

**City of Coral Gables City Commission Meeting**  
**Agenda Item K – Discussion Items**  
**February 14, 2017**  
**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**

**Public Speaker(s)**

---

Agenda Item K – Discussion Items [3:23:33 p.m.]

Mayor Cason: Discussion.

Commissioner Keon: Just one item I'd like to talk about. I spoke with the City Manager the other day, and it deals with the issue of festivals in our City and the amount of requests that we get for festivals. When someone wants to do a festival in the City they go to the Special Events Committee and it really becomes a Public Works issue as far as the approval for the item and how it's going to whatever the festival is and whatever. Sometimes we have a variety of festivals that some of them are considered to be cultural festivals and whatever, but in large part they become opportunity, they are kind of street fairs, they are a variety of other things. I wondered if when we have a request to hold a festival in the City if our Cultural Affairs Board could take a look at those festivals and kind of decide and look at the festival and if it's a cultural festival that it is truly a cultural festival and what they are offering is really representative of the particular group that is having it, and these different festivals. I mean there are some events that are events; the Kiwanis is an event, that's a little different, but a lot of these are festivals of one sort

generally that maybe our Cultural Affairs Board – these requests could go to our Cultural Affairs Board and they could look at them and are they the type of festivals or would they recommend them as the type of festival that would be appropriate in the City?- how could they make it a higher quality festival?- how can it best service?- and who is it serving? Is it serving the residents of the City of Coral Gables because that's who they really impose a burden on a lot of times with traffic and with blocking off streets and a lot of other things, and we hear often concerns raised by residents in the areas near these festivals with the decibel level of the music, the loud music and these different things. If maybe the Cultural Board could actually look at this festival and then if they would get a recommendation from them on the particular festival and how maybe it would best be staged before it actually goes to Public Works as just an event. If we could just maybe give that a little bit of thought, if we could maybe have it as an item to come put on the agenda maybe next time or something? If you could give it some thought.

Commissioner Lago: I echo your sentiments 110 percent.

Commissioner Keon: OK. Thank you.

Commissioner Lago: About six months ago, and the Manager will tell you because her staff prepared it, I have a list of all the events, because I received about four or five phone calls from residents that live near Ponce Circle Park and they told me Vince, we are having so many events. They are more controlled in the downtown area then they don't have an issue, but the fact that these events are going on and the music is so intense. I wanted to find out how many events are really going on. So, what I'm going to have is the Manager, please send my colleagues the list that you prepared for me, which is detailed. One of the individuals that requested it was Mr. Durana who requested it. So he basically said, find out how many events are going on and when the amount of events that we approved over the last year, when I saw it I said, this is pretty intense, because there is really not a moment over the weekend to have that break and just those residential neighborhoods that are so close to commercial, especially when these events take over for an entire weekend, it becomes a little bit too much. So, I'm with you. I would love to have an item on the agenda when we discuss it, but after you kind of have a chance to take a look at that full breakdown. Naomi prepared it, was it Naomi that prepared it?

City Manager Swanson-Rivenbark: Together with Fred Couceyro.

Commissioner Lago: They did a great job. They did a great job.

City Manager Swanson-Rivenbark: Special events is actually, although I'm sure Public Works could handle it, it's actually managed through Parks.

Commissioner Lago: They did a great job.

City Manager Swanson-Rivenbark: They do the barricades, they do the physical layouts.

Commissioner Keon: The Parks kind of does the review and then they do the work, but you know I think we have a Cultural Affairs Board that other than they approve the grants and that sort of thing, but maybe they can help us see that the type of event that if offered in the City, 1) serves the residents of the City and is of the quality that you would like to see in the City.

Commissioner Lago: I'll give you a perfect event that happened in the City on Ponce Circle Park, which I think epitomizes what the City is all about, the cook-off event for the Chamber, the hamburger event.

Commissioner Slesnick: Burgerlicious.

Commissioner Lago: I'm just guessing, I don't have facts, I would probably say 75-80 percent of the individuals that are there are young professionals, career professionals who live in the Gables, who leave their office on Thursday or Friday night whenever the event is and they come to the Burgerlicious at 6 o'clock and enjoy two or three hours and it's over. You are talking about 2,000 people in Ponce Circle Park, it's not like it's about 100-200 people. When you look at this list and you kind of see all these events, I think it will make Commissioner, it will give a lot of credence to Commissioner Keon's request to have a little bit of a discussion point.

Commissioner Slesnick: Did either of you see the Art Festival that was moved to Alhambra instead of closing down Miracle Mile, they had the Art Festival, did any of you attend that?- that was very nice closing off just one part of Alhambra.

