

City of Coral Gables City Commission Meeting
Agenda Items 2-1, 2-2, 2-3 are related
July 13, 2021
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Michael Mena

Commissioner Rhonda Anderson

Commissioner Jorge Fors, Jr.

Commissioner Kirk Menendez

City Staff

City Manager, Peter Iglesias (Absent)

Assistant City Manager, Ed Santamaria

City Attorney, Miriam Ramos

City Clerk, Billy Urquia

Public Works Director, Hermes Diaz

Assistant City Attorney, Naomi Levi-Garcia

Police Chief, Ed Hudak

Public Speaker(s)

Debbie Swain

Sue Kawalerski

Agenda Items 2-1, 2-2, and 2-3

Time Certain 5:30 p.m.

2-1: A Resolution of the Coral Gables Transportation Advisory Board requesting that the City Commission direct City staff to take the next steps to move forward with the South Alhambra Circle bikeway plan and conduct community meeting with the area's residents.

2-2: A Resolution of the Coral Gables Transportation Advisory Board requesting that the City Commission direct City Staff to assess and take necessary action to address the missing sidewalk segments of the circuit between Riviera Drive and Granada Boulevard, South of Hardee Road, as well as other areas in the city and provide a report on how it will be addressed.

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2-3: A Resolution of the Coral Gables Transportation Advisory Board requesting that the City Commission oppose any proposal by any outside agency that would allow golf carts and/or other motorized vehicles on any shared use path that is designated for the use of pedestrians and cyclists.

Mayor Lago: We are going to take items 2-1, 2-2, and 2-3, which is a time certain at 5:30 and then we'll move on to the time certain at 6:00, which is F-3 and F-4, Madam City Attorney.

City Attorney Ramos: Yes Mayor, 2-1 is A Resolution of the Coral Gables Transportation Advisory Board requesting that the City Commission direct City staff to take the next steps to move forward with the South Alhambra Circle bikeway plan and conduct community meeting with the area's residents. 2-2: A Resolution of the Coral Gables Transportation Advisory Board requesting that the City Commission direct City Staff to assess and take necessary action to address the missing sidewalk segments of the circuit between Riviera Drive and Granada Boulevard, South of Hardee Road, as well as other areas in the city and provide a report on how it will be addressed. 2-3: A Resolution of the Coral Gables Transportation Advisory Board requesting that the City Commission oppose any proposal by any outside agency that would allow golf carts and/or other motorized vehicles on any shared use path that is designated for the use of pedestrians and cyclists. I read all three together because I believe there's a member of the Transportation Advisory Board that wants to address the Commission and I'll remind the Commission that these are resolutions of the boards, you can either take action; the action they are requesting, no action or a different action.

Ms. Swain: Good evening Mr. Mayor, Vice Mayor, and Commissioners, I am Debbie Swain, I'm a member of the Transportation Advisory Board. We have three items. I have the homeowner on the first item here and she will be here, I'd like her to come up in case you have questions. She is not going to add to what I have to say. This particular – the first issue is regarding bike lanes on South Alhambra Circle, a couple of years ago, Roberta Nayway talked to some neighbors about bike lanes on her street, the three blocks south of U.S.-1, there are some single family homes, there are apartments, there are condominiums, and she spoke to homeowners, As a result of the conversation she had she scheduled a meeting with the city staff and city staff met with seven owners out of the eleven homes and they determined, and this was to see what would happen if they wanted to proceed with bike lanes, what the city process was. The staff told them to go and do a door-to-door and see what the rest of the owners felt and so they did that. This first meeting was back in 2018. Subsequently they went and talked to, reached out to all 29 property owners; 20 of them signed or gave consent for bike lanes; three said no, and the other six either were non-committal, not prepared to say yes or no at that point, or she could not reach them. Nothing happened after that, and the next step, as she could see was come to the Transportation Advisory Board and ask for us to support her request, which is to take the next step. So that's what this resolution, this first resolution is where the Transportation Advisory Board is asking the Commission to direct staff to take the next step. And we envision the next step is a community meeting and what may come out of that.

