

City of Coral Gables City Commission Meeting

Agenda Item E-1

August 26, 2008

City Commission Chambers

405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Donald D. Slesnick, II

Vice Mayor William H. Kerdyk, Jr.

Commissioner Maria Anderson

Commissioner Rafael “Ralph” Cabrera, Jr.

Commissioner Wayne “Chip” Withers

City Staff

City Manager, David Brown

City Attorney, Elizabeth Hernandez

City Clerk, Walter J. Foeman

City Clerk Staff, Billy Urquia

Parking Director, Kevin Kinney

Public Speaker(s)

Jackson Rip Holmes, Coral Gables Resident

Mario Garcia-Serra, Attorney, Greenberg Traurig

E-1 [Start: 9:52:47 a.m.]

An ordinance providing for text amendments to the Code of the City of Coral Gables, Chapter 74, Article III, Division 1, 2, 3, and 4 entitled “Stopping, Standing and Parking” providing for updates to the parking provisions and procedures, changes to valet parking provisions, enactment of a new Division 5, to provide for a “Parking Replacement Assessment”.

City Manager Brown: Mr. Kinney.

Mr. Kinney: Mr. Mayor, Commissioners, just a few comments...

Mayor Slesnick: Excuse me one second, Mr. Kinney, this is an ordinance on First Reading, I’d like to make that clear, this is the first of two readings, and please go ahead.

Mr. Kinney: Just a few comments, and then I’m available to answer questions. Primarily, this ordinance is an update of the language of Title 74 Article III, dealing with parking; but there are within the text amendments for what I would call substantive kind of policy changes. What I would like to start with is just a reminder from eight months back when we went through just the theory of parking, what I see is the major goals of parking management in order of priority. The first is simply; get the right person in the right space. Everything we do in parking management is just try to direct people to where we want them to be. The second is to develop revenue to do capital improvements at the infrastructure, capital to do maintenance, and capital to do

operations; and the third item that is a legitimate goal of parking is to encourage the desired transportation decisions out there; we want to encourage people to use what we see is the desired transportation. The four areas that are somewhat substantive changes in our policy; the first one is in 74-130(d), has to do with dealing with permits on the street. For several years now we've had a Code that allows pay by cellphone, which is actually a permit system, and we have also had several areas within Coral Gables where we have meters and we allow permits; those technically have not been within the Code, so the language within paragraph (b) is just to make it clear that, that is appropriate as a policy, and that how those permits systems are managed are within the permit agreement; however, there is a caveat that any charges that are in place for the permits are consistent with the fines and fees approved by the Commission. The second area that is substantive -- actually follows up with the permits in meter zones in residential areas. We have residential permit ordinance, and in 74-195(e), we specified that we will allow residential parking in meter zones, and there are several areas where this is important; any place where we have high density residential and we have meters on the street, there may be appropriate uses of residential permit parking even at the meters, whether that's in "evenings only", or if the capacity for the on-street is there then they __ all day. The third area where we have proposed, somewhat substantive change is in the valet ordinance, 74-166. We have been using valet parking very successfully in Coral Gables. The changes to the valet ordinance are to make it clear that where there is capacity in a private facility, even if those spaces are dedicated to a minimum zoning code requirement, if there is capacity space available that they could be sold for valet parking storage. The final one is the new division 5, which is basically the last two and-a-half pages of the ordinance, and this is a fairly significant change in our theory. Historically when we've lost a parking space, we have required the developer to pay in perpetuity whatever we calculate as lost revenue. The Parking Advisory Board and staff have talked about this extensively and we would like to shift conceptually how we look at that away from replacing the revenue, to replacing the space; and we do that by a one-time fee that is basically equivalent to the cost of developing a space. So if a developer takes away five spaces, they should pay the basic cost of replacing those five spaces in the public system. We are not in this ordinance, but it will come in the fines and fees resolution recommending that initially that fee be twenty-five thousand dollars per space. A second part of this ordinance is a payment in lieu. Payment in lieu systems are very widely used in the United States and other countries. The theory here is, if there is a parking requirement for two hundred spaces for development, if there's design requirements, or site limitations that don't allow the construction of two hundred spaces, or if philosophically doesn't make sense to provide two hundred spaces, there is a system by which a developer can buy down the parking requirement, and again the cost would basically be how we can replace that space in the public system. So we are recommending the twenty-five thousand dollars again. The Code that's before you drafted limits that to no more than fifty spaces. We are primarily focused on the smaller developments that are in field developments, or re-developments, or re-models, so that's why we choose the limit of fifty spaces. It is necessary that the developer come in and show there is capacity available within the public system or there's been things within the development that show that there is justification for reduced requirement. When you look at other systems for payment in lieu, they are across the board. I think the highest price I saw was in Beverly Hills, California, they charge fifty-three thousand dollars for saved space. If you buy down your parking requirement in Davie, Florida its twenty-five hundred dollars a space. If we get closer to home, in Coconut Grove you can buy down your parking requirement for about fifty-four hundred dollars a space; in the Design District it's about twelve thousand dollars a

space; on the Beach it's thirty-five thousand dollars a space. This money would be dedicated to building public parking infrastructure; the desirable thing for me there is generally speaking operations of public facilities are much more efficient, you get more cars in and out, if they are operated as a public system as opposed to space in a private building. We can take a tour and visit several of the large private developments around, and at peak hour we will see that most of them are in the fifty to sixty percent occupied range.

Commissioner Anderson: I have a question.

Mr. Kinney: Sure.

Commissioner Anderson: You get a payment from a developer for let's say five spaces, one hundred and twenty-five thousand dollars, where would that go?- Parking Department budget, where would that slot go? Is there a special fund that would have to be created?

Mr. Kinney: Yes, it stays out of budget.

Commissioner Anderson: OK.

Mr. Kinney: It's in a trust fund...

Commissioner Anderson: OK.

Mr. Kinney:...that can only be used to develop capital improvements – parking improvements; that may include things...because once you get people parked you are not quite done, you have to get them to their destination, so it may include paseo...

Commissioner Anderson: Signage.

Mr. Kinney:...it may include signs, it may include sidewalks, but it has to be related to those developments of public parking infrastructure.

Commissioner Anderson: Perfect – that's what I was hoping for. Thank you.

Vice Mayor Kerdyk: I have a couple questions to ask. One has to do with the 74-166, which is the valet service, and then I'd like to follow up on the Commissioner's...some questions with regard to what the Commissioner was talking about. First of all with the valet, would you explain to me, I understand the thought of parking valet into these bigger buildings parking lots in the dinner time, when everybody from the building has gone home for the day, and they have all these abundance of open space, I understand that fine; explain to me a little bit from the logistics standpoint of how that would work during the middle of the day in a building in our downtown Coral Gables area, and how they would utilize the valet systems in these buildings.

