

**City of Coral Gables City Commission Meeting
Agenda Item G-2
September 10, 2019
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena**

City Staff

**City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Assistant City Attorney, Gus Ceballos
Finance Director, Diana Gomez**

Public Speaker(s)

Juan Galan

Agenda Item G-2 [10:50:00 a.m.]

A Resolution of the City Commission amending the policy and procedures for the amendment of existing Special Taxing Districts within the City of Coral Gables.
(Sponsored by Commissioner Keon)

Mayor Valdes-Fauli: Next item is Commissioner Keon's, G-2.

Commissioner Keon: At the last meeting with the approval of the Special Taxing District, we had a discussion, I asked Gus, if there is any language that should be added that would tighten this up and make sure that people are fully informed that there is a petition being circulated and what the language of the petition is before it goes out; and they suggested that we add the opportunity for us to look at improve the language of the petition. Generally, when petitions are involved with government, generally the government does look at and improve the language of the petition. So

City Commission Meeting
September 10, 2019

that's all this does. Its really not a big deal. It just makes sure that everybody knows the language of the petition and that a petition is being circulated for whatever reason related to government activity within that community. That's all it does.

Assistant City Attorney Ceballos: Good morning Mr. Mayor, Vice Mayor, Commissioners, Assistant City Attorney Gus Ceballos. After the agenda was published and those items and the changes were provided to you, I have since made some addition modifications after meeting with some residents. I'm going to go ahead and circulate those for you, and I'll go ahead and read them into the record as well. I'll go over the changes briefly. Basically, once the initial letter of intent is submitted to the City, the City will then draft the petition to be circulated among the property owners within the Special Taxing District. The petition will now include specifically, as part of our policy, the name and contact information of the party or parties which submitted the letter of intent to the City to initiate the process. That's so that all the residents know exactly who is the one that began this entire process, who is requesting the changes. After that, all proposed change the Special Taxing District, including the estimated economic impact of the change, an explanation of this amended process and a copy of this adopted policy, so the policy that's before you is being included as part of the petition so that we are being in the abundance of transparency they are aware of the entire process. Once drafted, the petition will then be brought to the City Commission for your approval prior to distribution. Additionally, a courtesy notice will be sent to all properties located within the Special Taxing District prior to said Commission meeting approving that petition. So, there is a second opportunity for the residents to be heard before the Commission before the petition is taken. Additionally, under the third section, all the submitted petition forms will be required to be original, completed in and dated. As we did have some issues that some of the signatures in this round of changes were not dated. Lastly, this change is already included in the change that was before you that the notice shall contain the proposed changes to the district and the process. Those are all the changes I am proposing. If you have any comments, questions, please.

Commissioner Keon: It seems to cover all of the issues that came up. So, thank you very, very much.

Assistant City Attorney Ceballos: Pleasure.

Mayor Valdes-Fauli: We have a member of the public that wishes to speak, Mr. Galan.

Mr. Galan: Good morning all.

Commissioner Keon: Good morning.
City Commission Meeting
September 10, 2019

Mr. Galan: Thank you for giving me the opportunity to speak to you, Mr. Ceballos. This is definitely a much more transparent and fair process, which is, I think what we are all interested in. I only have a couple of concerns that I want to bring to your attention. I hope you realize that you are taking the right to vote away from the property owners by the 66.6 percent approval; and we all know that a vote in a closed booth is different than neighbor asking you for signing a petition. So, I would ask you to consider which I know, in talking to Mr. Ceballos, the original proposal was higher to make this 75 percent, something like that, because 66.6 percent is equal to 50, which is what designate. If they only get to 50, they go to a vote, which is more expensive. If they go to 66.6, you are taking away the right to vote and you vote for the property owners as a Commission, which you may have the right to do, but the question is, is 66.6 percent enough, should it be 75 or higher? - because that's what essentially what's happening is, citizens are not having a vote, you the Commission is taking the vote. The other issue I would like to bring up and its funny, they were sitting here, because I've sat here and in fact, I was appointed through a Commission years ago, who sat here for days, and there used to be a cameraman and today there are automated cameras. I hope you realize that every one of these Special Taxing Districts have no review, no annual review like their budget process, OK, no zero-based budget... We have the same Special Taxing District for the last one-plus years, has never been reviewed, nobody ever challenged like the City does, should we put in more patrol officers or should we put in tag readers, should we put in cameras, or should we put in an additional shift. So, I really believe that for the benefit of the City and its property owners, the City ought to include, since you've taken over the Special Taxing District, a sunset provision, a requirement that maybe every ten years this has to be rejustified, has to be reviewed and has to go out for petition again, because we are using the same technology, the same approach that was instituted 20-plus years ago for Phase I of Coco Plum today, and you are using automated cameras, doesn't make any sense. And the only way we are going to force a Special Taxing District to review whether its needed or not is a review. Now for example, a lot of the gated communities are what our Special Taxing Districts are. Here in Coral Gables we still use a service Wackenhut, CF4, whatever. My daughter, one of my daughters live in Palm City in a gated community, developed by D.R. Haughten, guess what, they have a national call center with an automated egress, ingress, much more efficient than having security guards determining whether this car should enter or not. So, I think that as you have taken over the Special Taxing District responsibility from the county, which I know you didn't ask for, but you got it, OK, you need to think about not only the fact that there should be a sunset provision, but the fact that whether you like it or not, as a businessman I can tell you that every dollar that somebody spends on Special Taxing District is a dollar that's not available for the City to spend on something the City believes in. So, you really need to do this just for the benefit of the property owner, but also for the benefit of the City itself. So, I would ask that you consider putting in a sunset provision. I'm saying ten years, maybe it should be sooner, but since we have not had one maybe ten years