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Mayor Lago: If I may. I have no issues with taking the next step, but I want to be very clear. I want as much community input as possible and if the community is not behind this project, I will vote no. I want to make sure that the community is noticed properly, that there are no missteps on notice, that people understand what they are voting for and what the requirements are, timelines, costs, implications of green space, swales. What is going to actually be the project in itself? We have to be very, very clear and very transparent, because we've seen what has happened in the past and I do not want to make this into a situation like we had in Riviera, and we had on Alhambra just left a bad taste in everyone's mouth. When I think, in my opinion, we could have done things very differently, and possibly come to a different outcome than we did.

Ms. Swain: And where this is different, this is led by the residents of that street and all they want is a meeting at this point.

Mayor Lago: And that's why I think it's a good idea.

Ms. Swain: Thank you.

Mayor Lago: But I want to make sure that we notice, and we cross our T's and dot our I's as carefully as possible, even if it takes an extra month to notice people properly, to ensure that everything is being done by the letter of the law. And if any of my colleagues have any ideas or anything else that we can do, if we go above and beyond, if it requires two community meetings, let's have three, take it one step further. I don't have any problems with that. Are we okay with that?

Commissioner Fors: Fine with that. I think we learned a lot from the last crash course on the other side of Alhambra and like the Mayor, completely willing to take the next step, but that everybody understand, as the Mayor said, that I don't want to hear it reported tomorrow that we approved bike lanes on that street. What we are doing is approving going to the next step to hearing from everybody. I'm sure you will be there regarding whether they want it, whether the residents want it and what they want, and trees. The one thing you left out of your list was trees which is an awesome issue.

Mayor Lago: Big issue – and let's limit the misinformation. Let's let people have a voice, but let's limit the information, the onslaught of things that are not correct, staff says this, staff says that – no. Let's put everything very, very clear so everybody understands what trees that need to be removed, what trees are not getting removed, what trees are invasive that are going to be removed anyways, how is the street going to look, are you going to take out somebody's swale or is it going to affect somebody's driveway. These are important things. Vice Mayor.

Vice Mayor Mena: Fair or unfair, I think the perception when we've gone down this path before has been, no pun intended, has been that it was a staff-driven initiative, that staff members were trying to sell residents in a given area on the issue, and I think if this is going to be successful, because I am open to having resident input and seeing what the residents in this area want, it needs to be really resident driven. And so, I hear you that it is in this instance and that's why it's different.

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I hope you are right for the sake of your proposal, but I would just tell you to be sure that you have the support you think you have and really, if you don't just consider whether it's worth all the time and energy that will be expended on the effort if you are not going to have support from the residents, because I think at this point you know that if you don't we are probably not going to approve it. So, I defer to you. I can't say that maybe you've knocked on doors, maybe you have a petition, I think I recall you did at one point in time, and so, that's great. That's where we are. I think all of us are probably, certainly the three of us who lived through the prior one, I can't speak for our two new colleagues, but we are open to it if it's what the neighborhood wants.

Ms. Swain: I want to remind you, I'm a representative of the Transportation Advisory Board. I didn't knock on anyone's doors, it's the homeowner that did that, and our board listened to the request of the homeowner and is presenting to you a request that, their request.

Vice Mayor Mena: And I may be confusing it with University.

Ms. Swain: University Drive I live on.

Vice Mayor Mena: Correct. I may have been confusing those two.

Ms. Swain: That I personally knocked on doors on my own street.

Mayor Lago: This is my understanding from the TAB, they said there were 29 homes that were in favor of it and six were opposed.

Ms. Swain: Yes, there were 29 properties.

Mayor Lago: Okay. So, 20 were in favor and 9 were opposed?

Homeowner: Of being planned.

Mayor Lago: Okay.

Homeowner: You know, I didn't say we are going to do this, we are going to do that. I said talking to the city about cycle lanes; 20 were positive on it. They had concerns some of them, but they said sure, we'd like to see a plan, we'd like to talk to the city; three were, we don't want to see anything, no, no, no, and six I either couldn't locate, or they couldn't make up their minds. So, I think 20 out of 29 property owners or the representatives of property owners is a pretty good number for positive interest.