Mr. Kinney: I think you're exactly right; the valet ordinance is broken down into dinner time valet and lunch time valet. Obviously, the dinner time valet is going to be a very easy decision for me if they are parking in an office building, I can go visit that office building after five, its

empty, so I can say yes, I will allow you to park one hundred cars in that building. At lunch time it gets a little more difficult because there is office occupancy, so the theory would be they have to demonstrate to me there is available capacity. Now things that I would be looking at is what the office occupancy is; if a building is one hundred percent utilized and we still only have fifty person occupancy, then I may allow fifty to one hundred valet parking in the spaces to park in there, and I'm not so worried about the possible change in the use of the building because valet agreements are month to month. So if there was a significant change in the use of the building and it required more space to meet the demand of the project, then the valet agreement could go away, it could be terminated.

Commissioner Cabrera: Could I piggyback on your question?

Vice Mayor Kerdyk: Yes, I just want to ask one question, and you can. I see this as a logistics issue for you to maintain. Who is going to monitor this on a month-to-month basis with these valet companies?- and let's face it, some of these valet companies push the envelope a little bit more than other valet companies do, and what I see in these buildings the City requires a certain amount of parking per square foot, and the building owners give out a different amount of parking for the tenants per square foot; for example, in our Central Business District our parking ratios are basically three per thousand, one per three hundred, it's a little bit different, but let's use that; in the parking the building owners give out, usually if you rent a space they give out two per thousand for that. So they might – the building owners might say they have spaces because they are only give two per thousand for the tenants, and they really have built in three per thousand for the...by the City, so they are giving out those extra spaces. So they might have an abundance of space available at one time and they might lease it out and never tell you they leased it out because they still have that overage which we, the City requires, and we require it not only for the tenants, but we require it for the people coming in and visiting the tenants and utilizing those other spaces. I see it during the lunch time and I just looked at it from a cursory basis as being a nightmare for you from that standpoint. I got to tell you a little bit more, but just from my initial blush of the situation I'm concerned.

Commissioner Cabrera: Well, I share Vice Mayor Kerdyk's concern as well, but see if I'm a business owner, owning a particular building, I pretty much know how to get around this. Your daytime valet program with a building would be from what hours to what hours?

Mr. Kinney: Generally it starts at 11:00.

Commissioner Cabrera: 11:00 to...?

Mr. Kinney: Three (3:00 p.m.) I believe.

Commissioner Cabrera: OK. You know that there is going to be some people leaving that particular building for their own lunch plans, and so even though that may be a very sly way of doing it, and I'm sure your professionals will be able to become aware of this problem; the monitoring of this thing, the enforcement of this thing doesn't even become...I heard Mr. Kerdyk say, you know, monthly monitoring, I mean literally this is a day-to-day monitoring of this program, and I just see many pitfalls with it. So I'm extremely supportive to you of your

efforts to bring this to the downtown area, but more so during the evening than daytime hours. I mean, if we really had to look at this from the daytime standpoint, I would just not be able to support it.

Mr. Kinney: Well clearly in the Code it separates daytime and night-time, so it's an easy fix; we can eliminate the lunch time valet in the private facilities where that supply is part of the zoning requirement.

Commissioner Cabrera: Well, I'm not necessarily saying that you eliminate it; I don't think that would be fair to you and to what you are trying to do. What I would say is, I would ask that you perhaps look at it as a pilot program initially, and you monitor it very closely to ensure that it can be effective, and that people won't take advantage of the program from a standpoint of generating revenue, but not providing space.

Mr. Kinney: Well, and you're right; I'm aware that people find the holes in the system and they try and play the system, but we're hopefully going to view it from above; we are going to look at total occupancies in the garage, and what the peak occupancy is. I don't care if at noon fifty people have left, I want to know for the day what is the peak occupancy, and is there capacity above the peak occupancy.

Vice Mayor Kerdyk: I've got another point I was thinking of that you might be interested in. The issue to be might even be more serious to that. Most buildings don't have assigned parking; you go in you can get parking, and of course people take whatever parking spots are first, generally. Valet parkers as we know are traditionally people that drive very fast and have to find locations to park, and they might have to drive all they way up a thing in the middle of the day now, in the middle of the day, not at night when there is very few pedestrians walking out to their cars and issues like that; and no assigned parking spaces, so they might find one on floor one, five on floor two, ten of floor five; yeah they might get their fifty that you talk about, after they have gone up and down; I really, really worry about this daytime parking, you know, from not only a fundamental standpoint, but from a safety standpoint, too.

Commissioner Cabrera: Would you be willing to look at it on a pilot basis on selected buildings?

Vice Mayor Kerdyk: Yeah, if he wants to do that, but...

Commissioner Cabrera: No, no, I hear you. I share your same concerns. I don't know how the rest of the Commission feels, but I am...I don't want you to feel like I am not supporting you.

Mr. Kinney: No, I mean, I am aware that, that is in the valet changes that is the one that is kind of the hardest.

Commissioner Cabrera: I'm really just concerned like Mr. Kerdyk, so I would ask you to take this one at a slower pace to ensure that its going to be an effective program, because his last point is very, very on point, that is the reality, and the other reality is he just mentioned this, I mean the valet parking companies that do business in Coral Gables have a tendency to speed, not only inside the parking garages, but...

Mr. Kinney: In our parking garages also.

Commissioner Cabrera:...well, in our parking garages, yes that's what I mean, I'm sorry, but also on our streets, I mean, I have literally seen someone, a valet person at the Hyatt Hotel slam around the corner of our building to drop the vehicle in front of the hotel's entrance, and you know, without any care for pedestrians or street lights for that matter, and I see it everyday, I'm not just signaling out the Hyatt, but I see it on Giralda all the time, and I see the abuse that goes on and after you're done discussing this potential ordinance, I just like to bring to your attention two quick things that have to do with parking.

Mr. Kinney: Well, that is actually one of my big concerns and there are several of the valet employees who now know me, and when I walk through our garages, I occasionally hear breaks slam on, and that's because they don't like to talk to me; they lose their jobs when they talk to me.

