

**City of Coral Gables City Commission Meeting
Agenda Item E-11
May 26, 2015
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 Manager, Carmen Olazabal
Development Services Director, Jane Tompkins
Assistant Development Services Director, Charles Wu
Parks and Recreation Director, Fred Couceyro
Building Director, William Miner
Historic Preservation Officer, Dona Spain
Parking Director, Kevin Kinney
Assistant Public Works Director, Jessica Keller
Finance Director, Diana Gomez
Public Speaker(s)**

Agenda Item E-11

Fee Schedule. An Ordinance of the City Commission of Coral Gables, Florida, establishing and restating fees for various licenses, permits, services, and penalties by the City of Coral Gables; amending Article IX “Impact Fees,” to move the Impact Fees to the Fee Schedule; amending Division 4 “Sanitary Sewer Capacity Fees” of Article III “Sanitary Sewer System,” to move the Sewer Capacity Fees to the Fee Schedule; providing for a repealer provision, severability clause, and providing for an effective date.

Mayor Cason: All right. Agenda item E.-10 is an ordinance of the City of Coral Gables relating to the provision of services, facilities and programs throughout the incorporated areas of Coral Gables; authorizing the imposition and collection of special assessments against property. Madam City Manager.

City Manager Swanson-Rivenbark: This is a -- an ordinance that involves several departments --

City Attorney Leen: Madam City Manager. You have to read it.

Mayor Cason: Second reading again.

City Attorney Leen Leen: This one's first reading, but I can read it on her behalf.

Mayor Cason: Yes.

City Attorney Leen Leen: It's an ordinance on first reading. It's a fee schedule. An ordinance of the City Commission of Coral Gables, Florida, establishing and restating fees for various licenses, permits, services and penalties by the City of Coral Gables; amending Article 9, "Impact fees," to move the impact fees to the fee schedule, amending Division 4, "Sanitary Sewer Capacity Fees" of Article 3, Sanitary Sewers System; to move the sewer capacity fees to the fee schedule; providing for a repealer provision, a severability clause, and providing for an effective date. And I suggest going forward, I will be the City Manager's designee on first reading to read, and then I'll read on second reading also.

Mayor Cason: All right.

City Attorney Leen Leen: And then, Madam City Manager.

City Manager Swanson-Rivenbark: And we'll ask Charles Wu to make the presentation, but it's really on behalf of all of the departments recommending a change, and they're all here to answer any specific questions that you have.

Assistant Development Services Director Wu: Thank you, Madam Manager. For the record, Charles Wu, Assistant Development Services Director. You think we could pull up the slides; we have a brief presentation before you. Some background: The first fee schedule was adopted in 2006 in a comprehensive manner by Resolution. The last comprehensive update was done about five years ago, and the local business tax had been updated every other year; and the sanitary sewer charges, stormwater fees, solid waste fees, have been updated every year. This Ordinance covers fees for licenses, permits, penalties, et cetera for department who charges such a fee. We are trying to accomplish several goals with this ordinance. First is, to restate all the fees by Ordinance. As the attorney will mention to you, our fees are required by Florida Statutes to be adopted by Ordinance. To avoid any issue of any fee, we adopted many, many years ago, we decided to re-adopt and restate all the fees in this one comprehensive ordinance so there are no future questions of a fee we are charging today. Parallel to that, we are authorizing future changes to these fees by resolution, including fees in the City Code. So we establish a legitimacy of all the fees, and changing it will be a separate resolution in the future; will not have to be by Ordinance. We are making some changes to various fees and penalties and services. We'll walk through that in a minute. It will be effective October 1 unless stated and I will mention the one exception where the effective date will not be October 1, at your discretion of course. Since we are trying to combine all the fees in one document, we are moving the impact fees and sewer capacity fees into this fee schedule as part of this Ordinance. Again, timing wise, we are proposing to be effective October 1. It is on this agenda today because we are trying to meet the Finance Department's schedule for local business tax, effective October 1. We have a lot operational things, that we have notified the merchants, we have to update our computerize system to include the new fees into the system. For your information, the fee schedule is organized by alphabetical order by department name. Our first stop is the City Clerk's fees, starts on page 6, regarding the passport fees. This has no impact on the budget because even though we're amending it, we have been charging those fees since 2005.

Commissioner Slesnick: Is this just what the State Department charges?

Assistant Development Services Director Wu: Yes, it's to my understanding.

Assistant Development Services Director Wu: Yes. We just parallel those fees. Next, I would like to ask the Community Recreation Director to stand by me and introduce the Community Recreation Park and Rec fees. That's on page seven. Essentially, the Community Recreation Department updates their fee schedule on a five-year basis to meet national accreditation requirements. The Tennis Drop and Play programs membership will be an increase of 5 percent and 5 percent every other year, and you will see that theme throughout the five-year fee schedule.

Mayor Cason: When was the last time we did the business tax? It's every two years. Was it two?

Assistant Development Services Director Wu: Two years ago. It's up now.

Mayor Cason: OK.

Assistant Development Services Director Wu: Yes.

Vice Mayor Quesada: You said page seven?

Commissioner Keon: Yes, it's not on those pages you're talking.

Assistant Development Services Director Wu: It's on page seven of Exhibit "A."

Vice Mayor Quesada: Oh, it's on E.-11. I'm sorry.

Mayor Cason: It's on E.-11.

Vice Mayor Quesada: I was looking at the wrong item.

Mayor Cason: It's on E.-11.

Commissioner Keon: Oh, here it is. OK.

Assistant Development Services Director Wu: Now, back to tennis lessons; has been adjusted to market rate, and again 5 percent increase every other year. Venetian pool membership has been reflected on the pool closings; also a 5 percent increase, with 5 percent increase every other year. Granada Golf Course, green car fees remain the same, with one dollar increase every other year. Junior green fees remain the same for the next five years, and membership will remain with a 5 percent increase of every other year.

Vice Mayor Quesada: So, we've had a Drop and Play programs and membership of about 5 percent; is that correct? That's what I'm seeing in the second bullet point on the screen.

Parks and Recreation Director Couceyro: No, no. Drop and Play, the term is "Drop and Play," which is when it's just coming into play. Just paying the admission and dropping in to play.

Vice Mayor Quesada: Oh, dropping in to play.

Parks and Recreation Director Couceyro: Instead of lessons clinics or programs.

Vice Mayor Quesada: OK.

Parks and Recreation Director Couceyro: Sorry.

Vice Mayor Quesada: My fault.

Mayor Cason: Let me ask you the philosophy in terms of the percentage increases. Maybe Diana, what's the inflation rate generally in Miami-Dade?- Is it two and a half?- Are we roughly trying to meet inflation? Are these to keep up with the cost for the City of the services or is it trying to meet some kind of an inflation target?

Parks and Recreation Director Couceyro: No. It's done to reflect the cost of the services and continue....

Mayor Cason: OK.

Parks and Recreation Director Couceyro: And also, look at what our market is and what our competitors or like-minded agencies are offering.

Mayor Cason: So we're not pricing ourselves out of...?

Parks and Recreation Director Couceyro: correct.

Mayor Cason: We're not going to get lower number of golfers or tennis players by the increases?

Parks and Recreation Director Couceyro: No.

Mayor Cason: OK.

Parks and Recreation Director Couceyro: We don't anticipate that.

Assistant Development Services Director Wu: Moving on...

Vice Mayor Quesada: We don't want to price ourselves out.

Mayor Cason: Yeah.

Assistant Development Services Director Wu: Adult Activity Center and Special Events remain the same, with a 5 percent increase every other year.

Vice Mayor Quesada: All right, I'm sorry. So those are special events related to the Adult Activity Center?

Parks and Recreation Director Couceyro: Yes.

Vice Mayor Quesada: OK.

Parks and Recreation Director Couceyro: Now, that also includes special events.

Assistant Development Services Director Wu: Special events.

Parks and Recreation Director Couceyro: The Special Events Division.

Vice Mayor Quesada: OK. So...

Parks and Recreation Director Couceyro: Our permit fees.

Assistant Development Services Director Wu: Two separate things...

Vice Mayor Quesada: Since we're discussing that, I want to turn it over to Commissioner Slesnick.

Commissioner Slesnick: Yes.

Vice Mayor Quesada: We were discussing item C.-4 this morning on the...

Commissioner Slesnick: Fritz and Franz...

Vice Chair Quesada:...Fritz and Franz.

Commissioner Slesnick:...using the public access.

Vice Mayor Quesada: So, you had mentioned you either were curious about whether we should raise the fees for special events or you want to have additional discussion on it? I mean, is there anything else you want to bring up at this point? Because I think this is the appropriate item to discuss it on.

