

City of Coral Gables City Commission Meeting
Agenda Item C-2
November 13, 2012
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Vice Mayor William H. Kerdyk, Jr.

Commissioner Maria Anderson

Commissioner Rafael “Ralph” Cabrera, Jr.

Commissioner Frank Quesada

City Staff

City Manager, Patrick Salerno

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Public Speaker(s)

C-2 [Start: 9:25:06 a.m.]

Resolution accepting the recommendation of the Chief Procurement Officer pursuant to Section 2-828 of the Procurement Code entitled “Contract Award” and Invitation for Bid (IFB) 2012.09.20 to award the LeJeune Road Median Improvements Project to Metro Express, Inc.; and authorizing a budget amendment to the Fiscal Year 2012-2013 Annual Budget to recognize as revenue a transfer from General Fund Reserve and to appropriate such funds to put toward the cost of the project.

Mayor Cason: Item C-2.

Commissioner Cabrera: Thank you Mr. Mayor. Item C-2, it’s a resolution accepting the recommendation of the Chief Procurement Officer pursuant to Section 2-828 of the Procurement Code entitled “Contract Award” and Invitation for Bid (IFB) 2012.09.20, to award the LeJeune Road Median Improvements Project to Metro Express, Inc.; and authorizing a budget amendment to the Fiscal Year 2012-2013 Annual Budget to recognize as revenue a transfer from

General Fund Reserve and to appropriate such funds to put toward the cost of the project. Ladies and gentlemen, the reason I pulled this item, this is a project that is scheduled to be constructed on LeJeune Road, it's a median improvement. It involves a replacement of the existing painted asphalt islands in the center of LeJeune Road with new landscape islands including trees, ground cover plantings and irrigation systems. It will stretch from Altara Avenue to Mendoza Avenue; its total cost based upon the bid is \$305,635.55. Mr. Mayor, I can't support this item for two primary reasons: number one, in my opinion I believe this item truly lacks a public process, a true public process. I believe that prior to you and Mr. Quesada being part of the Commission we had a similar proposal by Florida's Department of Transportation, which basically simulated what is being considered by this government, and in spite of the fact that it did not pass back when it was presented to us, we did have a very, very aggressive public vetting process with the neighborhoods that that project would affect; and let me be clear about something, that median project, which was not ours, it was the Department of Transportation, did not cut off any of the streets. So the actual median that was going to be built was not going to obstruct the ability for automobiles to turn in from either side of the road. However, there was a great deal of interest by the citizens that were affected by this project, and I just don't believe that we have done the job that this truly deserves to have a public vetting project; and secondly, I always have a big problem when the professional administration wants us to move monies from General Reserves in order to do a project like this. I don't understand it quite frankly, just last month we approved the budget for 2012-2013, and why this wasn't in that process is beyond me. So for those reasons I won't be supporting this bid award.

Commissioner Anderson: Is there a way to get a public process, at least for the neighbors to know?- if that was the same project, I'm trying to remember, is blocking off the same streets?

Commissioner Cabrera: Actually this is a much larger project than the DOT's (Department of Transportation) original project to improve LeJeune Road, but let me be clear, this is not a project that is going to cause any kind of obstructions, to the best of my knowledge, with the access from LeJeune Road to those streets between Altara and Mendoza, but it will have a center median, perhaps smaller than the originally planned by the Florida Department of Transportation, but nonetheless it will be a median; and in fact the City Manager was not with us at the time that this item came before us, the first time the item from the Department of Transportation came before us.

Vice Mayor Kerdyk: Can I give you my remembrance of what went on there?- and it's something similar to what you remember, but there is some difference there too. Actually, and I hate to say I, but this was brought forth 13 or 14 years ago to do something to the LeJeune Road median, and the concept was at that time was to beautify the area so that we would have an entrance to the City of Coral Gables that was as beautiful as other entrances in the City of Coral Gables, that was the concept. So the last administration went to DOT and DOT said yes, we'll let

you do that, that's a great concept, but we are going to basically give you the instructions on how we want it done, which was basically, we are going to have these long medians here, and there is going to be some ingress and egress problems into some of these streets that goes east and west. So sure enough and rightfully so, and we did the public process, all hell broke loose as far as that, because people were saying hey, I can't get in and out of my streets and I'm having to turn right, that's ridiculous and turn left. Now, I haven't studied this project as closely as I did because we all lived that last project, and again this is just how I remember it – let me just finish....

