

City of Coral Gables City Commission Meeting
Agenda Item E-4
March 15, 2016
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Assistant City Attorney, Miriam Ramos

Public Speaker(s)

Agenda Item E-4 [9:26:14 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida regulating the towing and booting of vehicles in privately-owned, metered, surface lots, providing for enforcement, providing for a repealer provision, severability clause, and providing for an effective date. (Sponsored by Commissioner Keon).

Mayor Cason: Item E-4, also an Ordinance on Second Reading, towing and booting of vehicles.

City Attorney Leen: Thank you Mr. Mayor. Item E-4, an Ordinance on Second Reading, its an Ordinance of the City Commission of Coral Gables, Florida regulating the towing and booting of vehicles in privately-owned, metered, surface lots, providing for enforcement, providing for a repealer provision, severability clause, and providing for an effective date. This is sponsored by Commissioner Keon. Its an Ordinance on Second Reading, it's a public hearing item. Mr. Mayor, if I may, I know that we have Miriam Ramos here and we also have Kevin Kinney.

Mayor Cason: Alright, do we have any speaker cards?

City Clerk Foeman: No Mr. Mayor.

Mayor Cason: So we close the public hearing portion. Any discussion?

Commissioner Keon: No. I'm really glad that we are working on doing this. I think that it is very predatory behavior and very unpleasant experience for people who come to visit, work and shop in our City.

Commissioner Lago: If I could just add quick comment. I want to commend Commissioner Keon on really bringing this item forward and working it through the channels over the past, I think it's been about six months since we started this, even longer, maybe about a year since you brought it up. I've had two close friends, one of them being a doctor who was illegally booted and was basically forced to pay and was on her way to her shift, I think it was at Jackson or at Baptist, I'm not sure exactly where she is still working, and she was booted illegally, which resulted in her being late to her required timeline in reference to work, and you have a person who deals with sick patients every day and they were illegally booted. So I'm very happy that this was brought to where we stand today and its going to really change the landscape, because again, we are the City Beautiful and I commend you Commissioner Keon for what you did.

City Manager Swanson-Rivenbark: And Mr. Mayor, if I can. Just so the public knows, the City of Coral Gables does not boot. Those were private operators, we have since taken over with your permission, we have taken over the lot behind Seasons 52, which a lot of the booting happened.

Commissioner Lago: And just to give further clarification in regards to my comment. Again, it wasn't the City booting, it was a private entity booting and that was what confused most people, they didn't understand. The people who had basically parked on that parking lot were under the idea they were parking legally in a City-owned parking lot. They had even attained and paid for parking, but later realized that the parking they had paid for was not included in that lot because it was very ambiguous. By the way, if I can say it was ambiguous on purpose to a certain extent, and a lot of individuals fell prey to this type of behavior.

Commissioner Keon: I'd like to also commend staff for looking forward to other lots that are private lots that we have negotiated with to operate the parking and those other private lots also, so that there isn't any opportunity for any confusion with regard to parking in the City, at least it's uniform. So congratulations to staff, thank you very much.

Ms. Ramos: Good morning. I'd just like to note that Mr. Kinney and I have met, have had a phone conference with the University of Miami regarding their parking regulations, and I have

prepared a resolution, which you may take up today or at the next meeting, if you are willing to grant it waive the requirement for them for the following reasons. University of Miami has the exact same policy, they do not boot and they do not tow unless you are blocking another vehicle, a fire lane or an exit, which is exactly what our ordinance reads. Number two, they do not – they have all the signs, they have 300 signs as state statute requires throughout the campus, and so for those reasons we feel that it's appropriate to exempt them, if you so wish to do so. And of course, they are requesting that we do, and they are willing to be present if you would like them to be.

Commissioner Lago: May I ask a quick question Mayor or through Commissioner Keon because this is her ordinance that she sponsored. Would we amend this ordinance or would it be a separate free-standing ordinance?

Ms. Ramos: This ordinance currently has a waiver provision, so essentially be resolution you would waive this particular entity.

Mayor Cason: So you'll come back with a resolution next meeting?

Commissioner Lago: Or she said we can do it today.

Commissioner Keon: We could do it now. OK. So we would waive...

City Attorney Leen: What you would do is, do the resolution waiving and delegating to basically the Parking Director through the City Manager, so it would be their authority to sign off on it. Is that OK Madam City Manager, would you be OK with that?

City Manager Swanson-Rivenbark: Yes, I'm sorry sir, I didn't realize this was coming up or I would have briefed you in it. We would fully support that given the university is following the same protocol that we are following, and if for some reason that protocol changes we would bring it forward to rescind that resolution.

Mayor Cason: Alright, let's have a motion on E-4 and then we'll pick up the resolution.

Commissioner Lago: I'll make a motion.

Mayor Cason: Commissioner Lago makes the motion

Vice Mayor Quesada: Second.

Mayor Cason: Vice Mayor seconds. City Clerk.

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mayor Cason: And on the resolution.

Commissioner Keon: I'll move to waive the provision to the University of Miami.

Vice Mayor Quesada: Second.

Mayor Cason: Commissioner Keon makes the motion, the Vice Mayor seconds.

City Attorney Leen: Before there is a vote Mr. Mayor, what the resolution would do is, we would accept their current program which has been approved by the Parking Director and grant City Manager and Parking Director authority to approve that to the extent there is any change, and obviously she can bring it back if she feels that its material.

Mayor Cason: OK. City Clerk.

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mayor Cason: Thank you.

[End: 9:31:51 a.m.]