Commissioner Slesnick: Thank you for bringing that up. I was just thinking that if someone uses public facilities of the City, then we should be charging more than just for a three-day festival. I mean, that's tripling or doubling the size of the restaurant's space. And so I'm sure other restaurants would love to have that much space to have outdoor dining and use of the facilities so.

Vice Mayor Quesada: That's actually a good point. Can we do something? Can we compare it to other municipalities, what they charge for special events and similar circumstances like this?

Assistant Development Services Director Wu: We can.

Vice Mayor Quesada: Obviously, the location of Fritz and Franz, they have a geographic advantage just because they have that space.

Commissioner Slesnick: Desirable.

Vice Mayor Quesada: Yeah, that space right in front of their property.

Parks and Recreation Director Couceyro: Yeah. They also have everything under the overhang is part of their lease. Anything outside of the overhang is what is for the event. I think in the language, there is the ability to amend some of these by Resolution, correct?

Assistant Development Services Director Wu: Yes.

Vice Mayor Quesada: But you know, it would be interesting because Commissioner Slesnick, you mentioned the restaurants. And it makes me think Lincoln Road, and it makes me think of Coconut Grove right up...what's that popular restaurant? Green Street.

Commissioner Keon: Yeah.

Vice Chair Quesada: That obviously they've got to be on City sidewalk there. That can't be part of their lease where they're at, some of those outdoor...

Commissioner Slesnick: And I think with our expansion of the Miracle Mile sidewalks, I love outdoor dining, and we should have had that a long time ago so.

Vice Mayor Quesada: So can we do a comparison of what other municipalities charge so we can have a better idea for special events?

Parks and Recreation Director Couceyro: Absolutely.

Vice Mayor Quesada: Maybe we should be doing something differently. I'm not saying change it at this point. Let this item go through. But if you can come back relatively soon I mean, obviously, the request is through the Manager. Just to get a comparison and see if maybe we're doing it the right way, maybe we're doing it the wrong way or just to get more information.

Mayor Cason: And also, when we discuss special events, an awful lot of these are charities, runs and other things, and a lot of times they come to us and ask us for...

Commissioner Lago: A waiver.

Mayor Cason:...a waiver, so we have to be careful that we don't I mean, they're doing the runs and other things to raise money for the charities, and so got to be careful we don't price them out. I think it's good for the Gables. They come here and they spend money on restaurants.

Vice Mayor Quesada: Remember, the waivers come through us. We have to vote on the waivers.

Commissioner Lago: Yeah, but I mean, what the Mayor saying is true. I mean, these charities that come here for example, the runs or the bike. At the end of the day, after the event is over, they come and enjoy our restaurants. They come and enjoy the museum. They come and enjoy a multitude of different amenities here in the City. So, let's take a look at that before we even contemplate raising fees.

City Attorney Leen: Mr. Mayor, my recollection in the special events Ordinance, we do have the ability to impose a higher fee, which we've done for labor costs, we've done for special costs. Can you explain that?

Parks and Recreation Director Couceyro: There are special costs. If an event requires police, police needs to be charged. Sometimes events require barricades, that they use City barricades; we charge them for that. There's been other circumstances. If we've had Code Enforcement that has had to go out there for certain events, so we do have some additional charges that we impose upon them.

City Attorney Leen: And I recall that there was a precedent that was set several years ago. Remember the movie that was filmed here?

Mayor Cason: Right.

City Attorney Leen: The Pain and Gain, remember the movie? We used that provision to charge a much higher fee, because they were getting exclusive use of the right-of-way for a long period of time. So we do have a provision in the Code, and there is an opinion on point that would allow you to charge a higher fee, although you may want to formalize that in the schedule.

Mayor Cason: Go ahead.

Assistant Development Services Director Wu: And just to not belabor the point, on the Public Works, we also have Public Works staff time to cover special events and right-of-way, so we have adjustments to those fees as well. With respect, back to the PowerPoint. The Youth Center membership remain the same for five years, and an increase of 5 percent every five years. That is one of the unusual changes. Youth Center program adjusted to program costs and 5 percent increase every other year. In total, the Community Recreation Department estimate it will increase the budget impact by \$80,000. Again, that is a rough estimate. Any questions for the...?

Mayor Cason: For the period of how much time? Is that over five years or are you saying that we're going to keep it the way it is for five years; then after that, increase?

Parks and Recreation Director Couceyro: The membership fees will only be increased, instead of every other year, we were looking at a five-year increase for the memberships. We want to try to stay competitive, based on what we offer in comparison to larger, more full-service membership fitness areas. We thought that that would be a way for us to remain competitive. So, that's just one that's different. The other ones, we try to stick to that every other year.

Mayor Cason: OK.

Assistant Development Services Director Wu: Any questions for the Community Recreation fee schedule?

Commissioner Keon: Can I ask you a question? I'm looking at just your tennis, for example. For tennis camp for a week, it's \$363.00?

Parks and Recreation Director Couceyro: Yes.

Commissioner Keon: Do they fill up?

Parks and Recreation Director Couceyro: Yes.

Commissioner Keon: Really?

Parks and Recreation Director Couceyro: Because of the instructors. They're not taught by counselors; they're taught by the professionals.

Commissioner Keon: Yeah. Expensive. OK.

Mayor Cason: OK. Thank you.

Assistant Development Services Director Wu: Thank you.

Commissioner Slesnick: I have a question about Granada Golf Course.

Parks and Recreation Director Couceyro: Yes.

Commissioner Keon: I thought that there was some discussion about is the golf course closed now?

Parks and Recreation Director Couceyro: Yes.

Mayor Cason: Yes.

Commissioner Keon: It is. And it's supposed to reopen...?

Parks and Recreation Director Couceyro: Mid October.

Commissioner Keon: Mid October. I thought that you were going to look at the greens fees, raising the greens fees in order to help support the maintenance of that course. Is this right? It's \$15?

Parks and Recreation Director Couceyro: Yes.

Commissioner Keon: For the green fees.

Parks and Recreation Director Couceyro: For nine holes.

Commissioner Keon: For nine holes?

Parks and Recreation Director Couceyro: Yes. Our thinking there was we didn't want, as we're coming off an improvement, all of sudden just enact an increase. I thought if we did it through five year, every other year, and kept that going, I think it would be more palatable to the residents.

Commissioner Keon: I know, but it's a dollar.

Parks and Recreation Director Couceyro: It's a dollar, yes.

Commissioner Keon: It's a dollar.

Parks and Recreation Director Couceyro: It's a percentage, yes.

Commissioner Keon: How does that relate to the cost of maintaining that golf course? I mean, part of the reason I've been told or I understand, is that the golf course hadn't been particularly well maintained because one we had like a lawn service or something there. We don't have an agronomist that's available to us there. So I thought that we were looking at providing additional staffing to Granada that would maintain Granada in a much better condition than it has been maintained to date. So, you know, what are the other nine hole golf courses around charge? I mean, it's not a difficult course, but it gets a lot of use and so requires a fair amount of maintenance that hasn't gotten to date. So in order to maintain it, you know, well and it's not that you expect the fees to cover the total costs of maintaining that golf course because it's an amenity

within our city, but is this really adequate? You're comfortable with this, Cathy, our Manager? Are you comfortable with these fees for Granada?

City Manager Swanson-Rivenbark: For Granada, what we can do is, Craig...

City Attorney Leen: Yes.

City Manager Swanson-Rivenbark: If we amend it between first and second reading does that allow us since we might possibly increase it, do we need to re-issue that first reading?

City Attorney Leen: No.

City Manager Swanson-Rivenbark: OK. So, Commissioner, why don't you allow us additional time to look at it between First and Second Reading?

Commissioner Keon: Right.

Cathy Swanson-Rivenbark: And then we'll...

Mayor Cason: And also, the usage over time, it is my impression, that fewer people are playing golf for some reason; is that correct?

Parks and Recreation Director Couceyro: That is correct.

Mayor Cason: So if we raise the fees, we could end up reducing I don't know how much more competition we have, but certainly don't want to have fewer golfers.

Commissioner Keon: Well no, but I think that Granada has been in the tradition of play at Granada has been high, comparatively. It gets a lot of use. What we did see a reduction in the use as the course deteriorated. So, in order to maintain the number of people playing there, the course has to be maintained to do a certain level. So what I'm asking is that, what do we think is

involved in maintaining that course to a level that it will sustain a high level of play? And then what should the appropriate fee be in order to maintain a course at that level?