Mayor Lago: Okay.

Commissioner Anderson: I've canvassed that and other areas as well. I know some people who lived in that area. Where I did hit opposition from people is when it depends on how many feet of

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their swale that you are taking. If its four feet versus ten feet is where you've got to strike the balance.

Homeowner: And when we talked to the city, a small group of homeowners, we were fine with it. It was like a focus group kind of first meeting we had, that was when Mark Brown was working for the city, he is no longer here.

Commissioner Anderson: You are going to have to give them the choice, how many feet do they want to give up for the type of bike lane they want.

Mayor Lago: And before we take a vote on this, Mr. Manager, Mr. ACM, I think that we need to consider that potentially some sort of certified mail be provided for those who are most impacted. How do you define most impacted? I know that we have certain parameters in regard to who gets balloted. Those are things that I want you to think about moving forward.

Assistant City Manager Santamaria: Absolutely, Mr. Mayor. We will follow the process...I'm sorry, my mic was off. In fact, I think the last time what was settled on was that only the abutting neighbors were going to be balloted. We never got to the balloting, but that's where we settled on, so we'll follow that.

Mayor Lago: And maybe certified mail may be an option, its costly, but at the end of the day I think it really provides, it's a good fallback. I'll entertain a motion.

Vice Mayor Mena: Quick question. This is South Alhambra from...

Homeowner: U.S.-1 to...so you're familiar with the neighborhood, the first three blocks.

Vice Mayor Mena: Okay.

Commissioner Menendez: I just want to comment that although Commissioner Anderson and I weren't on the Commission, past efforts obviously made the news, hit the community, and I think we all learned over time, we all do, public government, Commission that it's important to get to your goals, sometimes you have to take the path of least resistance, pun intended, path of least resistance and I think it's important when we communicate with neighbors and residents, I'm just remembering comments from the past that we make sure we speak with and not talk to residents, because folks want to feel that there is a dialogue and that it isn't a done deal, that they want to feel that they are part of it and that's important. Every issue that we address here and every issue that's brought to us, it's important that we speak with and not talk to, but I think there is a solution, there is a way forward, but I think we take the proper steps, as my colleagues have said. I think as a community, we can get this done in a good way.

Mayor Lago: A motion, anyone?

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City Attorney Ramos: I would recommend a resolution directing staff very specifically on what you want, one or two meetings, mail, certified notice, houses that are abutting, whatever it is, whatever the instruction is.

Mayor Lago: I want staff to analyze the process, if it requires two meetings make it three, consider certified mail for those parties most affected. I want to ensure that we properly notice, and we document, like Mr. Trias does, during his development meetings where he shows a slide that every time that we have noticed the residents for this proposed project, and make sure that from the beginning to the end that this is driven by the residents. And I reiterate my statement, the moment this comes to me, and it is a free-for-all at gas time, I will vote no.

Vice Mayor Mena: I agree.

Mayor Lago: I just want to put it on the record.

Vice Mayor Mena: I'm not going to lie to you, I'm a little skeptical, because every time we go down this it's a nice idea, but when it's in front of their house and its cutting into their swale or trees, and I know it's not their swale, it's the city's, we've had that old debate. So just make sure you have the support you think you have, otherwise let's not.

Homeowner: Yes, they were receptive to the idea of it, until they talk to people.

Mayor Lago: Okay. That's the body of the resolution. Can I get a motion?

Commissioner Anderson: I'll move it.

Commissioner Menendez: I'll second.

City Clerk Urquia: Mr. Mayor before you vote on it, we do have a member of the public requesting to speak on this, its Sue Kawalerski.

Mayor Lago: Perfect. Excuse me, I should have asked for public comment, I apologize. The floor is yours.