Commissioner Cabrera: By the way Mr. Kinney, I wanted to say this publicly. I wanted to also commend you because I see you walking around the downtown area all the time, and I know you are out there not only on your lunch hour, and/or maybe visiting City Hall, but you are also out there looking at your area of responsibility, and I find that to be exceedingly refreshing, and I would be remiss if I didn't thank you for taking the time to do that, because I know what you are doing, I watch you, and I see that you are inspecting some sites and some lots, and some parking garages, and I really want to commend you for that, I wish we had more folks in our City that would actually take that kind of initiative to patrol the areas where their subordinates work, so I want to commend you for that.

Mr. Kinney: I am usually sending e-mails to my subordinates and occasionally push the wrong button and the City Attorney gets my e-mails about broken parking meters.

Commissioner Cabrera: She goes out...you know what?- she's been doing lately; she has been going out and fixing them.

Vice Mayor Kerdyk: She's got plenty of time.

Mr. Kinney: She's just one above the [inaudible]...

Vice Mayor Kerdyk: So the other Commissioners, do they have...

Commissioner Withers: I do have two questions, is that OK.

Vice Mayor Kerdyk: With regard to this one?

Commissioner Withers: On the valet parking?

Vice Mayor Kerdyk: Yeah, yeah.

Commissioner Withers: No, no. I don't...

Vice Mayor Kerdyk: So you don't have a problem with it.

Commissioner Withers: I just think you're never going to fix it. You know what I mean, its going to be an issue no matter what we do.

Mr. Kinney: Well, there is so much turnover in the valet employees, that once you get them educated to where they cannot speed you have a whole new set of employees and you have to start the training over again. I have looked at the potential to put for inside the garage, to put portable speed bumps, but there are also some issues and problems that come with speed bumps.

Commissioner Cabrera: Yeah. Hey Chip, when you go to football games do you wear a City Commission pin?

Commissioner Withers: Um huh.

Commissioner Cabrera: You do, OK, I was just wondering.

Commissioner Withers: It's a little bigger than this.

Commissioner Cabrera: OK.

Vice Mayor Kerdyk: Mr. Kinney like I said, I have a lot of concern about this; I don't know how you want to proceed with it. I'm perfectly fine with just doing the night-time, but if you feel the daytime you can make it work, then I can certainly listen to it; but maybe you can make a plan up between first and second reading and show me how it's going to work at second reading.

Mr. Kinney: To be perfectly honest, the real reason I like or really wanted to try the lunch time is to relieve some of the pressure on some of my facilities at lunch time, but...

Vice Mayor Kerdyk: Maybe you can show us a plan of how it would work, how they would group together in a building; what buildings are you thinking about; and...

Mr. Kinney: Either that or what we'll just do is night-time first and...

Vice Mayor Kerdyk: Slowly work into it.

Mr. Kinney:...and slowly work into it.

Commissioner Withers: In regard to the...two issues...in regard to the twenty-five thousand dollars per space pay off, does that apply for any condition, specifically if we're doing like a PAD where the City is requiring a developer to put addition park space or landscaping, or porta-cashiers, or whatever and we are loosing parking on the street as a result of that, does a developer have a right to come back and mitigate that twenty-five thousand dollar cost because its basically a City requirement what they are doing?

Mr. Kinney: There are two situations where we give a discount on the twenty-five thousand; one is for the any lost space that is a direct result of the Streetscape Master Plan...

Commissioner Withers: OK.

Mr. Kinney:...is reduced fifty percent. Now if it was an other requirement, say we wanted a fire lane, or we wanted something changed into a park that was causing lost spaces those would not be calculated, but if its solely because of the Streetscape Master Plan there would be a reduction of fifty percent.

Commissioner Withers: What I would hate to see happen is the streetscape beautification or the beauty of improving our downtown, a developer foregoes that for that reason; would I rather loose a parking space, or would I rather have an extended sidewalk with some nice trees, I'd rather have the nice trees and the sidewalk. I just don't want it to be a deterrent to someone trying to beautify the downtown area.

Mr. Kinney: Well, I will say the Parking Department is fully supportive of the Streetscape Master Plan and getting more green space downtown, however, that not only benefits the City, once we do that, it also benefits the developer and the project, and that's why we settled on the fifty percent production.

Commissioner Withers: And the second question is, is there any kind of allowance that a developer has, say two projects going on in the City at one time, and they have the ability to maybe put additional parking in one development in lieu of putting it in the one?

Mr. Kinney: If they are close enough, if they meet the off-site parking requirement.

Commissioner Withers: Let me give you an example. We did a study when you were chipping ice off your windshield in Alaska, that basically looked at different areas of the City as to where the real needs were, and where we had excess in lots, and where we had room to put more capacity in our lots; and the thought was, wow wouldn't it be great if we could put the parking structures where the parking was, so it was literally in different parts of town; it was South Gables, North Gables, Mid Gables, the Kraft section, whatever. So I don't know that I would really want to say it was close enough within a couple blocks of each other, but if it's in a region where parking is needed, why not allow or encourage a developer to put additional parking in lieu of, if they were making a development an area where additional parking was not required; you see...

Mr. Kinney: I understand, and that's one of the reasons for payment in lieu because that money...

Commissioner Withers: But we're never going to do that, I mean, how much...what does these parking garages cost us?- fifteen, twenty million dollars, I mean, there are a lot of twenty-five thousand dollar hits that we are going to have to get before we even come close to building one of those things.

Mr. Kinney: But if you have one of two developers that buy down one or two spaces, all of a sudden you have five million dollars.

Commissioner Withers: OK, then we need another ten. I'm not arguing with you, I'm just saying it takes...I've been on this Commission for a long time and we've built two parking garages.

Mr. Kinney: The economics though...you don't necessarily have to have the whole bank roll in the bank so you pay for the garage out of pocket; the goal is to have enough to put down so that the debt service is less than what you are going to make...

Commissioner Withers: It's not as much the money, as is we have such little available land left that we have two or three lots that we have been fighting on, not fighting, that we've been discussing for five years whether we want to build a parking lot on, we can't come to an agreement on some of the key lots in Coral Gables; every year we go back and forth as to do we develop this or we don't develop this. So it's not so much as the money, it's the land. But my only thought is that you have a developer that's active in Coral Gables, that has a couple of developments going on, and they need to remove parking spaces from one, but they can put it in another part of the City that does require additional parking, why not put something in there to allow them to do that? That's my only thought.

Mr. Kinney: I'm not sure the Parking Department would have much of a problem with that, but there are a lot of Zoning Code issues, because the parking for your facility has to be within five hundred feet. So I'm not sure how we could work that together, but I'll talk to [inaudible] and Eric.