Mayor Cason: And as a subset of that, too, take a look at...and it's the same thing with the Adult Activity Center: the question of Coral Gables residents versus not Coral Gables residents. I don't know what the breakdown is, but you could let us know before the next reading whatever you can find out about that.

Parks and Recreation Director Couceyro: You would like the number of residents that use...

Mayor Cason: Percent of Coral Gables residents and then the difference, the fee difference.

Commissioner Keon: Fee schedule difference between residents and nonresidents.

Parks and Recreation Director Couceyro: Absolutely.

Mayor Cason: The same thing for the Adult Center. There's been some question of whether we should reduce it for...

Commissioner Slesnick: That would be very useful information.

Commissioner Keon: Yeah. I'm just concerned with, you know, what it's going to take to maintain Granada Golf Course, as a good course.

Parks and Recreation Director Couceyro: No. Absolutely.

Commissioner Keon: It's not pristine, but I mean, it's a good course. And I think we talked about hiring an agronomist and people that actually have knowledge of golf courses or something. So, I'd like to see that maybe reflected in the fees. It's not that you want to raise them, you know, tremendously, but you'd like them to be sufficient to maintain the course.

Parks and Recreation Director Couceyro: Sure.

Assistant Development Services Director Wu: Maybe I can answer your question. For the residents versus nonresident, variation is between \$3 to \$6. For example, palettes class: resident is \$12; nonresident is \$15.

Parks and Recreation Director Couceyro: We try to center on 25 percent difference between resident and nonresident.

Mayor Cason: Is that the same on the adult activities?

Parks and Recreation Director Couceyro: Yes. That's adult activities.

Mayor Cason: Standards are 25 percent more?

Parks and Recreation Director Couceyro: That's what we try to do.

Mayor Cason: OK.

Commissioner Slesnick: But we were looking for the number of residents...

Parks and Recreation Director Couceyro: Absolutely, and I will get you that.

Commissioner Slesnick: Point of information while you're here, Fred. I know Riviera Golf Course closed down. They poisoned all the grass and everything in order to kill the roots. The same thing has been done to Granada. Does that have any effect on the tremendous number of children and people, dogs and animals using that course now since it's closed? Any chance of having poison...

Parks and Recreation Director Couceyro: I have been assured by the contractor that there isn't, but if we need to get some sort of messaging out, we will.

Commissioner Slesnick: Well, even having a sign up that the the grass has been poisoned or something.

Parks and Recreation Director Couceyro: Absolutely.

Commissioner Slesnick: Because I've seen children out there laying on the grass.

Commissioner Keon: Is there no barrier around the golf course?

Commissioner Slesnick: No, there's no barrier. And a lot of people are using it now as a park.

Commissioner Keon: Yeah. There should be a barrier on there to protect it.

Mayor Cason: It would be miles and miles. It would cost a fortune.

Commissioner Keon: I know. I know at Riviera Golf Course, there is a barrier surrounding the entire golf course for that purpose.

Commissioner Slesnick: But it's a private golf course, but this is an open golf course. I don't know if we need a barrier so much as at least signs to protect the City in case of litigation down the line.

Mayor Cason: You're going to be turning that up before long, anyway; aren't you?

Parks and Recreation Director Couceyro: Yes. Absolutely.

Mayor Cason: You're going to plow it, and then that's the next stage. It's pretty brown, so it shouldn't be too long before you do that.

Parks and Recreation Director Couceyro: Right.

Mayor Cason: OK. Be worthwhile, just let us know that there's no health problems.

Parks and Recreation Director Couceyro: Sure.

Mayor Cason: OK.

Assistant Development Services Director Wu: Thank you. Moving on to the next slide. You'll be covering Development Services and I'll speak to a few of those. The first one we're adding language to the existing Cost Recovery Program. We do have existing language today in the fee schedule covering it. We are augmenting that with new language to beef that up, and the new language, which will require deposit, if the City deems it necessary. We do use outside consultants. For instance, all traffic consultants, legal consultants, economic studies; in the case of Mediterranean Village, we use an extensive outside consultants to give us some expertise that we do not have in staff. In the case that they have not paid up their fees, the City does have an option to stay the application until those bills are paid up. So that is reflected in the fee schedule, again, to augment our existing cost recovery language. Second one is we would like to propose a new alcohol beverage license sign-off fee. Today, the City staff approves between 70 and 100 liquor sign-offs for the state license. We have not charged a fee for the past decades. We've surveyed our adjacent cities, and we discovered the City of Miami, Miami Beach, Miami Springs, South Miami, and Hialeah charge between a \$100 to \$1,000 fees. We'd like to break that down for off-premise consumption, which is a package sale, like Publix and Crown Liquor, a \$100 sign-off fee; for on-premise consumption, a \$250.00 fee, and that covers the liquor license term called the two COP, four COP, four COP/CRX, et cetera. Again, that's \$250.00 on-premise consumption. We also review liquor sign-offs for special events. We'd like to propose a \$25.00 fee for that. In total, we estimate that will that would impact the budget \$11,350 based on the past history of how many liquor license sign-off we do for the year. Any questions with respect to the...?

Mayor Cason: Is this for a year?

Assistant Development Services Director Wu: For one year. Yes, sir.

Mayor Cason: How much is the money again that we would raise?

Assistant Development Services Director Wu: Eleven thousand estimate.

Mayor Cason: OK.

Assistant Development Services Director Wu: Again, it's kind of an ongoing jerk when our staff sit down and review the liquor license. We tell them there's no fee and they laugh, say, "Oh, this is free liquor here." But it's pretty common in local cities to charge for zoning signup, because staff does have to sit down, review the application between 15 minutes to an hour; particularly for on-premise, we also involve the Fire Department review to look at the seating arrangements, et cetera. Any questions on the liquor license?

Commissioner Lago: Makes sense.

Mayor Cason: OK.

Assistant Development Services Director Wu: Moving on, I would like to ask the Building director, Bill Miner, to assist me in any technical questions you have for the building fees. First, we are proposing to delete...

Vice Mayor Quesada: Can I address something? It's on liquor licenses. So for off premises, on premises special events, we currently do not allow, and I think we discussed this at one point, maybe we didn't, a few months back, maybe four or five months ago. We currently do not, so liquor stores in Coral Gables, and I know you're not references that there, but it brings up the thought. Liquor stores in Coral Gables they can sell beer and wine on Sundays; they can't sell spirits. What if to generate a little bit more revenue for the City, we allow them to sell spirits on Sundays, and we charge them? Can we do that?

Commissioner Lago: Are we the only municipality that has that restriction or?

Vice Mayor Quesada: We're not expecting you to know off the top of your head.

Commissioner Lago: No, I'm just wondering. I'm talking amongst everyone in the room. Maybe someone has some insight in regards to that. I just find it odd that we can sell beer and wine, but we're not allowed to sell liquor.

City Attorney Leen: There's a Code provision which doesn't allow liquor to be sold, a liquor store to sell liquor. Basically, it doesn't allow them to sell on Sundays. There's been an interpretation by my office that just like a supermarket or anyone else who can sell beer and wine, that they should be allowed to sell beer and wine consistent with these other parties, but they're prohibited from selling liquor. I know that Development Services have been looking at amending that Code provision to allow the sale of liquor on Sundays.

Vice Mayor Quesada: You mean spirits?

City Attorney Leen: Pardon me; spirits.

Vice Mayor Quesada: Because beer and wine is liquor.

City Attorney Leen: Spirits.

Development Services Director Tompkins: Good morning. Jane Tompkins, Development Services director. Yes, you're correct, we do limit the sale of liquor, which is distinguished from beer and wine based on the percentage of alcohol.

Vice Mayor Quesada: Oh, OK. So, you were correct; I was incorrect.

Ms. Tompkins: We are looking at an ordinance amendment to change those hours, change that restriction.

Vice Mayor Quesada: OK.

Ms. Tompkins: I've been working with Carmen from the Manager's Office to work through that amendment. We'll be presenting it to you, I think, in the summer sometime.

Vice Mayor Quesada: OK. Yeah, because as far as the intent of it, it doesn't really make sense. We either allow in my opinion, in a liquor store, if the intent on a Sunday is to prevent sales of alcohol, then we would prevent all sales of alcohol. So, it's sort of like we're in between. And if the intent was not to allow people to drink at all in the City, then we would ban it from restaurants as well, and we don't. So, it just seems inconsistent to me. But at the same time, the reason to bring it up now, is there a way we can monetize it?

Commissioner Lago: Not only is it inconsistent, but it also penalizes smaller mop-and-pop stores that would benefit from the sale on a Sunday, because if you can have it at a restaurant.

