

City of Coral Gables City Commission Meeting
Agenda Item F-1
July 11, 2017
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

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

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item F-1 [11:46:31 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 62, of the City of Coral Gables Code to authorize the City Manager to declare and establish Play Streets, providing for a repealer provision, severability clause, codification and providing for an effective date. (Sponsored by Commissioner Lago)

Mayor Valdes-Fauli: The next item is the City Commission of Coral Gables, Chapter 62 of the City, authorizing the City Manager to declare and establish play streets – Commissioner Lago.

City Attorney Leen: Mr. Mayor, this is an Ordinance on Second Reading, sponsored by Commissioner Lago. It's an Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 62, of the City of Coral Gables Code to authorize the City Manager to declare and establish Play Streets, providing for a repealer provision, severability clause, codification and providing for an effective date. This is a public hearing item, it passed on First Reading. One change to the Ordinance, which is based on an ordinance that exist in the City of Miami Code, so we are not trading new ground here, this already exist and it's based on state law,

which authorizes the City to designate play streets, but we were contacted by Miami-Dade County; the County raised their claim that they have exclusive jurisdiction over the flow of traffic in Dade County, the City does not agree with that. We believe that there is a balancing of interest that's applied and we also believe that state statute gives the City Commission this authority just like it gives the City of Miami authority. Nevertheless, we worked with the County to try to reach an agreement, similar to an interlocal that we are working on with the County, because it's always best for governments to try to reach an agreement. That is in Section 3, "Implementation," which has been added and basically what this says is that both sides assert their respective legal positions. We then agree on a voluntary basis to provide a proposed play street to the County and give them 45 days to review it. If they take the 45 days and don't take any action, its deemed automatically approved or they could approve it. If they deny it, both sides reserve their respective rights and in fact, reserve their respective rights as to this entire matter, which means ultimately, if we don't reach an agreement, we can proceed to do what we think is appropriate and the County can proceed to do what they think is appropriate. But this voluntary agreement, we believe, will work out, hopefully all matters or at least 99 percent of them. So, we think it's a good way to proceed, but it's ultimately, and I mentioned this to the County, up to the City Commission's approval. So, you could decide not to include this language if you wish. Nevertheless, I just want to reiterate again that you are not binding the City to anything; this is voluntary on both sides. So with that, I would turn it over to the sponsor.

Commissioner Lago: Craig has done an exceptional job explaining where we are today. I want to thank Peter and his staff for moving this forward along with the entire City Attorney's office. I think we are going to be able to implement this ordinance pretty quickly. I think we even talked about it with Monegro as being an option. We were on the street the other day with Ed Santamaria dealing with that, so I look forward to having a vote on this issue.

Commissioner Quesada: So moved.

Commissioner Mena: Second.

City Attorney Leen: Oh, it's a public hearing Mr. Mayor.

Mayor Valdes-Fauli: Is there anybody that wishes to be heard? Will you call the roll please?

Vice Mayor Keon: Yes

Commissioner Lago: Yes

Commissioner Mena: Yes

Commissioner Quesada: Yes

Mayor Valdes-Fauli: Yes

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To Declare and establish Play Streets

(Vote: 5-0)

City Attorney Leen: Mr. Clerk just note that there was no one that wished to speak in response to the Mayor's request.

[End: 11:49:33 a.m.]