Vice Mayor Kerdyk: Kevin, I have a couple of other questions regarding the same issues that Commissioner Withers is discussing. This is for the downtown area, correct?

Mr. Kinney: The CBD and the Ponce corridor. I forgot to mention the other place we do give a discount is any place on the Ponce corridor because of the trolleys.

Vice Mayor Kerdyk: In the CBD, as you know, our FAR is 3.5 – 3.0, and if you build Mediterranean you get 3.5, correct?

Mr. Kinney: Um huh.

Vice Mayor Kerdyk: Right now FAR...parking really governs what you can build on a piece of property, I mean, let's just use a five thousand square foot space for example; on a five thousand square foot space in the downtown area, the CBD area, you can build one of two ways. You can build 1.45 FAR, which 1.45 times the five thousand, which is basically seven thousand square feet of building and not provide parking, or you can conceptually you can build 3.5 Mediterranean or sixteen thousand five hundred square feet, which is the 3.5 times five thousand square feet, sixteen thousand five hundred square feet, if you can provide the one per three hundred and some odd parking spaces, which would be conceptually about fifty parking spaces for that project. Now, nobody can build sixteen thousand five hundred square feet because you

also have an envelope that height goes in and turning radius issues. But what you are telling me, if I understand this correctly, that now I can build a building that was fifteen thousand square feet, not provide any parking, and buy forty-five spaces from you, and put it in a garage within six hundred feet, if there is something available, is that correct?

Mr. Kinney: Yes. I mean the short answer is yes, I mean, there are a lot of steps in between there because you have to demonstrate to the Parking Department that there's capacity available.

Vice Mayor Kerdyk: Alright. So capacity within six hundred feet, I can buy forty-five spaces, fifty spaces from you for the fifteen thousand square feet that I want to build on a five thousand square foot lot, and if its available capacity you allow me to build it, pay you twenty-five thousand dollars; twenty-five thousand dollars times fifty is one point two five million dollars (\$1.25M) to you; you put it in a separate trust fund for parking that may or may not be built in the foreseeable future, correct? I mean, more or less, that's the concept.

Mr. Kinney: Yes, that is true. I mean, the thing we gain as a City though is you get a quality development on a five thousand square foot lot.

Vice Mayor Kerdyk: Hopefully, I mean hopefully.

Mr. Kinney: If you try and put fifty spaces on that five thousand square foot lot you don't...

Vice Mayor Kerdyk: Well, you're right, and that governs FAR, you know, as a building owner that's a great thing, to be able to maximize your building, but I'm not so sure if that helps us with regards to parking in downtown Coral Gables, I mean, I'm still not sold on that concept either. I don't know if that is really...tell me some words of wisdom with why I should support this.

Mr. Kinney: Clearly we can demonstrate...

Mayor Slesnick: We are caught in the horns of a couple of dilemmas and that's, I go as other Commissioners do and part of our administration to meetings where we share best practices and conversations among cities and so forth, and the planners, the great planners for city planning of course talk about discouraging parking, because the way for the future of the cities is to discourage people from bringing their cars; you don't build parking, you don't build parking spaces, and people have gone to scramble, and when they get tired of scrambling they leave their cars at home and they take public transportation, that's the ideal, and that's it. On the other hand...

Commissioner Anderson: We have no public transportation.

Mayor Slesnick: What Bill was talking about and part of that is that we have allowed larger buildings to go on smaller properties encouraging more people to work on that space, or to do business on that space, because they can get away with building larger buildings if they don't have to provide parking. So I'm caught up in that kind of dilemma, while I know what the philosophy is about...you know, I mean, I think in order to get to the central philosophy about discouraging cars you have to be a lot more draconian than just switching parking spaces around.

So I am concerned too that we don't want to encourage larger buildings on smaller spaces, which I think leads us to E-2 also.

Mr. Kinney: But clearly if we allow development...[inaudible]...and the redevelopment downtown we gain several things; if we allow it without requiring on-site parking we get a more pedestrians downtown. We hopefully get better design, I mean, we reduce the need for variances; right now if somebody wants to redevelop or develop in the core area, chances are they are going to have to get a variance, because they can't provide five or six...

Mayor Slesnick: I don't disagree with the philosophy, I'm just saying there are practical concerns that we need to grapple with, and those concerns weigh heavily on...its one thing, its easy...I guess we are trying to think about 2025, and at the same time do what's right for our citizens in 2008.

Mr. Kinney: And I would say putting the capacity in the public system is the right way to move towards encouraging other transportation choices, because we can control the major component which is economics.

Mayor Slesnick: I don't disagree with that in the sense that, but I just don't see giving someone the right to build out to full capacity without parking, in other words maybe a combination where you can't build to full capacity, but you can still buy your parking needs from the City, but you can't build out to the max, max, I don't know.

Vice Mayor Kerdyk: I think the perfect example, I think a lot of this comes from Chili's; Chili's was the proposed site over there on, what is that, Tuesday Morning, there is a five thousand square foot piece of property, and they wanted to build twelve thousand five hundred square feet basically, 2.5 FAR, and they were allowed to build seven thousand square feet there, they couldn't come to the realization or they couldn't get to that twelve thousand five hundred square feet which they needed for their critical need of building for moving forward, which at this point they are not moving forward based on the fact they couldn't get it, but...

Mayor Slesnick: Before you leave that example that was one that bothered me, because as I understood it, as I understood it, they had the right to build the major impact space without any parking that's two floors...

Vice Mayor Kerdyk: Seven thousand square feet, right.

Mayor Slesnick: The third floor was going to be just some offices with very few people, in other words the major impact for the downtown are those first two floors which they could have built without any parking whatsoever, and can do because they are in CBD. But the third floor was a very minor impact to bring in the headquarters of Chili's for the State, or for the South, or for the nation or the world, I don't know, and that all we had to do was sell a few parking spaces, that one I didn't understand. The extra square footage was very minimal impact, it was just a matter that we said, oh you put another floor, you have to give parking, we can't sell you parking, and I didn't understand that at all. This is a very complicated issue.

Commissioner Cabrera: Before he goes...

Mayor Slesnick: We are going to have a couple of public comments.

Commissioner Cabrera: Would you like that to...

Mayor Slesnick: Doesn't matter, go ahead.

Commissioner Cabrera: Just two quick housekeeping items, when it rains in our City, we do not enforce parking?

Mr. Kinney: That is correct; a rainy day cost us probably about twenty thousand dollars.

Commissioner Cabrera: We've had lots of those; we've had lots of rainy afternoons. Does that include not enforcing valet parking?

Mr. Kinney: No.