Commissioner Lago: It was nice, it was nice. You're right. I agree with that.

Mayor Cason: Pat anything else?

Commissioner Keon: No that was all. Thank you.

Commissioner Lago: I forgot to mention for Wings for Wishes, I think that they have to get final approval from the City in reference to close that street. I'd like to see if staff can see where it is right now in reference to that event. I know it's in March, but I want to make sure that if they are approved or denied that they get that approval now, so they can make the proper plans for it. I want to commend Code Enforcement; they've taken a very proactive look and stance in regards to people throwing trash inappropriately, to put it mildly, on the days we are not supposed to,

they've been out there. They've been educating the community and I think it's essential that we continue to ramp that up, especially with the NSA's (Neighborhood Safety Aides), people need to be educated that they just can't go out there. For example, somebody in my neighborhood that threw out a file cabinet and a toaster on a Saturday and it was out there till Tuesday, that type of behavior is unacceptable in Coral Gables. We know better than that. So, I want to compliment Code Enforcement and give them a few words of positive re-enforcement that they are stepping up and I appreciate that, they are doing a very good job.

Commissioner Slesnick: I want to wish everybody a Happy Valentine's Day, hope you have fun tonight. If you want to go someplace before you go out to a late dinner, the Coral Gables Cinema is featuring "It Happened One Night," an Oldie-Goldie movie, romantic movie with Claudette Colbert and then go out to dinner later, so you can get into the restaurants. Also in my survey, a recent survey that I did, I was happy I asked about community events and so forth, that people attend, and the number one top attraction was the Coral Gables Cinema, a close second was Actor's Playhouse, and then also readings at Books and Books. So, right in our little hub of cultural center it was really highly rated, along with the museum; and I wanted to mention, I really would like to see or we were talking about having something like this where hazardous waste was picked up just like we pick up electronic waste on Saturday, one Saturday if we could while Farmers Market is going on, because selling houses, I see people moving out and putting paint cans and things in plastic bags for our trash men and I hate to see that.

Commissioner Lago: We are working on that already. We have that scheduled for April.

City Manager Swanson-Rivenbark: 21 – it's behind City Hall, it's a part of the electronic plug recycling, I'm sorry sir.

Mayor Cason: It includes batteries?

City Manager Swanson-Rivenbark: Including batteries – And so what we are also though doing is looking at how can we integrate that in our, we don't have it yet, but how can we integrate it in a more regular system associated with our trash pickup, like once a month, but they are evaluating all of that and we'll bring it back to you.

Commissioner Slesnick: I just hate to see anything going into our water system. Last but not least, I'm so proud of our City Attorney for following up on 1411 Mantua, which is now a vacant lot instead of an old house, it was being torn apart. So, thank you Mr. City Attorney for following up on that.

City Attorney Leen: My pleasure. I was going to mention 1411 Mantua as well.

Commissioner Slesnick: I beat you to it.

Mayor Cason: Go ahead and mention it.

City Attorney Leen: I'm very happy to say that 1411 Mantua no longer exists as a structure, it's been demolished. We are now in the process of putting sod, as the Commission always request and removing the fence, and we still have a forfeiture proceeding on this property, so the bank better reimburse us for what we have done in the public interest, or else we are going to end up with that property.

Commissioner Lago: I think that would be a great pocket park.

City Attorney Leen: I'm just letting them know they need to reimburse us right away or we are going to proceed with that forfeiture and take over that property.

Commissioner Lago: What are the chances that we could potentially purchase that property or end up with that property in some form or way?

City Attorney Leen: We will go into discussions with the bank, so there is always a chance. I'll talk to the City Manager.

Commissioner Lago: Commissioner Keon mentioned what are the fines on that property?

Commissioner Keon: Can you explain again to people, because I hear people often say to me...

Commissioner Lago: We sell it for peanuts.

Commissioner Keon: A lot of people say to me, why did you settle with that property when it had all those Code Enforcement fines?- and you try to explain to people that...

City Attorney Leen: When in a nutshell, there is a Supreme Court case, City of Palm Bay, which says that Code Enforcement fines do not have super priority, so essentially they are foreclosed. They are always foreclosed by the bank or if it's a Homestead property, which is rare sometimes with these types of types of properties you can't really attach the lien to the house, because under the Constitution you can't lien a Homestead property. So, for both of those reasons they are basically unenforceable. What ends up happening is typically when there is going to be a transfer of the property to a third party, they'll come and try to negotiate the liens with you and in those circumstances you often want to do that, because you want to facilitate the transfer of the

property and what we do is enter into essentially a stipulation through Miriam and through Code Enforcement whereby they agree that the new party coming in to purchase it, to fix up everything within a certain time or the liens get placed back on the property.