City Attorney Leen: Well, the thinking behind it was that the beer and wine could be sold at the supermarkets and in other place, and that generally, you don't look at the identity of the party wishing to do it and then say, "Well, they can't do it, but these parties can." So, the idea is that they could sell the beer and wine as well, but the liquor was strictly prohibited for everybody, according to our Code.

Vice Mayor Quesada: The legislative intent is sort of thrown out the window when you allow some and you don't allow all. It's not consistent.

City Attorney Leen: Well, then, we would have to prohibit beer and wine as well on Sunday.

Vice Mayor Quesada: Or go the other way.

City Attorney Leen: Yes, or the other way.

Vice Mayor Quesada: And so, you'll be coming back to us on that.

Commissioner Lago: Perfect.

Vice Mayor Quesada: Thank you.

Assistant Development Services Director Wu: Back to Building division. We are deleting unusually, we're deleting a fee, before you is a construction dumpster and the port-o-let permits. Even though that brings a pretty sizable amount \$114.19 per permit, there's no basis for Building to review -- also ... review those items. And when we do review it, we already review it as part of our construction staging plan. So, in essence, it's a double charge. We'd like to delete it because we doing the review separately also, and that will be a \$81,000 hit, because we do have a lot of permits coming through. So again, we are proposing to delete construction dumpster and a port-o-let permits. Moving forward, we'd like to adjust the upfront fee. And just to give you some background. Our building permit fee with one amount, constitutes two efforts. The effort at the beginning estimated between 40 and 50 percent of staff time and effort and the remaining will be inspection component of the entire building permit. So what we do and what other municipalities charge is an upfront fee for the plan review effort upfront, so in case the permit got through permit issuance to start construction, the City least recoup its plan review effort upfront. An internal review shows that couple issues. One, is the calculation method is off base. We use the estimated construction costs as opposed to project size. That's a key component that we have to understand. Upfront fee today, we charge estimated construction cost, and the permit fee at the end, we actually charge project size. So, that's disparity of how the fee is calculated in the first place. An internal audit we show that two examples. Aloft based on what they pay for upfront fee only constituted about 8 percent of the entire permit. The Palace charged about 10 percent of the entire permit; was the upfront fee. So, what I could propose before you is to adjust how we calculate it to use the same denominator for the permit fee, which is the size of the project, the square footage. Moving forward, this is no impact on the budget because the permit fee is collected eventually. The question is how much you pay upfront. So equalizing it, as opposed to the 10 percent we'll be getting now, we'd like to make it between 40 and 50 percent in the future, if you adopt this new method. Any question?

Commissioner Keon: You would collect 40 percent of the upfront? Is that what you're saying?

Assistant Development Services Director Wu: Generally, that's how it turns out to be. When we use a couple examples with the new method, Aloft will be about 43 percent, and the Palace will be about 36 percent. So it's not a hard-and-fast rule, but those are the two examples we raise upfront fee ratio substantially.

Mayor Cason: Are other cities doing it that way?

Assistant Development Services Director Wu: Other cities have different variations honestly. So, cities charge 20 percent flat. It really varies between cities.

Building Director Miner: A dollar a square foot is the actual calculation.

Assistant Development Services Director Wu: It's a dollar square foot.

Building Director Miner: We're trying to simplify the calculation method and make it align with the actual permit fee, which is on a square foot basis, and using the square footage is more verifiable than the cost of construction so we can actually look at the drawings, so it take off and then charge a dollar for upfront fee as opposed to the cost of construction, which is traditionally given to us by the contractor and they're incentivized to reduce that number of course, so.

Commissioner Keon: You don't need a building permit to replace a door, do you, like in your house? You replace a door it's a building permit you need?

Building Director Miner: An exterior door, yes.

Assistant Development Services Director Wu: An exterior door.

Commissioner Keon: An exterior door? How do you deal with not having the fees and whatever almost approximate the cost of the job?

Assistant Development Services Director Wu: We have minimum fee for minimum jobs. There's a minimum fee for that.

Commissioner Keon: I know. But your minimum fee is for those kinds of jobs that I think are high.

Assistant Development Services Director Wu: We can revisit that.

Commissioner Keon: If you can look at those things. I mean, to replace an outside door.

Commissioner Slesnick: Is that for the exterior front door?

Building Director Miner: Exterior front door.

Commissioner Keon: Could be the door going in. Yeah, but it could be the door going into your garage, too.

Mayor Cason: It's a Building Code issue, right? Structural.

Building Director Miner: There's also a Board of Architects review as a part of that process, and that's to offset some of the costs of the preliminary review and then

Commissioner Keon: I know I spoke with a young man who somebody had tried to break into his house and is replacing the door into his garage on the side of his house. I was amazed at the cost of the fees. The door from Home Depot that meets all of the qualifications or whatever was pretty inexpensive. The cost of the fees to do it were very high, I thought, in comparison to, you know, that sort of simple thing.

Building Director Miner: The minimum fee would be a \$114.00.

Commissioner Slesnick: How much is it?

Building Director Miner: A hundred and fourteen dollars is the minimum fee.

Commissioner Keon: Right.

Commissioner Slesnick: To replace maybe a \$250 door. I find a lot of people since I'm in quite a few homes in Coral Gables, where people are moving in or moving out go ahead and do work on homes without permits just because of the entrance level for getting those permits.

Mayor Cason: On the other hand, I recall three or four years ago, that JRD Study that took a look at the whole Building Department and say we were grossly undercharging compared to all other cities. Basically, the taxpayers were subsidizing people for getting a service. So there's a balance between if the fee is 50 percent of the cost of the work versus overall, in which I hope that all of this will get us up to covering our cost, we're still not under when you look at the totality of all of these is that the case, pretty much?

Building Director Miner: Yes, sir. And in fact, the 114.19 minimum came out of the JRD Study and has stayed constant since then, which I think was 2009.

Mayor Cason: Are there any things that you look at that do seem excessive? I mean, if you paid 50 percent for a permit for the cost of replacing the door, that sounds high. But on the other hand, there may be other things that are low compared to the cost. So how do you balance that out?

Commissioner Lago: I mean, when you're talking about a minimum charge, that's where the calculation of the exact cost of the work versus the square footage. Because you can install a \$5,000 door or you can also install an impact rated \$250 door, so that's where it has to be a mix of an equation. You can't just go into \$114.19 because you may be installing a 7 or \$8,000 door

and your front door versus a \$250 door. So it's got to be an equation. The minimum fees are in place for situations like what Commissioner Slesnick and what Commissioner Keon stated, where it's just the bare bones. It's a \$250 door with a \$150.00 installation fee and then a \$100.00 paint job just to get the bottom price.

Commissioner Slesnick: It's really important for the façade of the house, because we want to maintain the integrity of our neighborhoods and so forth. But that sometimes entails having to go to the Board of Architects too, which is another process. So I can see extending the process to the Board of Architects or another Planning Department that would have to look at that and go out and check.

Commissioner Keon: What's the fee for the Board of Architects?

Commissioner Lago: Is that included in the 114.19? Or is that excluded?

Assistant Development Services Director Wu: I'll have to find out. I'll let you know at second reading.

Commissioner Keon: I really would like you to look at those small household projects that I think a lot of people don't bother getting permits for, because of the cost and the difficulty in getting permits. I mean, there are simple things. If a window breaks, small things.

Commissioner Lago: Well, there's permits, to make you aware.

Commissioner Keon: But there's some big things too.

Commissioner Lago: I mean, I imagine you are, but I mean, there's several different permits that need to be pulled or that need to be obtained that we're the only municipality that requires them; for example, tiling your bathroom, we require a permit for that. Painting the interior of your house, we require a permit for that.

Commissioner Slesnick: If it's over \$500.

Mayor Cason: I think we dropped that.

Commissioner Lago: I think it's a little excessive. In my opinion, it's excessive.

Commissioner Keon: I do too.

Mayor Cason: Didn't we drop the \$500 about two or three years ago, we dropped that \$500 threshold. We took that out, right?

Building Director Miner: Yes, sir.

Mayor Cason: And in fact, there was a discussion because when I moved into my house, I had to pay a permit to replace the floors. And we had a discussion about two years ago, and it turned out you really didn't need a permit. The permits were Building Code related, not interior painting, not interior you take a rug out, you don't need a permit. So there was a confusion. You guys are going to come up with a brochure trying to explain to people what...

Assistant Development Services Director Wu: Single-family flooring does not require a permit any longer; just commercial flooring.

Mayor Cason: OK. It would be good to have the brochure that we talked about a couple years ago that would explain to homeowners what do you need a permit for, what you don't, and that whole question of the \$500 is long gone so.