Ms. Kawalerski: Thank you Mayor, Vice Mayor, and Commissioners, by the way, thank you so much for having these night meetings. This is so much more comfortable than having to take time off from work to come here and attend. So, thank you very much. First of all, full disclosure, first of all, my name is Sue Kawalerski, I live at 6830 Grecian Street. I am the Acting Chair of the Transportation Advisory Board, and I was one of the voting members for the next three resolutions that you are about to hear, but I'm talking to you more as a resident, a cyclist, and the head of Miami-Dade County's Bike 305 Program. I do this for a living. I consult with municipalities who want to build cycling infrastructure into their municipalities. It's a pleasure hearing this process moving forward, because this is resident-driven. As much as I'm a cyclist and would like a lot of cycling infrastructure, if it doesn't come from the residents, it will never work. It will never work.

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It will never be used and it's a waste of money, okay. So, I applaud Roberta Neyway first of all for taking the initiative as a resident and getting those signatures and hopefully she will be able to drive this effort to a conclusion one way or another, good or bad, but at least we are going to find out. It would be nice to have this as a test project in the city if the residents truly are for it. And might I suggest that we are facing a multi-mobility crisis here in Miami-Dade County, because if you haven't noticed there are now electric bicycles, there are now golf carts on non-motorized paths. This is one of the resolutions that's coming up before you shortly. We have to figure out who gets the space, where is the safest space for all these forms of mobility, and as much as we throw around the term bike lanes, I truthfully as a cyclist are not for bike lanes. I am not for bike lanes and people look at me saying, but you're a cyclist, but I'm a safe cyclist. A bike lane does not protect me. Now if you are talking about a protected bike lane, truly a protected bike lane, I'm all for it if you have the money and you have the right-of-way and you have the public will to build it in front of their house, okay. But I am not a proponent of bike lanes, I'll be very honest with you. What I have discovered is that shared use paths are probably the way to go, particularly in municipalities like Coral Gables. Why? – because we don't have enough right-of-way for a lot of the streets. Again, whatever the residents want, I'm for, but for our safety feature multi-used paths that are off the road are probably the way to go in Miami-Dade County in general and here in Coral Gables specifically. Thank you for letting me speak.

Mayor Lago: Thank you for being here. We have a motion and a second.

Commissioner Anderson: Yes

Commissioner Fors: Yes

Vice Mayor Mena: Yes

Commissioner Menendez: Yes

Mayor Lago: Yes

(Vote: 5-0)

Mayor Lago: Now we move onto 2-2, 21-2534.

Ms. Swain: This item again was a specific request from a homeowner who came and made a presentation to the Transportation Advisory Board regarding sidewalks, missing sidewalks, particularly in his area which is south of U.S.-1 on the section of Granada, Hardee, Hardee Bridge and Riviera. Particularly on Granada there are gaps in the sidewalk that he brought to us, and also the sidewalks are missing going to the Hardee Bridge and even down at the bridge on Granada going over Alhambra. So, he had brought that to us, showed us some pictures and as a result the Traffic Advisory Board, similar to the last one passed a resolution requesting that the Commission direct staff to take next steps. Specifically, what we requested is that the Commission direct city staff to assess and take necessary action to address the missing sidewalk segments of the circuit between Riviera Drive, Granada Boulevard south of Hardee Road, as well as other areas in the city and provide a report on how it will be addressed.

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Mayor Lago: So, I'm in favor of sidewalks, so I think it's a good opportunity. I know exactly where these areas are. They are missing links especially in areas that are being highly traversed, they are near bridges, and I see a litany of times when I'm driving in that area, people who have to take, basically their lives into their own hands. Another thing that I want to add, and I spoke to the ACM about this. I met with the residents, along with the families where their children go to Ponce Middle School, there are missing sidewalks and there are missing sidewalk connections, along with crosswalks in front of the school. I would like that to be included in this resolution. We have a schedule, if anybody would like to attend taking advantage of this moment. I have a scheduled site visit with those parents in that neighborhood, Ponce Middle School, on July 29th is the site visit. Please coordinate with Chelsea to attend and we can Sunshine the meeting, we have more than enough time. This is a very simple resolution. Does anybody else have anything else to add?