Commissioner Cabrera: OK, well it's come to my attention that a large number of valet parking companies are taking advantage of the fact that the ingress/egress areas that are used for loading / unloading are being used for parking spaces, and that's come to my attention more than once.

Mr. Kinney: Next rainy day we'll...

Commissioner Cabrera: Well, that's what happens too, its raining so they don't want to go at great length either. And the other item that I wanted to ask you about is the Manager and I had at one point or another talked about an annual parking permit program, and I don't want that to die somewhere. I'd really like to see a feasibility of an annual parking permit program primarily for citizens first and foremost, and business owners, because I think that's another interesting opportunity to generate revenue on a pre-paid basis, and it may encourage that consistent, if you will, membership usage of parking in our City, and I know other cities throughout the country are doing it, and I'd really like to see someone get back to me on the feasibility of something like that.

Mr. Kinney: We did speak about that at the Parking Advisory Board, and we've had a couple of discussions, and it comes down to, they are having a hard time thinking about pricing.

Commissioner Cabrera: They, they being who?

Mr. Kinney: The Parking Advisory Board.

Commissioner Cabrera: But you know what, at the end of the day, they are just an advisory board, and as much as I appreciate their advice and recommendations, that's an initiative that I'd like to see move forward with or without their support.

Mr. Kinney: OK.

Commissioner Cabrera: Thank you sir.

City Manager Brown: Kevin, let's go back, I want to make clear one point, you said we don't enforce on-street on a rainy day.

Mr. Kinney: Meters.

City Manager Brown: Meters. We do enforce garages?

Mr. Kinney: Yes.

Commissioner Cabrera: Yes.

City Manager Brown: OK.

Commissioner Cabrera: No, I knew what...

Mr. Kinney: And safety issues, that's the only thing we don't...

Commissioner Cabrera: Mr. Kinney was right on target, and I can't imagine why we wouldn't enforce parking in garages on a rainy day, that's where we'd get all the clientele.

City Manager Brown: That's where everybody goes.

Commissioner Cabrera: That's the only time I park in the garage.

Mayor Slesnick: One thing that I've noticed recently, Kevin, since we have you here, is oversized vehicles taking more than one space.

Mr. Kinney: That's a citation.

Mayor Slesnick: OK. We have two public commenter's that have signed up, Rip Holmes.

Mr. Holmes: Check to make sure its good morning Mayor, Commissioners, City Manager, City Attorney, City Clerk; 800 Andalusia, Rip Holmes. I want to thank Vice Mayor Kerdyk and Mayor Slesnick for speaking out with the same concern that I had, I appreciate your courage. I'd like to make three or four quick comments. First of all I want to thank the powers that be that Mr. Kinney is here with us because we think back a year or two we almost had no Parking Director. I had a chance to attend the recent meeting of the Parking Advisory Board; I realize that there are some good reasons to propose payment in lieu of parking. I have a third concern; I'll get to the fourth one which is a major. Were we to adopt something like that, and I'm against it, I would have a concern as to where this money, how we can be sure that that money would ever get to its intended destination, if only a year and-a-half ago we were going to abolish the Parking Department, where would this money go? It would get quickly grabbed up by lots of other needy departments in the City, and I don't know if there are any controls in place to put a lock-box on that money. Finally, now I get to my fourth point. What was it?- the law of unintended

consequences, I think that Mr. Kinney was saying, yes, people do try and take advantage of the system. Vice Mayor Kerdyk gave the perfect example; developers are friends, their biggest headache is parking, and if they can get out of providing the parking, it's a money thing, I mean, it's a loser for them, it's a headache; if any of us can get rid of headaches we try to do it. So the very real danger that I see is that, we are giving them away to get out of this headache of providing parking, that's detrimental to our infrastructure. So I just...with respect I urge you to not allow payment in lieu of parking.

Mayor Slesnick: Mario Garcia-Serra.

Commissioner Anderson: Could I have a quick comment?

Mayor Slesnick: Yes.

Commissioner Anderson: Mr. Holmes to your comments, I think I asked that same question, that same concern about where would the monies go? We would have to, the Commission would have to allow and authorize a trust fund for it to go there, so it would not be part of the budget, so your concerns are well taken, and we would have to take as a Commission body that action, to make sure if that payment in lieu happens it goes into the right spot, and is used for the right purpose, so.

Mr. Garcia-Serra: Good morning Mr. Mayor, Commissioners, Mario Garcia-Serra, with offices at 1221 Brickell Avenue, not representing any particular client on this issue, but speaking for my perspective as a zoning attorney who has represented several developers in the City, and my concerns are limited to the section of the ordinance dealing with the loss of on-street parking. I'm very supportive, and I think it's a very good idea of replacing the fee in perpetuity with a one time fee, which is of a higher amount because its easier to manage, and also gets the money into the public system faster so as to provide spaces into the public system. Where my concerns are, are with the credits that are being provided by the ordinance right now. Right now there is a City Streetscape Master Plan by which we are required to give certain landscape improvements, like Mr. Withers pointed out earlier; and quite often in providing those landscape improvements we have to loose parking spaces, not necessarily our choice but because the City is requiring that landscape bulb out to be located along that area in the right of way, thereby loosing the parking space. Under the system right now we still have to pay that fee in perpetuity for that lost parking space even though it's not a product necessarily of our design, but of the City Streetscape Master Plan. Under the proposed ordinance we're getting a fifty percent credit; step in the right direction, but from our perspective we are already paying for the landscape improvements that are being provided pursuant to the City's request in the Streetscape Master Plan, which do I acknowledge what Mr. Kinney said earlier, accrue to the benefit of our project to a certain extent, but so would an on-street parking space. You know, many of these projects have ground floor retail space, which benefit significantly from having the on-street parking spaces located in close proximity to them. So if I would have a suggestion on that issue it would be to make it a hundred percent credit and not assess the fee for parking spaces which are lost as a result of the City Streetscape Master Plan. The second point has to do with ingress and egress to the property. As the Code is written right now, and also as it's proposed as a credit for ingress and egress; under the proposed Code the ingress and egress credit is going to be up to twenty-two (22) feet

of width of a curb cut on a property, which is the standard required for a two-way driveway. This would work for a smaller size property, but when you are dealing with larger projects that perhaps takes up a whole City block let's say, which has their service access requirements and whatever else, perhaps one entrance for the retail and another entrance for the residential, the curb cuts tend to be more than one; and I know the City discourages these curb cuts, but after a certain point it's just a necessity to perhaps provide more than one, and so the credit of twenty-two feet, I think might be sufficient for a smaller size property, but when you are dealing with larger size properties, I think perhaps should be some ratio there tying the ingress/egress credit to the size of the property. Those are pretty much my comments on this ordinance.

