



City of Coral Gables
CITY COMMISSION MEETING
February 27, 2018

ITEM TITLE:

Resolution. A Resolution of the City Commission of the City of Coral Gables, Florida, ratifying a settlement agreement to resolve the pending nuisance abatement action relating to 747 and 760 Ponce de Leon Boulevard and neighboring residents, including required conditions; providing for a severability clause, and providing for an effective date.

BRIEF HISTORY:

After numerous complaints regarding parking, traffic, and general congestion from residents neighboring 760 and 747 Ponce de Leon Boulevard, on June 14, 2017, the City Attorney referred a public nuisance to the City Commission sitting as the Nuisance Abatement Board. On September 6, 2017 and January 26, 2018, the parties participated in settlement conferences and ultimately agreed to enter into a formal Settlement Agreement setting out the agreed-upon terms to fully and finally resolve the Nuisance Abatement matter. Ms. Vicky Busot initially brought the complaints to the City's attention and has been involved at each stage of the process. Certain neighboring residents attended the September settlement conference along with Ms. Busot. Additional residents attended the January settlement conference at Ms. Busot's invitation, but not all residents present at the conclusion of the conference. As such, Ms. Busot is assumed to be the resident representative on this matter. In order to provide notice of the proposed settlement agreement to all potentially affected residents, the settlement agreement has been placed on the February 27th City Commission agenda for ratification and to provide an opportunity for neighboring residents, that wish to speak to the proposed terms of the settlement agreement, to be heard. The property was posted and courtesy notice was sent to all residents within 1,500 feet of 760 Ponce de Leon Boulevard.

The terms of the settlement agreement will be presented by the mediator who presided over the settlement conference and/or the City Attorney. The Assistant City Manager/Building Official will also present, with staff available to answer questions. Once the agreement is presented, the owners of 747 and 760 Ponce de Leon Boulevard will each be given an opportunity to speak either personally or through their attorneys. Finally, all neighboring residents who are present, will be given an opportunity to speak regarding the terms of the agreement. The City Commission may: (1) ratify the agreement as written, which would conclude the matter, or (2) request certain conditions be added or removed. Should the Commission request additions or deletions that are acceptable to the parties, the City Commission shall then proceed to ratify the agreement, as amended, and the matter shall be concluded. Should the parties not agree to the additions or deletions requested by the City Commission, the matter shall be scheduled for a full Nuisance Abatement proceeding before the City Commission in accordance with Section 34-308 of the City Code.

ATTACHMENT(S):

1. Draft Resolution
2. Proposed Settlement Agreement with Exhibit