Vice Mayor Mena: Just a question. My understanding was that Public Works had some sort of map at some point of where those missing pieces that are being prioritized and I was just wondering where that stands and whether there is any overlap with this section or not, if you know.

Assistant City Manager Santamaria: We do have a map where we have missing sidewalk segments and there are areas that we are prioritizing, we are having ongoing conversations about finalizing a plan that will finalize, that will establish high priority areas. The concept that we are working on with Commissioner Fors regarding the youth zones is something that we are integrating into this. We are looking at sidewalk, missing sidewalk segments near schools and other recreational facilities. We will be moving forward. I know we are going to be building sidewalks as part of resident-driven process on University Drive, the street where Ms. Swain lives. But throughout the city there are missing sidewalk segments, and we are looking at ways of triaging where we are going to get the most bang for the buck in terms of pedestrian safety, given the funds that we have.

Vice Mayor Mena: But my other question would be sort of where this fits into the broader.

Assistant City Manager Santamaria: This is going to be priority one, the one over on Riviera by the bridge, because it is a situation that really calls, so that would be way up there. In fact, its going to be something we are already looking at doing. The Public Works Director was here, oh, there he is, and maybe he can fill in a little bit more detail.

Public Works Director Diaz: Good afternoon, Hermes Diaz, Public Works Director. The ACM is correct, these are the locations we are aware and obviously, the driving thing behind it will be funding. One of the biggest shortfalls that we had in the Covid pandemic has been the half a penny tax that fund some of this work, but I think we will be more than happy to come up with a plan that will prioritize subject to funding, and we'll put them in line as the funding becomes available.

Assistant City Manager Santamaria: Hermes, you've already been working on this particular one, its off the bridge, Hardee that area. I know that we looked at the right-of-way there, we've had conversations with neighbors.

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Public Works Director Diaz: I think that's the one on Salvaterra and Alhambra, the one that's next to the bridge, no? – my apologies. There are quite a few that we are working on, so.

Speaker: This particular location, there were three locations that he brought to our attention in his presentation, the Granada Bridge is one of the ones that we are already prioritizing as part of his request.

Vice Mayor Mena: The only thing I would add is, sort of the same thing that we were just talking about to a degree on bike paths, which is, you still need to canvass the neighborhoods and I get that there is a distinction where we might need or think that there's a priority for sidewalks around schools, etc., that makes sense, but that doesn't mean you still shouldn't have that resident input, and if the end result is you talking to residents of a given area who maybe don't want the sidewalk and you having to have a tough conversation explaining that it's a priority to have it, because there is a school or something like that, then you still need to have that conversation even if it's a tough conversation, or you need to otherwise decide, hey, we are going to side with what the residents want here. It's a little different than bike paths from a pedestrian perspective and again, these priority zones, but let's not lose sight of that aspect of this. I don't want it just to be that because there's a principle behind this of having these in these certain areas in the youth areas, the parks, schools, that that means that we just have a license to just put in sidewalks without resident engagement. I still think we need that component.

Public Works Director Diaz: So, you want us to have community meetings.

Vice Mayor Mena: Yes, at least provide notice to the residents who are abutting with adequate time so that if they are against it for some reason, they have an opportunity to be heard. They shouldn't find out when you are out there measuring the sidewalk, if that's the idea. I think we have to have those conversations even if again, there's a mandate to do it in certain areas for safety reasons, I still think you have to engage and have that conversation.

Assistant City Manager Santamaria: Commissioner, we have been engaging with residents that might be affected.

Mayor Lago: So, what are we expecting timewise for delivery of these sidewalks?

Public Works Director Diaz: We'll have to see where they fit in the budget and that's really what's going to drive the timeline.

Mayor Lago: We just had a budget hearing today.

Public Works Director Diaz: I'm sorry.

Mayor Lago: We just had a budget hearing today.

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Public Works Director Diaz: We did, absolutely, so with that funding moving forward then we can now go ahead and prioritize them. So, we should be able to come up with something that we can give you.

