 ordinance does make a couple of changes to our sanitary sewer. The biggest point of it is to shift the burden and the maintenance of the sanitary sewer lines that is currently in the right-of-way attached to the residents' property onto the city. Obviously, there are some certain caveats. I'll let the Public Works Director speak to the specifics of it, but there are a few changes. I'll defer to the Public Works Director. If you have any comments or you'd like any changes, I'm here to answer any questions.

Public Works Director Diaz: Good afternoon, Hermes Diaz, Public Works Director. So, this ordinance does a few things. Its modifying Section 78-101 of the Code of the City of Coral Gables. The first thing that we're doing is that we are increasing, according to the current code, a property owner that has a property abutting an existing sewer line has 120 days to connect. So, what we're doing is that we are increasing that 120 days to 365 to put it in accordance with Florida Statutes. There is a caveat there about in cases where the septic tank is imperiled and then that timeframe shrinks to 90 days and all of that is almost verbatim from Florida Statutes. So, we are modifying our code to match Florida Statutes to allow residents who are abutting an existing sewer, but still have a septic tank, we give them more time to connect. So that's the first thing that we are addressing with this code revision. The other thing that we're doing is, we are addressing something that is relatively unique to the City of Coral Gables. The City of Coral Gables the maintenance to sanitary sewer lateral, including the portion that is in the public right-of-way, that is the sewer line that connects your house to the main sewer line on the street, it is the responsibility of the abutting property owner. So, what we're doing is that we are eliminating that provision. You go to Miami-Dade County, almost any other municipality at least in this vicinity, the portion of the right-of-way is the responsibility of the city, the municipality, the agency who is in charge of the sewer. So, what we're doing is that we are taking over the responsibility of the portion of the sewer lateral that is within the right-of-way. We are going to be proposing to increase the sewer fee approximately \$2 to \$3 for your moderate user per month to cover the added expense for this item. And there are some additional caveats here, like for example, if the lateral is damaged by a city tree, a tree on private property, then the owner will still be responsible. We also are making sure that we have provisions that if somebody is doing a significant improvement to the homes, that they are still responsible to improve the lateral abutting the property. If its in poor condition, more specifically level 2 or level 3 alteration, besides those conditions, the idea is that we'll be talking over the responsibility for maintaining the sewer line in exchange for a very small increase in the sewer bills.

Mayor Lago: Okay. Mr. Clerk, do you have any public comment.

City Clerk Urquia: No, Mr. Mayor.

Mayor Lago: I'll entertain a motion.

Vice Mayor Anderson: I'll move it, but I do have a couple questions.

Mayor Lago: Do I have a second.

Commissioner Lara: Second.

Vice Mayor Anderson: Question. You said \$2 to \$3 per month. Our bills come out quarterly, did you mean quarterly or per month.

Public Works Director Diaz: Per month. It will be \$2 to \$3 per month, so quarterly will be times three.

Vice Mayor Anderson: Okay. And you mentioned level 2 or 3 alteration. Can you put that into layman's terms for us who don't know what a level 2 or 3 alteration is.

Public Works Director Diaz: Those are significant alterations and modifications in accordance with the Building Code, and more specifically it talks about an amount equal or exceeding \$150,000 or an addition of 1,000 square feet or more. Obviously brand-new construction. So, you are looking at a significant – you know, you are redoing your roof, we not asking you to do the lateral, right. So that's what we're talking about here.

Vice Mayor Anderson: Thank you for the clarification.

Mayor Lago: Anyone else. So, before we vote on this. The reason why I brought this forward and I'm not sure if I have an old agenda, but I was the sponsor of this item, because we went on site, I remember with the Manager, probably what would you say about three or four months ago.

Acting City Manager Gomez: Yes sir, about three.

Mayor Lago: And we were looking at a retiree, I don't want to say an older lady, but a retiree, and she was faced with this exact hardship, and it didn't really make much sense, because you look at neighboring municipalities in Miami-Dade County, correct me if I'm wrong Hermes, the municipality is responsible for the right-of-way. So, this is why I'm bringing it forward to you. There are not many cases when this happens, but it is once in a while, and it was a pretty significant financial burden on this older lady, and I wanted to bring it before the Commission just to see if this maybe fell through the cracks and we correct this measure. So, we have a motion and a second. Please call the roll.

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Commissioner Fernandez: Yes

Commissioner Lara: Yes

Vice Mayor Anderson: Yes

Commissioner Castro: Yes

Mayor Lago: Yes

(Vote: 5-0)

Public Works Director Diaz: Thank you.

Mayor Lago: Thank you, Mr. Diaz. Thank you, Mr. Ceballos.