

City of Coral Gables City Commission Meeting
Agenda Item G-4
February 26, 2019
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Pat Keon
Commissioner Michael Mena
Commissioner Frank Quesada

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Interim Public Works Director, Hermes Diaz
Governmental Affairs Manager, Naomi Levi Garcia

Public Speaker(s)

Agenda Item G-4 [2:15:14 p.m.]

A Resolution of the City Commission of Coral Gables, Florida in support of Senate Bill 214 and House Bill 85, an act related to onsite sewage treatment and disposal systems and making support of Senate Bill 214 and House Bill 85 part of the City's Legislative Agenda. (Sponsored by Vice Mayor Lago)

Mayor Valdes-Fauli: G-4.

City Attorney Ramos: G-4 is a Resolution of the City Commission of Coral Gables, Florida in support of Senate Bill 214 and House Bill 85, an act related to onsite sewage treatment and disposal systems and making support of Senate Bill 214 and House Bill 85 part of the City's Legislative Agenda. Vice Mayor.

Vice Mayor Lago: I put this on the agenda today just to bring a little update in regards to some things that are going on and I wanted Naomi to give just a brief overview, if you have any points

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that you'd like to give. I know that you are in constant contact with our state officials. This is an issue just brief you before you give us that background.

Ms. Levi: Sure.

Vice Mayor Lago: This is an issue that's going to be coming before, not only this Commission, but the entire State of Florida. When we talk about water quality, at one point we are going to be facing municipalities, counties, the entire state, the migration from septic tanks to some sort of sewer system. It's going to be required. I know that this Governor is moving in an aggressive manner in regards to sustainability, environmental stewardship, and this is an issue that they plan on tackling. You have other cities, including the Keys that have already embarked on this and have gone through this transition. It's incredibly costly, but its beneficial when you talk about water quality. That's not really encapsulated in this discussion. I just want to give you a little more background where I feel, not our lobbyist, not our staff, but where I feel that this could be potentially heading in the next five to ten years, and it's a significant financial commitment, and I think these are steps in the right direction in regards to protecting our environment.

Ms. Levi: So Vice Mayor, you brought these Bills to our attention. At this point what it would do is really just create more accountability, it would create rule-making and standards to the Department of Health where people would need to maintain their septic tanks. They would be subject to inspection every five years. If the tank required replacement or being pumped, they would have to follow those guidelines through the Department of Health. The City really wouldn't have to do anything; enforcement falls within the department. So it's definitely worthwhile to support. I don't see any negative impacts. I believe our Public Works Assistant Director can speak a little more on the issue.

Vice Mayor Lago: Thank you Naomi, I appreciate that.

Ms. Levi: Sure.

Interim Public Works Director Diaz: Hermes Diaz, Interim Director, Public Works. So we looked at the legislation and we see no impact, no immediate impact to us and operations. We do see that there might be a point in the future that's a result of the residents themselves may be asking for us to expand the system.

Vice Mayor Lago: That's why I mentioned in the beginning, I preface that this could potentially be done down the line.

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Interim Public Works Director Diaz: Possibly – yes.

Commissioner Keon: I have some questions, if you don't mind.

Interim Public Works Director Diaz: Sure.

Commissioner Keon: My feeling is to not get involved in it at all, not to support it. I don't know who put it on, I think it's from kind of north Florida around Sarasota, whoever is the Rep. over there in the Senate I mean. I don't know who the Rep. is on the House Bill where it is. It strikes me as a real windfall for septic tank people. I think if people's septic tanks are backing up or need to be cleaned out, you certainly know it, in your home and people...the cost to do this. I don't know how much it cost to do this, but you are putting the cost on a homeowner to do this. And if the intent is to go to sewers eventually, we are going to go to sewers, and we should go to sewers and there needs to be a funding mechanism for sewers. But how you are going to do this on a statewide basis, the benefit to us to getting involved in this or in supporting it, because I think it's just, at this point, it's been filed. I don't know if it will be heard. I don't know where it will be in the legislative process, but I think it creates a burden on homeowners, because I think if someone's septic tank isn't working, you will get your septic tank fixed, because you won't be able to live in your house with it not fixed. I don't know who it benefits.

Ms. Levi: So if I can just weigh in. The difference between kind of the current status of how the Department of Health manages septic tank systems and what would happen if these rules were to pass. It's just that this adds some teeth to the process, so there are consequences for not maintaining your septic tank. Whereas right now, people can kind of get away with having septic tanks in horrible...having drain fills that don't really function correctly and there are environmental consequences for that.