Mayor Slesnick: Thank you. Close the public hearing; have any other comments or questions for the Parking Director or the Manager?

Vice Mayor Kerdyk: Mayor, from my perspective, I don't feel comfortable supporting the ordinance, that portion of the ordinance that we were just discussing right now...

Commissioner Withers: Wait, wait, the daytime or the parking in lieu of, which one are you talking about?

Vice Mayor Kerdyk: The last one, the parking in lieu of. I'm not comfortable with it, maybe I will get comfortable with it, but I can't support it right now. Now, I see that it has not gone to the Planning Board yet, maybe we should send it to the Planning Board, get their input, bring it back here.

Commissioner Cabrera: Why don't we just make a decision on it?

Vice Mayor Kerdyk: Fine.

Commissioner Cabrera: I mean, I agree with you, I agree with you.

Mayor Slesnick: But here's the thing though; I think there are some things loose ends to be tied up, I mean, I thought Mario raised some good issues that really should have been delved into by somebody, and I don't know why it didn't go to the Planning Board, it is a Planning issue.

Commissioner Cabrera: We can still send it to the Planning Board and leave that out, and then bring it back; pass whatever we can pass today, and leave out what Mr. Kerdyk wants to leave out, send it back to Planning, and bring it back; you want to do that?

Commissioner Withers: Let me make sure I know what I'm voting on. We're talking about parking in lieu of on the streets on the parking spots that are lost on the street in front of the property, correct?

Vice Mayor Kerdyk: That's one.

Commissioner Withers: And right now we are charging an annual fee for that?

Vice Mayor Kerdyk: That's not all.

Commissioner Withers: I know, I know, but that's basically one...

Vice Mayor Kerdyk: That's a small portion of that, the last two pages.

Commissioner Withers: Do you have any problem with parking in lieu of for those spots that...I'm assuming if a developer replaces it in the garage we don't have as much consternation as...or do we still – if a developer removes two spots from the street...let me make sure I understand...if a developer removes two spots from the street, and puts them in the garage, is there a fee paid?- if he puts them into the public parking component of the garage?

Vice Mayor Kerdyk: I think Kevin can answer.

Commissioner Withers: If a developer removes two spots from the street and puts them in the public parking, not the private parking component of the garage, but the public parking component where we get revenue, do they still pay that fee?

Mr. Kinney: Yes.

Commissioner Withers: OK. To me that's a little bit of inequality there, what's the rationale behind that?

Mr. Kinney: What I can tell you is, large garage, 800 spaces, two spaces lost on the street, they say we'll add two spaces to the garage; in the public realm those two spaces in the garage have no value, simply because that garage, those two spaces would never be used.

Commissioner Withers: Well, why do we even put numbers on these garages as to how many spaces they need, if we don't assume they are going to be used? Why don't we say they only need 780 instead of 800 then?

Mr. Kinney: What I'm saying, if you have a large parking facility, occupancy in that facility never, in a private facility in this City, I've never seen one get even close to ninety percent (90%), so if you just make empty spaces, you are adding two spaces that have no use, so you made them spend fifty thousand dollars where that fifty thousand dollars could be used for a better purpose into the public where they could be used to develop spaces where we need space.

Commissioner Withers: Can we get challenged on that Liz?

City Attorney Hernandez: I apologize Commissioner.

Commissioner Withers: Can we get challenged on the fact that we have a parking requirement in a building, and the statement is we never think they are going to use all that parking, but we still require them to put it in?

City Attorney Hernandez: Despite the fact that we think they are never going to use it, those requirements are based on studies and statistical data; you have to have a basis upon which to impose the requirement. Once it's approved by the City Commission there is a time period for appeal of that decision...

Commissioner Withers: I understand.

City Attorney Hernandez:...unless the City Commission has acted outside the scope of its lawfully delegated authority and abused its discretion, there is not basis upon which to file a suit, but I'm not sure why he thinks we are requiring more than we think.

Mr. Kinney: This is for the adding two spaces to the zoning requirement; I'm not challenging the zoning requirement...

Commissioner Withers: I understand, I understand, and I agree with what you are saying, but if it's a hundred car parking garage, are those two spaces used? Where is that line of demarcation?

Mr. Kinney: I didn't mean to get into a lot of planning theory here, but in an urban setting we are using Zoning Code requirements that are usually established by looking at suburban locations that have no mass transit, and that's how the requirements are established, and we adopt those, and I have no problem with what we've adopted; but in certain instances when you start talking about adding spaces, why add space that won't be used when you can use the capital to develop the space.

Commissioner Withers: That's my whole point. I made a comment to the Commission about six months ago that I really thought that we need to make a decision as a Commission on the vision of our downtown, do we want to encourage people to park on-street, or do we want to encourage people to park in garages off-street?- and I think that's a real big decision that we as a group have to come to because if we say, you know what, we'd rather beautify sidewalks and extend sidewalks and have nice planters out there, and have great streetscapes, and put all the pedestrian amenities in, at the sake of loosing on-street parking, than that's a visioning issue that we have to make a decision on.

Commissioner Cabrera: Hey, I'm curious...

Commissioner Withers: You understand what I'm saying.

Mr. Kinney: I understand perfectly and I don't think they are mutually exclusive goals, because to develop, to continue to develop we have to use off-street parking because we don't have enough supply on-street, but that doesn't necessarily mean that we turn around and eliminate all on-street, we plan and the on-street parking is still going to be the most valuable space we have, no matter what we do, the on-street space is still...

Commissioner Cabrera: And we continue to diminish it and minimize it, its government.

Commissioner Withers: You're curious – what?

Commissioner Cabrera: I'm sorry Ms. Anderson was going to say something.

Commissioner Anderson: You needed to finish a comment; I just wanted to talk about something Vice Mayor Kerdyk had said.

Commissioner Cabrera: I was going to ask, your questions are really pointed; can you give me your agenda?

Commissioner Withers: Agenda for?

Commissioner Cabrera: Well your questions are really very pointed and very focused.

[Inaudible]

Commissioner Cabrera: No, that's not what I'm asking; no seriously Bill, I don't want to sound like...I don't want to sound disrespectful to you Chip...you've got good reasons for asking.