Commissioner Slesnick: That would be excellent. I mean, very needed, because so many people come in where they pull permits four or five years ago, just for painting something on the outside and they're always open. So you talk about excessive use of employee's time, coming in to close permits on a regular basis for homes that were even painted 20 years ago, and they haven't changed since then requires staff time. So if we could have a brochure, that would be excellent.

Assistant Development Services Director Wu: Mr. Mayor, we have updated the entire Department's web page that includes this information already.

Mayor Cason: It'd be nice to make them little handout, little brochure that you could leave and give us copies too so when people call, we could say "Here, read this." But again, take a look at some of these things that they have a lot of small permits that do take up a lot of your time and see whether we should go to a different formula. Things like doors, paintings, maybe there are some things that it won't hurt our overall collection, and we won't be giving services under the cost of the taxpayers, but maybe it would save a lot of time and it would encourage people to get a permit.

Commissioner Lago: Another interesting opportunity that we may have just for cost savings, the City when a permit is about to expire, the City does a courtesy notification. I know that the City of Miami, what they do is they send you a courtesy e-mail. So they save money on printing and on postage. Maybe we can move in that direction and be a little bit more efficient and save some money.

Commissioner Slesnick: I think postcards are send out, too. Are they still sending out...?

Commissioner Lago: Yeah.

Building Director Miner: Yeah, I think that's ...

Mayor Cason: Fifty cents each.

Commissioner Lago: It cost a lot of money. It cost a lot of money. And at the end, the responsibility of closing that permit is on the end user. So, I mean, again, we can notify them via e-mail. When they're filling out the permit and they're filling out all the information, we ask for the e-mail.

Commissioner Slesnick: Yes.

Commissioner Lago: So it's there. It's not like we'll have to do any extra work. So instead of actually sending out that postcard, having someone look that up, it should be in the system where...

Vice Mayor Quesada: It could be automated.

Commissioner Lago: Automated, literally. The following e-mails within 45 days will be expired because there hasn't been an inspection called on those permits. And you send out an e-mail, and you send one at 30 days, at 15 days, and they know that maybe the one on the 15th day states, if you don't renew your permit or come in to deal with this issue, there's the fee of associated with the renewal of the permit.

Vice Mayor Quesada: Might have to change the form so that it lets the end user know that all notifications will be received via e-mail and you're accepting service via electronic format. So, that should be next to where they sign so they're aware of that. And then let whoever is filling that out, or whoever is receiving on the staff side, that it's not complete unless an e-mail is in there and it's legible.

Commissioner Slesnick: And make it clear that if people pull permits for painting, they have to close the permits for painting, or whatever.

Commissioner Lago: You have to call an inspection, so that goes again with the issue of we're talking about employee time, employee time. When you call, let's say, a drywall patch repair, a paint permit, a tile permit, you have that inspector go out there and has to inspect that work. I mean, to me, I think it's a waste of time, in my opinion.

Commissioner Keon: Why would you have to have a permit to tile your bathroom?

Mayor Cason: You don't.

Commissioner Slesnick: You need it for electrical, plumbing.

Assistant Development Services Director Wu: For a bathroom, if there's plumbing involved, you need a permit.

Commissioner Keon: OK. But just to replace tile, you don't need a permit? Or you do?

Commissioner Lago: OK, but there's plumbing fixtures involved when you remove the handles to do the tile work around it. Even though you may be replacing the same tile back into it.

Commissioner Keon: That means plumbing?

Commissioner Lago: That's plumbing.

Mayor Cason: The plumbing part, not the tile.

Building Director Miner:...the water closet in order to tile under it and then reset the water closet.

Mayor Cason: At any rate, I think a brochure like that will be helpful.

Commissioner Keon: Once it's reset, how do you know what's under there?

Vice Mayor Quesada: You don't want to know.

Commissioner Slesnick: He knows.

Commissioner Keon: You take it off, you put it back, you call the inspector and you say, "Your guess is as good as mine." I don't know. How do you know? So what do you charge people for that? Why would you ask somebody to do that?

Mayor Cason: Maybe just take a look at, let's say, your top...

Commissioner Keon: I know, but why do we? We should change that.

Commissioner Lago: That's why I'm bringing it up.

Mayor Cason: Let me take a look at your top 10 residential permits and see if you think any of those you could lower the fees in order to have more compliance.

Commissioner Keon: Or eliminate the need for a permit or.

Mayor Cason: Yeah, or eliminate the need for permits.

Building Director Miner: Raise the threshold, have some logic in...

City Attorney Leen: I should add to the discussion, there was a couple years ago, there used to be a provision in our Zoning Code, which said that for permits under \$500, you didn't need to get a permit basically. The problem with that provision was it conflicted with the Building Code, which required, and in particular, for exterior doors, which you mentioned, we had a case.

Mayor Cason: Remember we had a man that came in that didn't get the permit, and he ended up having like \$300,000 liens.

City Attorney Leen: Which we addressed.

Mayor Cason: That was addressed.

City Attorney Leen: That was addressed. That was addressed.

Mayor Cason: And that's when it came up.

City Attorney Leen: Yes, it came up, Mr. Mayor; you're absolutely right. And he raised with us the issue that the Zoning Code said that you didn't have to get a permit, so this Commission change...well, a prior Commission changed that Zoning Code provision, but there are some, all I would say is when staff looks at this, there are some that are required by the Building Code and there are some that may not be. And I remember that a resident can call the Building Official and ask whether he would waive, under our Code and under the Building Code, he can also waive permits in certain circumstances. I remember when we were addressing that issue. At least that's what he told me. And I believe when I looked, it said that in the Building Code, but either way, we were requiring him to be talked to, like someone had to actually consult with him in order to make sure it could be waived or not. And I remember at the time, there was a list of different types of permits that were required, that was made. So, if you would like, I could try to look up all the stuff from that permit. The materials I have from that time and we can...

Building Director Miner: That'll be helpful.

City Attorney Leen: ...meet and provide a recommendation to the Commission.

Commissioner Keon: I mean, I think a dollar threshold for requiring a permit is not a good policy, because that's the same thing with an outside door. There are requirements because of the Building Code with hurricanes and all kinds of other things. Why doors have to have certain specifications, and I don't care if it's a really cheap door and you're going to install it yourself, and it could cost under \$500. An outside door should have, where an inside door; I don't know why you would need a Building Code for an inside door.

Building Director Miner: You don't.

Commissioner Keon: I mean, so I think there's a difference, depending on the issue or retiling your bathroom or some of the those issues and even the minimum fee, I don't know how you deal with that, but I think that the cost of those costs were really simple repairs; tend to be a little high. Do we also differentiate at all?- or is there a different line for residential as to commercial?

Assistant Development Services Director Wu: Yes.

Commissioner Keon: Do we deal with them differently?

Assistant Development Services Director Wu: Yes. Two different fee structures.

Commissioner Keon: Oh, OK. Thank you.

Assistant Development Services Director Wu: Moving on to a very important fee proposal is the private provider/peer review, an industry that is called Alternate Plan Review. What we'd like to propose before you today is a credit when developers utilize this service. It could be a homeowner; it could be a commercial developer. We like to introduce to you what the concepts are to clarify what are private providers. They are experts hired by the owner to do a plan review and conduct inspections. That is specifically authorized by the State Law. And Miami-Dade County does provide a specific list that are authorized and registered by the County. And if private providers are coming into the City, they'll have to go through the County's list to make sure it is authorized by the County. Peer Reviewers, however, are experts who do plan review and conduct inspections on behalf of the City. Those are two key components. Private providers working for the owner; a peer reviewers are doing reviews and inspections for us. And what we are proposing before you today is developers utilizing the service because we have increased development activity, we have significant large projects coming in the pipeline. So projects that have been utilizing the service, like Aloft use the service, UHealth, Columbus Center; all use private providers/peer reviewers as part of their review, for information that credit was provided and authorized in '07 as a 35 percent credit. However, three years later, it was mysteriously deleted as part of JRD Study, and we could not find any reason why it was deleted. We just know it was deleted since then.

Mayor Cason: This was a credit against what you would normally pay the City?

Assistant Development Services Director Wu: Yes. If you do private provider, out of the entire permit fee, you get 7 percent as credit.

Mayor Cason: So the idea is that we have limited space, limited employees, lots of upcoming projects, and this would speed up the approval by people who were recognized by the community as experts, honest, no problem with that and that you could get the work done faster?

Assistant Development Services Director Wu: Yes.

Building Director Miner: Yes, sir.

Mayor Cason: OK.