Commissioner Cabrera: Hey Bill, and I want to add because I went back and saw the minutes of the meeting, so I want to add what you are saying.

Vice Mayor Kerdyk: No problem. So then as I understand this project it's exclusively not going to have the elongated planters, for a better word, planters there, it's going to be encapsulating in the smaller islands, which was the initial concept was where they just have the initial islands where they have markings on the islands where nobody is supposed to go through to make turns and stuff, it was not supposed to go, and I don't know if maybe the City Manager can tell us if they go all the way from one street to the other, it's just going to be in those islands, so that's how I saw the difference, that's how I remember the difference.

Commissioner Cabrera: Let me then comment on this since this is my item. I went back to the minutes and here's what happened. The neighbors because of the public vetting process gave us the feedback that you just outlined, we, working with the DOT, modified it so there wouldn't be these problems. There were maybe one or two or maybe three areas where it couldn't be modified, but that's how we did it, it was driven by DOT, it wasn't driven by us. So, I just want to make sure that everybody understands that we alleviated the problem by working with DOT, and in spite of that there was a great deal of pushback by the citizenry. Now since this continues to be my item, I'd like to, after the Manager does his rebuttal about my comments, I'd like to find out if the Florida Department of Transportation has approved this project, and secondly, I'd like to find out why, because to the best of my knowledge there really isn't a true plan for what it's going to look like, and so (a) I don't know if DOT has approved it officially, based upon what I read I didn't see it; and (b) because it's a state road ladies and gentlemen, and (b) I haven't even seen the design of this project. So if you all want to approve something that you all haven't seen that's par for the course.

Commissioner Anderson: You know conceptually I'd like to support this project, but I'd like to see it.

Mayor Cason: Well Mr. Manager can you explain?- answer the two questions.

Commissioner Anderson: Not explain I'd like to see the plans.

Mayor Cason: Yes, well let's see if we have the plans.

City Manager Salerno: Mayor a couple of things. It's my understanding that this does not obstruct any of the access points from the residents. It is a much smaller scale project my understanding, from what was presented many years ago. The reason why the budget amendment is prepared now is because when the budget was submitted in July we didn't have bid numbers; we do have bid numbers, it appears we have a very close, a compressed scale on the bid numbers, so we know we have a good bid price here. There are approximately 12, as Vice Mayor said, there are about 12 of the hashed on the street. There are 12 hashed out cross hashed medians, so the medians are already there. All this is doing is converting asphalt medians to landscaped medians in the case of 12 of them over the length of LeJeune within the City limits. The DOT has approved this project, they've been involved with the project from the beginning. I believe we just received a confirmation last week which allowed the project to go forward, I'd be glad Commissioner to go down to my office and grab the photo, a rendering of what it looks like. It's very simple, it's a very simple median with green Ficus island hedge in the middle, flowering annuals on the end and one or more Alexander Palms in the center, but I'll go down and gladly bring that item back to you. So this is a modest scale project that has good bids, it was approved by the Commission, the initial funding was approved a number of months ago at that time to go forward. I believe the Commission saw fit that this was a project that they believe should be done. It's been discussed for many, many years, and frankly it's one of the major entrance ways into the City and will be one of the best opportunities for the City to continue to beautify.

Commissioner Anderson: You know it's OK, I understand, and you know conceptually I'm cool with this, but all I want to do is what we used to be able to do, is to see the project that we are approving. Why don't we just pull this?

Vice Mayor Kerdyk: Why don't we defer it?

Mayor Cason: Defer it for a moment.

Commissioner Anderson: For later in the meeting.

Commissioner Cabrera: No, no, I'd like to defer it to the next meeting.

Vice Mayor Kerdyk: I'd just as soon defer it, if he has it downstairs, I'd just defer it to...so we can see them.

City Manager Salerno: Mayor, I'll bring up a picture...

Commissioner Anderson: And the DOT letter.