Commissioner Withers: No, I mean, here's my point. You know, we are encouraging redevelopment downtown, we have Code that tells developers to do one thing, you know, if they want to do a building they have to put a curb cut-in to service the building, then we penalize them for putting the curb cut-in from what our Code is telling them to do, and I just think there is some inequality there. You know, we encourage them to put in pedestrian amenities, we give them bonuses for that, they pay additional for that, and then all of a sudden we turn around again and say well, we wanted you to do this now we are going to charge you for doing it. I just think there are inequalities in the way that our Code requirement speaks to what we are now assessing them for.

Commissioner Cabrera: And you know, I don't disagree with you.

Commissioner Withers: And that's my only issue, I just think there are inequalities.

Commissioner Cabrera: I can tell you why we do it, to generate more revenue; it's so easy to beat up developers.

Commissioner Withers: Well, then let's call it something else, let's not call it a parking replacement program, let's just call it what it is.

Commissioner Cabrera: I don't necessarily...

Commission Withers: That's the only issue I have is, you know...

Commissioner Cabrera: It's come to my conclusion that outside of taxing the citizens, one of the greatest sources of revenues that doesn't cause a lot of hardship in developing creativity is to go after developers time and time again.

Mayor Slesnick: This particular program is to help developers.

Commissioner Cabrera: Well, in a way yes, but Chip's right, you end up penalizing them from a monetary standpoint.

Commissioner Anderson: Yeah, because curb cuts take away street parking, and they provide that because we require it, and then on top of that we ask them to pay.

Commissioner Withers: But listen...

Mayor Slesnick: That we do now though, that we do now. I'm just trying to say, that is in fact something that maybe we should look at, I thought Mario raised a good point, but I don't think Kevin's replacement program is to hurt developers, in fact my fear was that it helped developers too much.

Mr. Kinney: To Mario's comment, I mean, I consciously thought about that, and obviously every department in the City likes to discourage curb cuts downtown, and if a developer needs a hundred feet of curb cuts they can have it, but I don't think we should give it away, that's why I settled on the twenty-two feet which allows ingress and egress.

Commissioner Cabrera: But that's just...it goes against some of the other things that we do, I mean, we give away...forget curb cuts for a minute, we give away parking spaces in order to build these planters that become giant ash trays in downtown Coral Gables or trash bins, so it's the same concept.

Commissioner Withers: Ralph, that's what I'm saying, we as a group need to sit down and decide what we want to do, and I've been saying this for a year. We need to decide whether we want pedestrian amenities, bigger sidewalks, more landscaping in lieu of parking on-street and ask people to park in parking garages.

Commissioner Cabrera: Remember three-four months ago, when I came here with a study that I had tried to accomplish with staff showing the number of on-street parking spaces that we were going to lose.

Commissioner Withers: We discussed it.

Commissioner Cabrera: We discussed it; and Don brought up a very interesting point which was, look at Charleston.

Mayor Slesnick: [Inaudible]

Commissioner Cabrera: And I did; I went and looked at it, it's a lot older than we are and has exceptional public transportation – exceptional public transportation, better than anyone's, in fact it's one of the awarded bicycling Cities in the county.

Mayor Slesnick: You didn't take me with you.

Commissioner Cabrera: No, I just went on the Internet; I travel through the Web, it was very inexpensive and it helped my insomnia. Anyway, bottom line is, when do we do this?- because in the interim every single time I turn around, or every single time that I drive whether it's the northeast quadrant or the downtown area, and I see a new development, I see less and less on-street parking.

Commissioner Anderson: Well, its something we have to do also...I saw Mari Molina in the audience from the BID; if we are going to do a visioning thing, they have already done some work on the streetscape, so we should include that and incorporate that, because they are trying to derive a vision for the streetscape improvements on Miracle Mile; how to finance it, what the best solutions are, which may or may not include losses of spaces or may, so that should be part of our plan when we do...

Commissioner Withers: If we could have accessible, plenty of available parking for every vendor and every retail establishment and every business in downtown Coral Gables, and did not have to put one car on the street, would you like that? That's the end of the extreme. Is that the direction we want to go towards?

Commissioner Cabrera: Well, if we do go in that direction that takes a very aggressive informational and educational process to change people's behavior patterns because...one of the best things you said in your presentation on parking when we were half asleep, was people don't come to Coral Gables to park, that was the very first sentence you mentioned; people come to shop and dine and recreate, and run errands and all of the other things that go along with being in the downtown area. So the bottom line is, if I am like the average resident, the first thing I do is look for an on-street space that's convenient and accessible to where my destination ends up; is that a mindset that we now need to change?- or do we need to support it?- do we need to endorse it? It would be nice to develop a real vision plan that wouldn't take us months to develop and go through all the rig-a-ma-roll and the expenses that we go through sometimes in visioning some of these things; I don't mean that critically about anything that we've done because some of these visioning processes have been very good, but nonetheless we don't really have one.

Commissioner Anderson: You know, one of the things that the Parking study talked about that was done about two years ago now, more or less, was that signage was what directed...needed to be upgraded to direct people to parking and paseos, in between buildings, needed to be upgraded to attract people to walk through to go to the parking garages. I think some of these payments in lieu could accomplish the fund to begin to do that, so I'm generally supportive of it, but I think we're all kind of in a quandary here. I'd like to follow up on Vice Mayor Kerdyk and see if maybe the Planning Board could give us some additional wisdom on that.

Mr. Kinney: I would be happy to take it to the Planning Board. My baseline is payment in lieu have been used very successfully by a lot of very successful communities.

Commissioner Anderson: And I conceptually agree.

Mr. Kinney: And a lot of this is tied with planning and visioning, and it makes sense to go to the Planning Board, the only reason it didn't, this was a re-draft of the Parking Code, which they really don't have control over, but there's no reason they can't have input.

Commissioner Anderson: Created a great discussion.

Commissioner Cabrera: But was your point, Chip, on parking in lieu, or payment in lieu or parking, was it that the dollars would never equal the cost of building infrastructure, was that one of your points you made earlier?

Commissioner Withers: I mean, are we going to look at these giant monoliths to house this parking, or is our vision maybe smaller garages...

Commissioner Anderson: Little parking areas.

Commissioner Withers:...strategically placed throughout the City; I mean, there is just...this is just such a small tip of the iceberg compared to what we have to do as far as planning the big picture.

Commissioner Anderson: I agree.

Commissioner Withers: Maybe we can think about going underground in certain areas of the City with some of our lots, and go up one story lot. You know, as you travel around the country you go into these cities you are just amazed at some of the forward thinking; you know, a lot of it the area we live in and the ground we live in affects it, but I mean, you know, its just amazing some of the forward thinking ideas that people have out there; and I remember when Raul was the Mayor he wanted to stop parking garages because he felt like the great cities of the world like London and Paris, they always have parking problems, and exactly what you said, it encourages people to leave their cars out and to figure out a way to get into the city in lieu of bringing their automobiles, and there is a certain amount of wisdom to that.