Assistant Development Services Director Wu: Plus, under Florida Statute, homeowners, property owners, businesses have a right to use a private provider if they prefer to go that route in order to meet their cost and time targets.

Mayor Cason: OK.

Commissioner Lago: Yeah, but I think the main issue here was the fact that we were allowing individuals to use a private provider, but then we were also charging for the fees.

Assistant Development Services Director Wu: The full fee.

Building Director Miner: Yes, sir.

Commissioner Lago: So the full fee was being charged. So you had the individual was taking the burden in reference to reviews for the employees, but they were having to pay for the full permit fee.

Mayor Cason: Right. How much would this cost us, would your estimate?

Assistant Development Services Director Wu: I'll get to that.

Mayor Cason: OK.

Commissioner Lago: Well, you know, in reference to your issue, Mayor, about costs, I haven't seen the exact cost and what it could potentially impact on our budget, but I'm willing to have some leeway here, because this is something which I think will allow our employees to be little bit more efficient and will allow the residents to receive a better service.

Mayor Cason: And if we had to hire another person, when you add on the pension cost and everything else, it certainly is going to be lot more than the 35, I would guess, than the 35 percent reduction. What percentage of the people who come to use this service would avail themselves of these two?

Building Director Miner: Virtually all threshold developers have asked me about this. And they're doing it even without the credit, to some extent, but they do point out, as Commissioner Lago said, that they're being asked to pay a penalty, in essence.

Commissioner Lago: Yeah. I've received probably about four or five phone calls in reference to the practice that our City currently employs.

Building Director Miner: The private provider service does not include other reviews that involve Fire Protection, Historic Preservation, Concurrency, Zoning, Public Works or Public Service, so we still have that body of work to do. This only applies to mechanical, electrical plumbing, structural and building components of the project.

Mayor Cason: And structural was always one of the biggest bottlenecks in the past.

Building Director Miner: Yes. There's a special provision for that.

Assistant Development Services Director Wu: Last year we estimated about 30 projects utilize this service, and I used the example Aloft Hotel, UHealth, Columbus Center, all either did private provider or peer review. Just to give an example, Miami Beach today allows 25 percent credit and the City of Miami allows one-third percentage credit. We are proposing a 30 percent credit again for all the five disciplines Mr. Miner mentioned, and if you just structural review, it'll be 10 percent credit.

Commissioner Lago: Could I ask a quick question? In reference to Miami Beach's 25 percent and Miami's 33.3 percent credit, what is the magnitude or the scope, because we're talking about MEP (Mechanical, Electrical, Plant), plus structural disciplines? What are they allowing for in regards to a private provider review to get that 25 percent? Is that across the board? Is it everything?

Building Director Miner: It's the same as we're proposing. All five disciplines...

Commissioner Lago: Just those five disciplines only?

Building Director Miner: All five disciplines. Plan review and inspection half, if you do one or the other.

Commissioner Lago: OK.

Assistant Development Services Director Wu: So it's sometimes 12 and a half, sometimes it's...

Commissioner Lago: But we're not re-reviewing these documents, right?

Building Director Miner: No, we're not reviewing these documents.

Mayor Cason: They do it for you.

Building Director Miner: They do it for us and...

Mayor Cason: And you accept it.

Building Director Miner: ...provide an affidavit saying that it's Code compliant and our Building official accepts that.

Commissioner Lago: The reason why I ask that is because I was speaking to a developer the other day who mentioned to me very clearly that they didn't understand why they went through the peer review process, because their documents were later reviewed by the City employees.

Building Director Miner: I've seen that expressed as a fear and a concern.

Commissioner Lago: No, it's not a fear. It's that we're just duplicating efforts.

Building Director Miner: That's not the reality, though. When it comes in with an affidavit, the reality that we've had on Aloft, all of the University of Miami projects have been done by peer review for the last nine months. They come in and they're turned around within a few hours because of the peer review technique. Our structural engineer and our Building official accept those credentials and those reviews, as though they had done it themselves.

Commissioner Lago: By a limited group of individuals who have attained that ability or in a certain group of individuals that have that necessary licenses, the necessary experience, and have been vetted by our City staff.

Mayor Cason: I think that's an important thing, because we are the fraud capital in this area. And I notice when we had that question of the tent down in Coco Plum, was it, or Gables, and their structural engineers were saying it was OK, and it turned out that it wasn't. Mr. Iglesias, I think, was right on that issue, to make sure that the people that are doing this for us are vetted and we just don't accept everything they say. It's got to be a small group of people or some process that we know everything's above board.

Commissioner Keon: By peer review, I just want a clarification. By peer review, you mean it's the engineer that's hired by the developer, or the person hired by the developer in conjunction with our staff? Is that peer review?

Building Director Miner: Peer review is an individual that's either hired by the City, or by an owner who works on behalf of the City, and the City engineer accepts that recommendation in approving the work.

Commissioner Keon: OK, yeah. That's why I asked. OK, thank you.

Assistant City Manager Olazabal: And just to clarify, there's still some City reviews which include zoning and fire, I believe, so...

Unidentified Speaker: Public Works...

Assistant City Manager Olazabal: And Public Works and Public Service. So those stay within the City. So even though they use a private provider, those things that are kind of localized in the nature of the review stay with us. There are some City reviews still needed.

Mayor Cason: This seems to make real sense to me, given that the projects that are coming online, we talked about this in the context of Agave last time. You just would not have the manpower or the resources to do this and then you would have those continual complaints about how long it takes to get things done in the Gables. Hopefully, this will allow the smaller projects to move forward faster as well.

Building Director Miner: We'll try to explore that to the extent we can and make that credit available to developers, homeowners that want to go that route. I think the credit is modest compared to what it is. It is meant to be an incentive. It really doesn't offset the total costs, in my opinion.

Assistant Development Services Director Wu: We estimate last year, again this is a rough estimate based on the projects we know that the private provider or peer review was an estimate of \$100,000. Again, we cannot predict moving forward how many projects will utilize this service and to what extent, so we cannot give you an estimate at this point. This is the one-fee proposal. Since we got so much interest in it in the industry, we are proposing, upon second reading, this credit start applying. This is subject for your discussion. This is what we're proposing before you today.

Commissioner Lago: Could I ask you a quick question? In reference to the employees and reviewers, what is their opinion of the matter, in reference to using peer reviews and potentially excluding them from the larger projects and allowing them...?

Building Director Miner: In terms of internal staff?

Commissioner Lago: Yeah, internal staff. I want to know what their opinion is, because it's going to allow them to be able to hopefully help out our residents in the business community as much as possible in a quicker manner.

Building Director Miner: I think they're generally very much in favor of it, because they are looking at projects, like the Collection, Mediterranean Village, all UM projects; and in most disciplines, we have two, maximum three engineers who have to take in that work, as well as all the residential work, 20,000 reviews a year; and they would like to see the this additional assistance made available at a fair price. I will also caution that there's always a concern about outsourcing and the potential overuse of outsourcing and what it might mean in terms of employment. Though, I think it's finding the right balance, finding the right application that keeps staff very pleased and supportive of this.

Mayor Cason: Is structural still the bottleneck that it used to be? I mean, when people would come in to complain to me, it was always on how long a structural took.

City Manager Swanson-Rivenbark: Mr. Mayor, I think that this is all a really good discussion. I want to get back onto the fees discussion. But as it relates to privatization and impact on employees, we have a tremendous surge in development right now. The best way to manage that surge is from programs like this, so that when that development interest diminishes, we don't have to lay off employees. So we're not trying to replace employees. I don't know want to have a concern from our employees; instead, we're trying to provide additional resources to help facilitate an increase in permit activity. And I think that's just a very important message that we need to make sure our employees are aware of.

Mayor Cason: Thank you. Why don't you move on?

Assistant Development Services Director Wu: Moving on, and just paraphrase I believe I may have mention this earlier. Building has throughout some housekeeping changes; my presentation just to highlight the key changes for each of the department. Moving forward on the next slide, and I think we're done with Building. Thank you, Bill. This is what we mention about moving the impact fees and sewer capacities from the City Code to the fee schedule so it all resides in one location. We have a few housekeeping matters for Code Enforcement. Today, failure to obtain a building permit outright is a \$500 fine. We'd like to separate the non-life safety violations from the life safety violations. The non-safety violations for not obtaining a building permit, we are proposing a fine of \$200. And for both options, we also added, which we have today, a fine and fee at the Code officer's discretion. Next concerns the Certificate of Use. And today, it's combined in one failure to obtain and maintain a COU (Certificate of Use); currently it's \$100.00. We like to separate the two by not obtaining it in the first place, a \$500 fine; failure to maintain it is \$100 fine. And that was a housekeeping matter. The fee schedule was silent on illegal discharging to the storm and sewer system. We are proposing maximum of \$500. Moving forward, I would like our Finance Director, Diana Gomez, with me. We are proposing a comprehensive update to local business tax adjustment of 5 percent, effective October 1. Again, this is across-the-board change as we've done...

