

City of Coral Gables City Commission Meeting
Agenda Item E-1
January 26, 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
Finance Director, Diana Gomez

Public Speaker(s)

Agenda Item E-1 [12:35:51 p.m.]

An Emergency Ordinance of the City of Coral Gables ratifying amendments to Chapter 54 of the City Code that is consistent with solid waste special assessment settlement with Miami-Dade County, and providing for a repealer provision; severability clause, and providing for an effective date.

Mayor Cason: We are ready to resume and we are going to be starting with Item E-1, which is an Emergency Ordinance.

City Attorney Leen: Thank you Mr. Mayor. Item E-1 is An Emergency Ordinance of the City of Coral Gables ratifying amendments to Chapter 54 of the City Code that are consistent with solid waste special assessment settlement with Miami-Dade County, and providing for a repealer provision; severability clause, and providing for an effective date. This is an Emergency Ordinance; it's also a public hearing item. I'm going to briefly present it to you. I also would like to hand out at this time two things and I'm sorry you did not get this before. This is Item E-1,

what you received in your packet didn't have all the pages, so this is something that you already approved as a settlement, so it's just codifying the settlement so you don't necessarily need to look at it again, but I wanted to make sure you actually had a copy. I also have here if anybody would like it, a copy of the settlement that the Commission, that I entered into with Lazaro Solis, Deputy Property Appraiser on behalf of the City of Coral Gables, based on your direction when we settled the matter. So what this ordinance does and it's an Emergency Ordinance. It will require a four-fifths vote to approve. What happened was, this involves the solid waste special assessment, which is on the tax bill and it's been wildly successful. In fact, Ms. Gomez, do you mind coming up? I know that the City Manager and you have the actual statistics, so I was wondering if you might tell them that how successful it's been.

Ms. Gomez: The amount – I'm going to give you a couple of sets of numbers. The first one is, the amount collected to date from what was placed on the tax bill is 68 percent of \$1.19 million, so 68 percent of the total that we put on the tax bill. We put on the tax bill \$1.75 million. Now prior to being put on the tax bill there was a balance of \$2.8 million and from that \$2.8 million we had collected \$624,000 before putting it on the tax bill. We issued payment plans in the amount of \$472,000; and so total collected, total cash in on this is \$1.8 million or 64 percent. The total compliance is 80 percent or \$2.28 million.

Mayor Cason: Great. So about 803 residents or businesses that haven't paid, are we down now to a handful?- or I think some of those were investors that had five or ten properties.

Ms. Gomez: So we sent the file over to the County, so we don't have the reconciliation of who actually paid, we have dollar amounts in total. Now there are some – remember when we put it on the tax bill, we only put on anything that was over a year old. So we still do have some past due balances in house that we are still dealing with, but those along with next years would be placed on the tax bill so they will have no past dues in house and they'll all be on the tax bills for next year.

Mayor Cason: So great result.

City Attorney Leen: So that's what I wanted to – I need to mention to you as well. What this ordinance does is it basically takes the settlement that's already been agreed to with the County and it's binding, it places it into the Code to make sure everyone has notice. It also preserves the ability, which the Commission wanted to do which the County accepted. It also preserves the ability of our residents to pay early, before August 15th and basically get a discount because they pay early, otherwise it goes on the tax bill. Also, I just want to clarify one issue. In Section 54-192, even though it says, the City may utilize uniform method of collection, which is just to show that you have the authority to do that. You already did under another provision of the

Code, but this puts it into this provision by agreement with the County and I'm actually going to put this into the ordinance that you are approving and so I want to tell you in advance of your approval. There will be a section that says that the City shall do it though going forward, that's what we agreed to with the County, in exchange for the County agreeing to put the past due on the tax bill this year. We agreed going forward every year we would put, we would use the uniform method to collect the solid waste, except for of course those who paid in advance before August 15th.

Mayor Cason: This is a great statement of your office's time too – running after all these 800 people multiple times.

Ms. Gomez: Yes. Once next year's comes and we put in all the past dues, yes, we will not have to deal with that whole submitting the bills, doing the notices, doing any of that, so it's great.

City Attorney Leen: And the last thing I have to say and the Clerk reminded me as well is that public purpose and the reason for this being an Emergency Ordinance is that this has already been approved and it took some time to put this all together, because there were some housekeeping issues too, and by housekeeping I mean there were some terms that needed to be changed in the ordinance to clarify it and to make sure that it was following existing practice and not using terms that are no longer in existence. For example, one of the terms, just an example that we changed was, we were using the term auxiliary unit, auxiliary living unit, instead of a list of different types of terms that that could be, we clarified the ordinance as well, I guess is what I'm saying. But the main substantive change involves the implementation of the settlement.

Mayor Cason: And I think we have to thank Pedro Garcia and the Property Appraisers for doing something that at first they didn't want to do it, and we had to twist a few arms, but it was great for them to – they understood what we were trying to do, so I want to thank them.

City Attorney Leen: So the public purpose is to put people on notice right away that if they pay in advance before August 15th they can get a discount still and you are making that clear in this ordinance. So it requires a four-fifths vote and it is a public hearing item.

Mayor Cason: And I see that we don't have any public input, so I'll close the public hearing portion.

Vice Mayor Quesada: So moved.

Mayor Cason: Vice Mayor makes the motion.

Commissioner Lago: I'll second the motion.

Mayor Cason: Commissioner Lago seconds. City Clerk.

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Mayor Cason: Yes

(Vote: 5-0)

City Clerk Foeman: Second roll call.

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

[End: 12:42:30 p.m.]