Commissioner Anderson: And I agree, but we don't have the transportation.

Commissioner Withers: But you need the public transportation to do it.

Commissioner Anderson: That's the missing component for us.

Commissioner Withers: But if you think what we have in the City available for parking garages, there is the one off of Alcazar, and there is not a whole lot of big areas, if we are going to plan fifteen and twenty million dollar parking structures. So maybe we start looking at ways of look putting other parking structures throughout the City that are smaller, that are innovative.

Commissioner Anderson: Yeah, I agree. A few years back we talked about a parking master plan, and Mr. Kinney you and I have talked about that with the Manager a few years back, and it was going to be part of the North Ponce study, which...

Mr. Kinney: Is still in the works.

Commissioner Anderson:...which has been in the works for a long, long time, but that's part of it. My vision is nodules, small nodule parking within the North Ponce area, or areas of the City that couldn't take a high structure, or big structure, require the land and maybe make something that integrates with the area.

Commissioner Withers: If we put subterranean parking under Ponce Circle Park and ran a really good public access transportation system out of there, you know the sky's the limit; obviously the money is the restricting factor on that.

Vice Mayor Kerdyk: This is in my opinion, excuse me, this is a substantial deviation in our parking policy; I mean this is substantial deviation, and this is the Commission, I don't know if this was the specific Commission, that didn't want to extend the CBD line because we didn't want to worry about any parking problems that may be, you know, thrust into a different location there, and as you know, or maybe you don't know, but Eric knows that in 1964 we implemented, not 1964, but 1964 is the threshold for any building not having to provide parking in that structure; every since then we've always had structures that had to provide their parking encompassing inside their lot line; so any deviation where we now are going to allow that parking to be put or thrust into another location within six hundred feet, in my opinion is a substantial deviation in policy, and that needs to be vetted, and I think the best place to vet it is in the Planning Board, but I have some trepidation in the fact that I can't be swung to agree upon it, but I need to have some substantial show other than just have the presentation made up here, I need to really talk to you and talk to Eric about the philosophy and exactly what you see happening if we do pass this policy; because I have a vision of what I think will happen; these fifty foot lots will be ten thousand square foot buildings when you can only right now build five thousand square foot buildings on it, so you are going to thrust more FAR into the downtown area; so you got to be ready for it, I guess you got to be ready for it.

Commissioner Cabrera: Can we then, Don had a quick side bar and said what about sending this to the Planning Board between first and second reading. One last comment about parking; based upon my calculations and research, I've learned that we've commissioned four parking studies in the last twelve to fifteen years at an expense of four hundred and ninety-five thousand dollars (\$495,000), that's what we spent on four parking studies. I'd like someone to look at those four parking studies and maybe come away with something to make that expense worthy; I know it sounds trite, but we have spent that kind of money, I have them all, I have all the parking studies, and they were all done at different stages of the City's growth; and I understand they are all photographs in time, but maybe we can come away after spending so much money with some sort of a consensus and/or vision for you to come back, or the Manager to come back and give us some insight; and incidentally its not that I'm so clever that I went back looking for these parking studies, is that one of our citizens, Mr. Stanley Davidson, made me keenly aware of the fact that these monies are being spent, and this is no fault of yours, these studies were presented and then shelved, and nothing got done with these studies.

Mr. Kinney: Well, I...the last two were very much used in formulation of what I presented to you today.

Commissioner Cabrera: Oh good.

Mr. Kinney: I mean, I know the last two inside and out.

Commissioner Cabrera: You know the first two?

Mr. Kinney: I glanced at them; I felt they were dated, so I didn't spend a lot of time.

Commissioner Cabrera: OK, well there maybe some interesting institutional information in there that we could come away with developing that grand vision.

Mr. Kinney: And I agree with you Commissioner Kerdyk, this is a new viewing of how we manage parking, and it does require a commitment on the City's part to be actively involved, so I freely admit that and we need to work through that.

Vice Mayor Kerdyk: Let me first of all say, thank you very much for being so progressive and bringing these things in front of us, I mean, you have really moved along our Parking Department and just because I'm up here saying that we should push it back to the Planning Board is no means your situation; but I appreciate what you've done to bring it forward. Thank you.

Commissioner Cabrera: I appreciate that fact in the ordinance that you left a section of dog sledding out, which shows me that you really know your new environment very well, so – just joking.

Mayor Slesnick: One of the things that we haven't addressed in the same light that everybody else up here is saying we need a vision is that, you know, we can easily and attractively deck a number of our parking lots, that as long as you get ten years service out of the deck it pays for itself, and it is a good bridge to when you may want to build and give you the opportunity to decide if you really want to build great garages. You can get a lot more parking into our City easily; we've never tried to do.

Commissioner Anderson: So we are going to refer this back to the Planning Board?

Commissioner Cabrera: Between first and second reading.

Vice Mayor Kerdyk: I don't know if I want to, Commissioner, if I want to pass it on first reading because I don't want to give the intent that I'm OK with what's inside there. If you want to go ahead and do it, I guess it's not a big deal one way or another, as long as they take a look at it, I guess it would be OK. If you want to pass it on first reading I'll go ahead and support that, if not I just...

Mayor Slesnick: Do I have a motion.

Vice Mayor Kerdyk: If it's OK I'd just like to refer it to the Planning Board and then have them come back on first reading, because they might change it substantially.

Commissioner Cabrera: Let's just do it.

Mayor Slesnick: Mr. Kerdyk moves that we send Item E-1 to the Planning and Zoning Board for their review and recommendations to us and discussion; and I think that I have heard David also a desire of this Commission to really have a session where we talk about the visioning of the downtown parking versus pedestrians, versus spaces on-street versus spaces off-street, etc. etc., before we vote on this we'd probably like to have a better discussion; I guess we could combine that with our next consideration of this, as long as the rest of the agenda is not too...

City Manager Brown: I would ask Kevin to analyze the two reports and also involve the final two reports in that analysis, you'll have that by the time we talk about visioning.

Mayor Slesnick: Do I have a second?

Commissioner Anderson: Second.

Mayor Slesnick: It's been moved as stated by Mr. Kerdyk second by Ms. Anderson; all those in favor please say aye.

All: Aye.

Mayor Slesnick: Opposed like sign.

[End: 10:59:30 a.m.]