Mayor Cason: That's what we did last time, wasn't it?

Assistant Development Services Director Wu: Two years ago.

Mayor Cason: 5 Percent every other year. OK.

Finance Director Gomez: Every other year is what the State allows.

Assistant Development Services Director Wu: And next is the fire alarm fee is a housekeeping matter, because you have to adjust how we charge the fees based on the Eden system, so that does not impact the budget. Moving on, thank you, Fire Department. First, we are adjusting the fire upfront fee to be based on the project size, as we have done for the building upfront fee. This is one of the unusual ones; that we were charging too much upfront for the fire inspection. We had to give refunds. So to avoid that and to try something commensurate for the building permit, we are charging again the same denomination, which is the building size and not the construction cost. Again, that is no impact on the budget. Eventually, they'll pay the same correct fire review fee in the end. Second one, we are clarifying the fire sprinkler review would include inspection, and our fees are pretty much in line with Miami-Dade and Miami Beach, so we did a comparable study. And last but not least, partial sprinkler inspection, as well as alarm system inspection review. We're increasing \$50, \$450 per inspection. That's to factor in staff time with two-hour minimum, and that is in line or lower than Miami-Dade and Miami Beach fee schedule. Any questions on the Fire Department's fees? Move forward, Historic Preservation. If Ms. Dona Spain can answer any questions you may have. We are updating the historic significant determination fee to be comparable to a building site determination, since the work is quite comparable. Secondly, we are lining up the variance fees for Historic Preservation. As you know, variances for historic properties go straight before Historic Preservation Board and it's determined by that board. And since the review and the complexity is similar to Planning & Zoning, we pretty much copy the Planning & Zoning variance fee schedule into the Historic Preservation fee schedule. We are also updating the Transfer Development Rights application review because you have to factor in some zoning staff time as part of that review. Any questions for Dona?

Commissioner Lago: Dona, do you have anything to say or any questions are the fees are fine?
No issues?

Historic Preservation Officer Spain: No. I think it's been a while since we updated our fees. I just would like to say for the public that we do not charge to designate properties as historic; some municipalities do that. And we don't charge for Certificates of Appropriateness, so they can do work without having a separate fee for historic preservation. And we actually eliminated the fee the year that we required the Preservation Officer to look at the demolition permits, and then required those that are historically significant to be designated. And we thought it was pretty tacky then to charge them, since we're designating their property without the owner's consent, to actually charge them to do work.

Commissioner Lago: You mentioned a comment there. What about homes that are requesting to be designated, that are going through the process of designation?

Historic Preservation Officer Spain: There's no fee.

Commissioner Lago: And we're the only city that does not charge?

Historic Preservation Officer Spain: I think most do charge, but there's no fee.

Commissioner Lago: But there is a tax incentive for them being designated, correct?

Historic Preservation Officer Spain: There is. There's fee for that.

Commissioner Lago: But I'm saying there is an incentive for them being designated.

Historic Preservation Officer Spain: There is an incentive, but I think it's a matter of principle, that we really want people to come forward and designate the properties for the common good of the community. And so, I would say 11 years ago, the Commission eliminated the fees.

Commissioner Lago: Perfect.

Mayor Cason: OK. Thank you.

Commissioner Lago: Thank you.

Commissioner Slesnick: Do we still give plaques to the designated properties? Do we charge for those?

Historic Preservation Officer Spain: That is a whole issue.

Commissioner Slesnick: All right. We'll bring it up another time, if you'd like?

Historic Preservation Officer Spain: That is part of the request for the budget. I would very much like to have the plaques be no fee and we're working on that.

Commissioner Slesnick: I'm sorry?

Historic Preservation Officer Spain: Not charge anyone for them. I think it's appropriate to give them to the properties. That program was started many years ago. The artist that was making them is ill, and so she's no longer manufacturing them. And the City Attorney and the City Manager and I have worked hard to get that plaque back in the production, so hopefully that'll happen soon.

Mayor Cason: Next item?

Assistant Development Services Director Wu: Thank you. Moving on to Parking. If Mr. Kevin Kinney can assist me with any technical questions you may have. To summarize, we are updating the daily meter back fee from 10 to \$13; the \$10 apparently was the same fee we charged for the past 10 years. We'd like to establish administrative refund fee of \$5. Mr. Kinney mentioned we do administratively refund about 250 requests per year, and that is for

quarterly or monthly parking permits that seeking refund because they want to discontinue the parking monthly fee.

Parking Director Kinney: Monthly fee, yes.

Assistant Development Services Director Wu: So we are proposing a \$5 administrative cost for that. The maximum short-term meter per hour rate, we increasing that from \$1.25 to \$1.50. For valet parking permits and pick-up delivery area per day space, we having some minor adjustments, lunch 6 to \$8; dinner, 7 to 9; and lunch and dinner, we are increasing that from \$12 to 15. So it's minor adjustment.

Mayor Cason: This is money that we get from their parking, their valet cars in our facilities?

Parking Director Kinney: That's correct. Some of these are housekeeping. We raised the hourly rate at the meters at budget time this year, but it didn't trickle down to the other fees, such as valet parking.

Commissioner Lago: Can you talk a little bit about our rates and how we compare to other municipalities?

Parking Director Kinney: Within Miami-Dade County, we are at the bottom.

Commissioner Lago: OK. So out of 32 municipalities, we're at the bottom, correct?

Parking Director Kinney: Yes.

Commissioner Lago: OK. and we're still at the bottom at \$1.50?

Parking Director Kinney: Well, OK, there's a few cities I did not pull, but the major ones, like South Miami, Miami Beach, Miami, Surfside. Some of those, we're at the bottom. I don't know if Sweetwater has any meters. I didn't check.

Commissioner Lago: And when you checked it at \$1.25, not at \$1.50?

Parking Director Kinney: No. That was at \$1.50.

Commissioner Lago: At \$1.50.

Parking Director Kinney: We're still at the bottom.

Commissioner Slesnick: So we're still the lowest.

Commissioner Lago: So even with the increase, we're still close to the bottom.

Parking Director Kinney: We're at the bottom.

Commissioner Lago: If not at the bottom?

Parking Director Kinney: Yes.

Commissioner Lago: OK.

Assistant Development Services Director Wu: And last and Mr. Kinney will have to explain this. Where staff can track valet in City facilities. If it's on the screen. The last point where staff can track valet in City facilities, we are proposing 1.50 per car; and all others we cannot track, \$95 per month per space.

Commissioner Keon: What does that mean? What do you mean, you can't track?

Parking Director Kinney: When we centralize valet, historically, the practice has been that they have a card, they store the vehicles in our facilities, and we make a determination. You need to buy 75 permits per month. Essentially, the theory is that they would, on an average, use 75

spaces in the garages. With the new systems we've put in, we will or should be able to track every vehicle they put into the garage. So I would rather charge them for every time they put a vehicle in, rather than just trying to guess at how many permits they should pay for.

Commissioner Keon: Is it for the length of time they put a vehicle in there? If it's parked for like four hours opposed two hours, it doesn't make any difference?

Parking Director Kinney: No.

Commissioner Keon: Because it's a standard...

Parking Director Kinney: It's a standard flat rate...

Commissioner Keon:...rate for every time for every time, just every time the garage is entered.

Parking Director Kinney: Yes. We know that the average valet is right around two hours, give or take. There are those, especially at dinner, that are longer; at lunch, there's a lot of that are shorter. So we chose the number of \$1.50. Essentially, that puts us in a little better position than we are receiving by estimating how many monthly permits.

Commissioner Keon: You know, that seems, if you look at those numbers, valet parking is a really lucrative business. No? I mean, if they charge you \$7 or \$8 per vehicle or something at most of the valets? It's like \$7.

Parking Director Kinney: That's correct.

Commissioner Keon: And if the cost to bag or reserve that meter is only \$6 for the day and they're charged a dollar something per person?

Parking Director Kinney: If we're looking at centralized valet, they're actually paying \$15 a day per space.

Commissioner Keon: Right.

Parking Director Kinney: So I've done the math a few times. They park 60,000 cars; they collect \$8 per car. That's \$480,000.

Commissioner Keon: And what does it cost them?

Parking Director Kinney: What cost them? The first thing is they buy storage spaces for from me right around \$80,000 a month. They buy the on-street spaces from me right around a \$120,000 a month. So we're getting...