Commissioner Cabrera: I'll concur because I know what my vote is going to be, it's going to be a no vote, but you know what?- I don't want to obfuscate, I want to see the design, I truly want to understand the budget process the Manager has explained it. In July he did not have the final numbers, I accept that; I accept the fact that this project does not obstruct the ability for people to enter and exit on LeJeune, I also agree with the fact that it's a smaller scale project, if DOT has in fact approved it, I'd like to see a copy of the DOT approval. The photo rendering, I guess that's nice, but I really would have liked to have seen the plans for it, and yes, the Manager is also right, it's been discussed for many years, and Mrs. Anderson and Mr. Kerdyk can vouch for my statement. The last time this was brought to us it was a very, very contentious process in spite of the fact that the Department of Transportation alleviated some of the concerns raised by the citizens. Here's what's going to happen folks, no one is going to complain about it today, no one is going to complain about it throughout the holidays where we are going to get the complaints, we, the elected officials is when they start seeing this project going through the construction stages, that's when it comes in and unfortunately or fortunately some people are going to love it. If somebody loves it, we are all going to get e-mails about how much they love it, and if somebody hates it, we are never going to see it, because that's the way it works, and you all know it works that way, so I'm not just making this up. So if the goal here is to make it a little nicer by having the photo rendering brought to us, so be it, I'm still not going to vote for it because this completely lacks a public process.

City Manager Salerno: Mayor, I'd only add. I understand Commissioner, you voted no for the project...

Commissioner Cabrera: Thank you for reminding everyone, yes, that's correct. I did vote against this project initially, I'm very proud of that vote, I continue to be proud of all my votes.

City Manager Salerno: OK, I just wanted to point out because...

Commissioner Anderson: Let's defer this to the next meeting.

Mayor Cason: We'll defer this to the end of the meeting when you can bring up and show us plans and the DOT approval.

City Manager Salerno: Be glad to Mayor.

Commissioner Anderson: Do we want this for the next meeting or later in the meeting?

Mayor Cason: Later in this meeting.

Commissioner Cabrera: If you were part of the ICMA (International City Manager's Association) you would have just been scolded for correcting an elected official on his particular vote.

City Manager Salerno: I don't believe so Commissioner.

Commissioner Cabrera: But you are not part of the ICMA anymore because you were afraid I was going to file a complaint against you and after 30 years you decided to leave the ICMA.

City Manager Salerno: Rather than to be subject to your personal attacks Commissioner, yes.

Commissioner Cabrera: Absolutely, it's just...

[Note: The Commission ended this portion of Agenda Item C-2 at 9:38 a.m. and resumed the item at 10:08:31 a.m.].

Mayor Cason: Let's move back to Item C-2. Mr. Manager.

City Manager Salerno: Alright Mayor.

Commissioner Cabrera: So we have in front of us because it's still my item, Mr. Mayor it's still my item?- we have in front of us Option 3, I don't know if there is Option 1 and 2, and Option 4, 5, or 6, but Option 3...

City Manager Salerno: Well, I'll explain that Commissioner.

Commissioner Cabrera: OK.

City Manager Salerno: This is what I passed out was the plan that we are proceeding with. As I said before, the center of the islands is going inside an asphalt island today, this green Ficus island with annuals at the tips, and as you can see the representation in the bottom left, Alexander Palms depending upon the length of the median could be one or more.

Mayor Cason: These trees will not block vision?

City Manager Salerno: No, this has been approved – the plans were submitted to DOT and they are Alexander Palms and those are just about the only one of very few trees that the DOT will allow.

Commissioner Cabrera: It's a shame that the public is not getting an opportunity to see this, but I'm sure in an upcoming E-NEWS, they will probably get to see it.

Vice Mayor Kerdyk: Would you mind if I ask a question.

Commissioner Cabrera: Oh, absolutely not sir.

Vice Mayor Kerdyk: I think the most important thing for me is, I want to hear it from you Mr. City Manager that there is not going to be any ingress or egress problems with any of the existing

streets, and then secondly, as the Commissioner said, logistically as far as installing this, what is the process of installing medians on LeJeune Road from a traffic standpoint?

City Manager Salerno: Let's see, number one, DOT specifically reviewed all the access points and there could have been a number more than the 12, I believe, they approved, but they specifically excluded those that could have potentially an impact on an access, that's why it's limited to 12.

Vice Mayor Kerdyk: OK. So the answer to that question, so I understand is no, there are not going to be any ingress or egress issues from any of these streets, right?

City Manager Salerno: That's what I've been told by staff, that's what DOT approved and they were very restrictive to us, the answer is yes.

Commissioner Cabrera: Mr. Kerdyk wouldn't you want to see a full plan, this is a partial plan.

Commissioner Anderson: Yes, didn't it go from Altara to Mendoza.

Commissioner Cabrera: 12 islands, that's what I heard; I learned that it was 12 islands this morning, and like you said Mrs. Anderson, Altara to Mendoza.

City Manager Salerno: As I said...

Commissioner Cabrera: This is from Palermo and just south of Catalonia, which is north of Palermo and just south of Catalonia.