Mayor Cason: But, in this particular property.

City Attorney Leen: In this property we have special assessment liens, because we paid for demolition, we paid attorney's fees, we paid a number of things related to this property and the forfeiture proceeding and we are requesting all that be paid back in order to bring the property into compliance.

Commissioner Keon: Because that special assessment does hold a priority.

Commissioner Lago: Is the bank being responsive?

City Attorney Leen: Well the bank has not been that helpful. They've been more neutral. Openly they did not block seeking demolition, they contested it for a while and then the court issued the order and they acquiesced, so we were able to demolish the property. They have not come forward and agreed to pay these things yet. So, we are going to proceed with forfeiture, really the time limit is the end of the case, because what our Code says is if they comply before the end of the case, the case is dismissed. If they don't comply, then we get the forfeiture. We already have been found to have probably cause for the seizure, so we are in possession of the property. That brings me to the next point very quickly. In March, we are going to be coming back to you with the abandoned property report, which we do periodically, what you are going to find is that we've addressed every property that was originally now on that list. So, we are adding property, so if any of you have any properties that you know, and Madam City Manager, obviously you as well and Code Enforcement and we often get them from City staff, but if any of you have any specific properties that you would like put on this list, please let me know or if you have any questions, because we can essentially refresh the list, because now we are looking for additional properties to bring into compliance. This has been a great program. I would like to give very special thanks to the City Manager, to the two Assistant City Managers, because there has been both a Code Enforcement component and a Police component, but I have to give special thanks to my counterpart over there, the Building Official, Assistant City Manager who on every one of these properties has been so helpful, also Code Enforcement. I really want to thank Code Enforcement because they have been so helpful on these properties. We've addressed every one that was on that list, so I'm very proud to be part of that. The last thing is Justice Advocate Program I would like to give...

Commissioner Lago: You forgot to give credit to somebody who deserves all the credit.

City Attorney Leen: Commissioner Keon deserves the credit.

Commissioner Lago: There you go. You are a gentleman. She came up with this legislation and I remember when she came up and you know what I thought in my mind, I said I should have come up with that idea, that's a great idea.

City Attorney Leen: Commissioner Keon did come forward with the enhanced abandoned property ordinance, remember that?

Commissioner Keon: It was to go after the banks...and you know how to do it as our City Attorney, you were able to go through and find a way for us to legally do that, and it really was with the support of my colleagues.

City Attorney Leen: Oh, yes, the Mayor. Remember Cotorro and he raised that every meeting for a year.

Commissioner Keon: That's why Cotorro fixed, that's why...

City Attorney Leen: The squatter's ordinance.

Commissioner Lago: I can show you the string of e-mails from residents just the level of frustrations was boiling over – what do you mean you can't do anything about this home Cottoro and the one near the Synagogue.

Commissioner Keon: Right – the one on Granada, and that's when we said, yes we can, we can go after them.

City Attorney Leen: We raised a number of them, Commissioner Slesnick sees some of them in her job as a real estate agent, she will point them out.

Commissioner Keon: But we do have an abandoned property list, you have to register abandoned properties...

City Attorney Leen: Yes,

Commissioner Keon:...and so we can continue to work from that...

City Attorney Leen: Yes.

Commissioner Keon:...but we shouldn't rely on fines to solve issues and to maintain our neighborhoods and to allow properties. The Manager often says that one property can't ruin a neighborhood.

City Attorney Leen: So, the last thing I want to say was with the Justice Advocate Program. I would like to thank Frank Fernandez, he's been helping us with the program, also Chief Hudak, both of them, but what we are going to be doing now is we are looking at cases, which are no action. So, what that means is, let's say we arrest someone, we find probable cause, we bring it to the Prosecutor's office and they don't proceed with the case, so they "No Action" it, a "No Pros," sometimes they dismiss the case, but nothing happens, that's always been a concern of this Commission. That's one of the reasons we established the Justice Advocate Program. So, what we are going to be doing is, we are going to be looking at for the last three months and then going forward every "No Action," we are going to be meeting with Director Fernandez, Chief Hudak, going over those "No Actions," so use it as a training tool, because sometimes we may need to do something in addition to help the Prosecution and in cases where it was "No Pros" and maybe we feel like the case should have proceeded, we are going to bring our own action, that's what we are looking at. We are looking at bringing our own action as a Municipal Ordinance Violation or a Code Enforcement Violation under the enhanced ordinances that all of you supported. So, I'll bring that for you next month.

Commissioner Lago: Perfect.

Mayor Cason: Everybody go home and have a nice Valentine's Day. Meeting adjourned.

[End: 3:39:51 p.m.]