Vice Mayor Lago: And I'm happy you brought that up, because that was going to be my point. Again, I'm an individual who lives in a home, like most of us, and I think it's critical that we have some sort of accountability and that we hold people to a certain standard in regards to septic tanks. Septic tanks are a mechanism which, if we could afford citywide to go into sewers, that's the most environmentally conscious way of doing. I know it cost money that's why I preface this presentation with the fact that you are seeing cities, especially in the Keys moving away from that, because they are seeing a deterioration of the water quality. If you do not maintain your septic tanks, which right now there are no laws on the books or there is no mechanism to really enforce septic tank maintenance, so it either fails or if you are responsible enough to say, hey listen, I want to clean out my septic tank every few years or I want to make sure that it's in proper working order. So this just brings in a little bit of teeth into what we currently have right now, which is

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nothing. There isn't anything in the books that I'm aware of that tells people listen, you need to be accountable for your septic tank and if we are going to be serious about environmental stewardship, we need to start dealing with issues like our septic tanks. Our water quality, especially in the coastal communities like the City of Coral Gables where you have, I think almost 40 miles of coastline here in the City. We need to – there are a lot of homes that have septic tanks around the coastline and again, all that sewage is seeping into your water quality that we so desperately need. So this is in support of ensuring that septic tanks are maintained. The intent was never to give priority to septic tank companies. I don't know anybody who owns a septic tank company. I just thought it would be something to bring forth in a City that, again, we pride ourselves of being the City Beautiful and we have over 40 miles of coastline. I think that we should be responsible just like other municipalities are.

Mayor Valdes-Fauli: You want to hear some history?

Vice Mayor Lago: Of course. I welcome history.

Mayor Valdes-Fauli: In the 1970's the City decided that we would install sanitary sewers all over the City, especially in the North Gables, basically our development; and we borrowed \$20-something million dollars to finance that. This was during the Ford Administration, with that money in hand we bought bonds. We insisted the bonds at that time during Jimmy Carter's, they were 20 percent, 18 percent or something like that, so we had these 20, 18 percent; and then the EPA came down with a ruling saying that being in coral rock, whatever the sewage, the water would be so filtered by the time it got down to the aquifer, that we could not build sanitary sewers, that septic tanks were the best remedy. At that point, we defused our bonds and made a killing. We made so much money in that, maybe EPA is going to change its mind again. That's what happened then.

Vice Mayor Lago: Thank you for the history. I appreciate that. I never knew that. I wasn't aware of that.

Mayor Valdes-Fauli: They told us that we could not build sanitary sewers.

Commissioner Keon: Are there sanitary sewers along the coastal communities or do they all have...

Mayor Valdes-Fauli: Along North Gables.

Commissioner Keon: Yes, I know, but...

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Mayor Valdes-Fauli: That's a new community.

Commissioner Keon: Yes – like Coco Plum....?

City Manager Iglesias:...those are all sanitary sewers.

Commissioner Keon: So most of our coastal communities are all on sanitary sewers, so everything to the east of – most everything to the east of Old Cutler...

City Manager Iglesias: Yes. Those are newer communities and most of those...[inaudible].

Commissioner Keon: And everything to the west they are likely - most of the east are.

Vice Mayor Lago: You also have – and I understand you want to focus on just the ones that front the ocean, but there are a lot of channels inside the City, for example, on Laguna that are not on sewer.

Commissioner Mena: My neighborhood.

Vice Mayor Lago: Your neighborhood. For example, I took the time to meet with the contractor who reached out to me, who was the person, who was the entity that did all the work, excuse me, in Key West and Key Largo when they migrated to sanitary sewer. We talked about a lot of the issues and the positives and the negatives. I'm not immune to the fact that this is very, very costly. You are talking about a community spending tens, hundreds of millions of dollars to move in this direction. My goal is to try to limit our exposure and to try to just stop some of the pollution that's occurring and people should take into consideration, just like we as a City require people to maintain their grass, cut their hedges. Just because you don't see it every single day and you flush your toilet and it goes somewhere, at the end of the day we are responsible for it. We are responsible for whatever goes into a septic tank. Just because you flush the toilet and it goes away, it's going somewhere. So if your septic tank is leaking, it's your responsibility to maintain it.

Commissioner Mena: Yes. I'm not going to pretend to be an expert on these, but I did read up on it a little bit and what I understood was, so there used to apparently be protocol for septic tank inspections that were – the restrictions were lifted during the recession basically, because there's a cost component to it; and one of the things, I don't think anybody has a real air-tight answer on what caused the blue-green algae and the red tide blooms that we saw in Central Florida and along the coast this year, but one of the theories, for lack of a better word was that septic tank leakage in certain areas in the state is contributing to that in some ways, to what extent, I don't know. But in

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light of the fact that we used to have these types of inspections and requirements and the restrictions were lowered and we've been seeing, obviously some environmental issues like that throughout the state, not just in the City. I think we also have to be cognizant of that throughout the state. I don't see a problem support this personally.

Mayor Valdes-Fauli: Can I get a motion?

Vice Mayor Lago: I'll make a motion to approve H-1, the reso (resolution).

Commissioner Mena: I'll second.

Vice Mayor Lago: If anybody would like to make a friendly amendment, I'm more than flexible to amend this resolution in support.

Commissioner Mena: It's in support – yes.

Vice Mayor Lago: So if anybody has anything else they want to add?

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

Commissioner Keon: Yes

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Mayor Valdes-Fauli: Yes

(Vote: 4-0)

Commissioner Quesada: Absent

Vice Mayor Lago: Thank you for your support.

[End: 2:27:10 p.m.]