City Manager Salerno: There are only a total of 12 of these islands that are going in here.

Commissioner Anderson: And there are only three here.

City Manager Salerno: Yes, they all look the same, if they are a little longer they might have two Alexanders or they might have one, or they might have three.

Commissioner Anderson: Well what's wrong with showing them?

City Manager Salerno: Well, I'll be glad to give you a copy of it; I don't see a reason to delay the project in order to just look at duplications of the same.

Commissioner Anderson: You know that is my prerogative as an elected official.

City Manager Salerno: I understand, but I just wanted known that I don't believe that we should delay the project.

Mayor Cason: I have a question. These flower types will change presumably with the season or they could be any color?

City Manager Salerno: That's correct.

Mayor Cason: Are they going to be irrigated?

City Manager Salerno: They'll be annuals, flowering annuals.

Commissioner Cabrera: I think there is irrigation planned for it.

Mayor Cason: Is there irrigation on these?

City Manager Salerno: Yes there are, yes there is.

Mayor Cason: So these could change according to many things, the season...

City Manager Salerno: Just like the annuals on Miracle Mile, the colored annuals that you see on Miracle Mile at the ends of the....they will be the same type of plant that will be replaced as needed.

Mayor Cason: And these are the areas that you are not allowed at the moment to cross into these areas at any rate?

City Manager Salerno: No. They were not allowed to cross on them before when they were asphalt median. They weren't allowed to cross on them when they were landscaped median.

Vice Mayor Kerdyk: OK. So you told me no ingress, egress, and just as importantly logistically, how do you process...

City Manager Salerno: Well the contractor will provide a method, a traffic management plan that will be approved by Public Works and that's what they do whenever there is any construction done in the right-of-way, so we did this on, it's a routine matter that Public Works reviews...

Mayor Cason: DOT – they will do it?

City Manager Salerno: No, the contractor working with Public Works of the City will approve the traffic management plan associated with the construction.

Mayor Cason: Well presumably they will do them one at a time and finish and...

City Manager Salerno: Mayor, I can't tell you, they are going to do it, we don't control methods of the contractor, that's standard, we do control the traffic methods, but how they construct it and we'll work with them to do it in the most expeditious possible manner, I think the project is only expected to take four or five months, it's not a big project.

Vice Mayor Kerdyk: I just know that people get very upset on LeJeune Road, when they are driving on LeJeune Road.

Commissioner Cabrera: Wait till you start getting the calls and the e-mails, and I'll send them out to all of you.

Vice Mayor Kerdyk: I just want to make sure...

Mayor Cason: Any construction project you get people....that sort of comes with the game.

Commissioner Cabrera: They are just going to be upset they didn't know anything about it; they are going to be upset about not knowing anything about it, that's what they are going to be upset about.

Commissioner Cabrera: You know I like the project, I voted for the funding, but you know what really stinks is this particular public process, but not only the public process, but the way that we are treated. Before we used to see everything and that's very upsetting; I don't mind, I like the process, I'd like to vote for it, but it's just the reticence of management to show us the information that's my big problem, and so what if they are all alike, you know I'm the Commissioner, I ask for it and I get partial information, and sometimes no information at all. So originally, I was going to support it, I'm not going to support it, I'm just tired of it, I'm tired of this withholding of information and all sorts of stuff and I know how the propaganda is during pre-agenda meetings because I used to go to them.

Mayor Cason: Any more discussion? We have a motion?

Commissioner Quesada: I'd like to give input. I like the way it looks; I had asked for this information from the City Manager last week when it came up on the agenda, and I had looked at it, I liked the way it looked. I didn't know about the history behind everything, so thanks for the clarity what happened a few years back, and I'm comfortable with the fact that it's not going to be causing any ingress or egress issues as the Vice Mayor had asked the City Manager, so I'm comfortable with that. So, I'm ready to support this today, so I'll make a motion.

Commissioner Anderson: Did you see the whole plan?

Commissioner Quesada: I saw this.

Commissioner Anderson: OK.

Mayor Cason: Alright, so we have a motion by Commissioner Quesada seconded by the Vice Mayor.

City Clerk

Commissioner Quesada: Yes

Commissioner Anderson: No

Commissioner Cabrera: Hey, got to keep that 3-2 going – No.

Vice Mayor Kerdyk: Yes

Mayor Cason: Yes

(Vote: 3-2)

[End: 10:17:01 a.m.]