City Commission Meeting
September 10, 2019

is a reasonable start, and that's the only thing I would take note, but I do think its much fairer and transparent.

Mayor Valdes-Fauli: Thank you.

Commissioner Keon: Thank you Juan. We have hired an individual that oversees and works with the Special Taxing District, isn't there an opportunity every budget when the information is sent out, don't they meet with them to look at the Special Taxing District they know there are additional services. I know in Sunrise Harbor we had a long discussion with the people in Sunrise Harbor as to their desire to have better cameras and different cameras and a variety of different things. So, it was my understanding that every year the Special Taxing District have an opportunity to look at and decide if they continue with what they have or if they want something different, is that right, or am I wrong?

Assistant City Attorney Ceballos: Mr. Winklejohn is in contact with the vast majority, all of them on a regular basis. They do request changes. They are always reaching out to him and requesting modifications, upgraded cameras, things of that nature. It's a continuous process that's being done an excellent job for the City so far.

Commissioner Keon: OK. There is an opportunity for whoever represent the Special Taxing District and those that have mandatory homeowners' associations, it certainly is much easier, but usually do we default to whatever homeowner association exist there or who does he contact?

Assistant City Attorney Ceballos: Typically, there is no homeowner's association, that's the reason why these Special Taxing Districts exist. If there is an HOA there wouldn't be a need for this type of taxing district. He has always had a very open-door policy, provides people with his cell phone number and provides them an avenue to contact him. If any resident ever wants to reach out directly to him, they can reach out to the City Attorney's office and we'll be more than glad to provide that contact information.

Commissioner Keon: OK. So, through this petition process, any homeowner can begin to request or to work with their community to make whatever changes they might want within the Special Taxing District.

Assistant City Attorney Ceballos: Of course.

Commissioner Keon: It was my understanding, I think Diana explained it, that they prepare a budget, when is the budget prepared for the Special Taxing District?

City Commission Meeting
September 10, 2019

Finance Director Gomez: Its prepared the same time that ours is prepared, we presented it, the initial budget in June, I believe it was and we are going to have the hearings on Thursday this week.

Commissioner Keon: Right – right. When does Mr. Winlejohn starts working with them, in the spring, I understand?

Finance Director Gomez: Yes. He does tend to meet with, even though there is no official HOA's, there are voluntary HOA's that he does meet with them and he goes to their community meetings and things like that and the neighborhood meetings that are there, he usually attends those meetings and that's where he gets the input and discusses with them any issues that are coming.

Commissioner Keon: OK. So, there is an opportunity for them to talk to someone if they want something and there is a petition process now that I think is transparent.

Assistant City Attorney Ceballos: The very first option is a letter of intent with ten percent of homeowners, so literally if you have ten percent of homeowners, you can move forward and initiate the process.

Commissioner Keon: Thank you very much – much improved.

Mayor Valdes-Fauli: Let me ask a question. We took this over from the county, right?

Assistant City Attorney Ceballos: Correct.

Mayor Valdes-Fauli: Weren't they better off with the county doing it or if they were better off maybe we should put it back to the county.

Assistant City Attorney Ceballos: The response I've had is that we are much more responsive.

Vice Mayor Lago: The issue about responsiveness and I deal with Mr. Winklejohn on a constant basis, and the appointment of this Commission to the YGreen corridor and he does an exceptional job, and I've talked to...for any day of the week to be involved with the City of Coral Gables over the county.

Mayor Valdes-Fauli: They are better off.

City Commission Meeting
September 10, 2019

Vice Mayor Lago: Yes.

Commissioner Keon: Thank you.

City Attorney Ramos: Is there a motion to adopt the resolution?

Commissioner Keon: I'll move it.

Vice Mayor Lago: Second.

Mayor Valdes-Fauli: Will you call the roll please.

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Commissioner Fors: Yes

Commissioner Keon: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

[End: 11:01:54 a.m.]