Commissioner Lago: Two hundred.

Parking Director Kinney: Two hundred out of the 480.

Commissioner Keon: That's a good return.

Parking Director Kinney: I mean, we can evaluate what we expect to receive on that, but we also have to recognize that then impacts the cost to the consumer. Maybe the \$7 valet at lunch becomes an \$8 and dinner becomes \$9 or \$10. So we are sensitive that what we charge the valet is then going to be reflected in what they charge the customer.

Mayor Cason: Maybe at a later date, we can have that thorough discussion on valets that we've been talking about, because I would like to see valet charges go down in order to encourage more people to use them and encourage fewer people to be driving round and round and round downtown looking for parking, especially as we do Miracle Mile, or it could even be a subset during the construction of Miracle Mile, what we charge on valets, but that's for another time. But I have no problem with this.

Assistant Development Services Director Wu: That's the last point for Parking. Thank you, Kevin. The next last slide concerns for Public Works, and if Ms. Jessica Keller, Assistant Public Works director, assist me in this. The first stop is special events. I mentioned earlier Public Works does have some fee charges for special events when they take up and break down for special events. We want to update the barricade fees to reflect market rate. The new fees we are proposing for special event setup for arrow board, flash up board, safety cone, and we'd like to delete the message board one on the screen today, so we are deleting message board fee, but we are including new fees because the fees do not exist in the fee schedule today. We're also updating the tent setups, sound system, and sweep fees with respect to the special events. For street work permits, we're also updating our permits for barricades and covered walkways. We are increasing that from \$75 to \$100 for barricades, and for covered walkways, from \$125 to \$175, and that is still substantially lower from our sister cities, Miami Beach and Miami. So she did a comparable and the fees were sorely outdated. Just to let you know, Miami charges \$300 for a barricade fees; again, we're proposing \$100. Likewise, Miami's charging \$300 for covered walkways; we are proposing \$175.

Mayor Cason: Is that a fee basically, a permit to do it or is there also a charge for each barricade or per linear fee?

Assistant Public Works Director Keller: It's permit to do it.

Mayor Cason: Permit, OK.

Assistant Development Services Director Wu: Next, we are proposing to update the right-of-way vacation. Today it's \$1,500. We'd like to update that to \$6,000 to be comparable to Planning & Zoning a vacation application fee. And also, we are trying to match the Planning & Zoning public notice fee, which is \$3.81 per envelope for vacation. There's substantial mailing involved, and Public Works have not been recouping staff time for their mailers, so we are making consistent with the Planning & Zoning notification fee. And we do have proposed a new fee for concrete buttons, which is a \$50 per property.

Mayor Cason: For what?

Assistant Development Services Director Wu: Concrete buttons, so cars do not park in the swales.

Assistant Public Works Director Keller: The white domes.

Commissioner Keon: Those white things.

Mayor Cason: Those white things that you see all up and down Granada, are those sort of blocking off the swale?

Assistant Public Works Director Keller: Yes. To keep people from parking.

Mayor Cason: The homeowner says, I don't want somebody to park there and we let them? Because some have them; some don't. You see a lot of them, they put little flags up. I can see it doing when they're putting new sod in, but basically, they're blocking off the public swale because they don't want anybody to park there. Is that...?

Assistant Public Works Director Keller: That's correct.

Mayor Cason: And we allow that?

Assistant Public Works Director Keller: Yes, we allow that.

Assistant Development Services Director Wu: Per request.

Commissioner Keon: But why do we do that?

Commissioner Lago: Why?

Mayor Cason: Why?

Assistant Public Works Director Keller: Actually, Kevin, do you have background on that?

Mayor Cason: I don't like that.

Commissioner Keon: I don't either.

Parking Director Kinney: Just a little bit. I mean, the general theory is we require the homeowner to be responsible for the swale, and so they are allowed to request from my department “no parking” signs. Or one of the alternatives that has been historically allowed is they go through Public Works for the little concrete domes that I mean, it's not a sign that says “no parking.” There's no citation that can be issued if it's there, but it discourages people from parking on the swale.

Mayor Cason: Those little flags, for example, if you look around the back of Merrick's house, I mean, there are people who have sort of blocked all the parking where people would come for an event with a little flags.

Assistant Development Services Director Wu: That's a violation. We have Code Enforcement following up on each of those.

Mayor Cason: On those?

Assistant Development Services Director Wu: Yeah.

Mayor Cason: So that's not the same thing as what...?

Assistant Development Services Director Wu: No. Only the concrete buttons are authorized by Public Works Department.

Commissioner Keon: But they could then just apply to get the concrete buttons and put them out there and it would do the same thing, in effect.

Commissioner Slesnick: There is a regulation for the concrete button. Isn't there on space between each one?

Assistant Public Works Director Keller: Yes.

Commissioner Slesnick: And I have noticed that we are not enforcing the rules on that, because I've seen some that are like six inches apart, and I think they're two feet apart or three.

Assistant Development Services Director Wu: Actually, we have staff going out there to measure it.

Commissioner Slesnick: It looks like little dots all down the street so.

Assistant Development Services Director Wu: We can follow up on those addresses, but I do know staff does go out there and make sure it's measured correctly.

Commissioner Lago: I think we need to look in this a little bit further, because I understand in certain areas, like we were saying on Merrick's house or maybe University of Miami having "no parking" signs, but the swale, at the end of the day, belongs to, you know, the City as a whole, so I think we need to be a little more careful about that.

Mayor Cason: Yeah, I'd like to have a discussion in the future on that, because I don't like them. I think it's like "This is my territory." Some of those also said they don't want sidewalks because they don't want those people walking on their sidewalks. I look at it sort of like an elitist thing. We don't enforce people if the grass is dead in front of the house I mean, most of these are not massive parking. They just don't want anybody to park there in front of their house, and I don't think we own, it's the taxpayers that own that. There are events when you come to a neighbor's

party and you want to park, all the neighborhood has got these things there and you can't, where do you park?

Assistant Development Services Director Wu: Mayor, why don't we come back and give you a fuller report with Public Works staff and Code Enforcement, and we can always delete this fee at second reading.

Mayor Cason: OK.

Assistant Development Services Director Wu: So that is the last slide. If adopted, as presented, we estimate it'll increase the fee about \$360,000 with a local business tax, and the Parks and Recreation increase constituting two-thirds of that increase. That concludes staff's presentation. I would like to thank all department heads who assisted me in this effort. Thank you very much.

Mayor Cason: Thank you. Anymore discussion?

Vice Mayor Quesada: I make a motion.

Mayor Cason: On E.-10?

City Attorney Leen: But Mr. Mayor, it's a public hearing.

Mayor Cason: Do we have any speaker cards?

Mr. Foeman: No, Mr. Mayor.

Mayor Cason: We'll close the public hearing portion.

Commissioner Keon: I would just like that when we look at the Granada greens fees with regard to the cost to maintain.

Mayor Cason: Right. You're going to come back and...

Commissioner Keon: OK. Thank you.

Vice Mayor Quesada: Yeah. So I guess, as an amendment to my motion, all the items that were discussed that we want additional follow up on, if you can please provide that at a future Commission hearing.

Assistant Development Services Director Wu: Yes, sir.

Mayor Cason: Vice Mayor made the motion.

Commissioner Lago: I'll second the motion.

Mayor Cason: Commissioner Lago seconds. City Clerk.

City Attorney Leen: Did you close the public hearing? I'm sorry.

Mayor Cason: Yes, we closed.

City Attorney Leen: I'm sorry, sir.

Commissioner Slesnick: Yes.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Vice Mayor Quesada: Yes.

Mayor Cason: Yes.

(Vote: 5-0)

Mayor Cason: E.-11.

Mr. Foeman: That was E.-11, sir.

City Attorney Leen: That was E.-11, Mr. Mayor.

Mayor Cason: OK, I had one for both E.-10 and 11.

Mayor Cason: Just a cover -- OK, I got it. I got it. All right, so let's move on then to F.-1.

Commissioner Lago: Thank you.

Mayor Cason: I just did E.-10.

Vice Chair Quesada: Did we do E.-10?

Commissioner Lago: I requested to put a discussion regarding metal roofs.

Vice Mayor Quesada: I'm kind of confused.

Mayor Cason: I have an E.-10 and E.-11.

City Attorney Leen: I'm sorry, sir. There's some confusion here.

Mayor Cason: Yes.

City Attorney Leen: So, Mr. Clerk, E.-11, was what we just voted on, correct?

Mr. Foeman: Yes, that is correct.