Mayor Lago: Madam City Attorney will you do me a favor, please, will you place on the next agenda an item on behalf of the Commission, addressing sidewalks, so we can produce a schedule in regard to these areas, because I want an answer. I'm going to meet with these residents on July 29th, I want them to be able to know that we are working on this issue because these are areas of high concern, high traffic, especially in front of Ponce Middle School.

City Attorney Ramos: So, a report by Public Works.

Mayor Lago: Yes. I want a schedule. I want to understand like when is this going to start.

Assistant City Manager Santamaria: Mr. Mayor, if I may suggest, I would like Public Works to evaluate the conditions around Ponce de Leon Boulevard before making any commitments.

Mayor Lago: That's fine. The meeting is in August. You have more than enough ample time to put this together, these are areas that need to be addressed, they need to be addressed.

Commissioner Menendez: I wanted to add, its not near Ponce Middle School, but on Alhambra Circle when you are going south approaching the bridge.

Mayor Lago: Yes.

Commissioner Menendez: You cross the bridge and there is no sidewalk and its very treacherous with tree roots and everything else and there are a few houses there that property owners that I'm sure that if we reached out to perhaps, they'd be opened to including that. I know there are some comments on that, perhaps that street. I don't know if Naomi or the City Attorney's office since sidewalks obviously, for safety, but also I'm sure ADA, we have so many folks that are disabled that need sidewalks to move around, I wonder if there is a way to tap into state or federal dollars to help us provide, increase the number of sidewalks or connect the sidewalks and use that, the ADA and use that type of reasoning to try to tap into federal dollars that are available for this type of project. Its something I think we should explore. I knew you'd get up here.

Assistant City Attorney Levi-Garcia: Hi there, Naomi Levi-Garcia, Assistant City Attorney and Intergovernmental Affairs Manager. We have looked into safe routes to schools funding. We determined that it is both cheaper and faster to fund sidewalk construction ourselves.

Mayor Lago: So, with that being said, we have a resolution which comes off of what Ms. Swain said, we've added Ponce Middle School sidewalks to that resolution, we've asked for it to be on the agenda in August, we've asked for a schedule for August. Does anybody want to make a motion?

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Commissioner Menendez: I'll move it.

Commissioner Anderson: I'll second.

Mayor Lago: Mr. Clerk.

Commissioner Fors: Yes

Vice Mayor Mena: Yes

Commissioner Menendez: Yes

Commissioner Anderson: Yes

Mayor Lago: Yes

(Vote: 5-0)

Mayor Lago: Item 2-3 21-2535.

Ms. Swain: This item came up in front of our board by another board member. A resolution was passed in the Village of Palmetto Bay asking for the county to look into allowing golf carts on the shared used path, particularly the trail on Old Cutler. So, there was a lot of concern about that. If you've ever walked or ridden a bike down the trail, its already multi-use with kids of tricycles, and people jogging, and it gets pretty busy. So, we could not envision that adding golf carts was a good idea, other motorized vehicle. Pinecrest had also looked at a similar action, I'm not sure if they had ever passed a resolution, I didn't look it up, but what we are requesting is that the City Commission pass a resolution that would outright state that you would not allow golf carts on shared-used paths or other motor vehicles.

Mayor Lago: So, let me ask you a quick question. I see a lot more individuals using golf courses, a proliferation of golf carts. I've actually considered getting a golf cart myself. Would you recommend that golf carts use the street?

Ms. Swain: I would. A golf cart can go at least as fast as a bicycle.

Mayor Lago: I need you to do me a favor. I need you to educate me, not just ask me to vote on a resolution. I want to understand a little bit more what other communities are doing, maybe locally throughout the state, maybe the federal level, what are they doing? Send us some sort of memo from the TAB so that we can understand, and we'll defer this item, 2-3, to the next Commission meeting because I'm not ready to vote on this without actually knowing what other communities are doing.

Ms. Swain: Okay.

Mayor Lago: Because it wouldn't make sense for us to say you can't use a shared path, then they are going to...shared path. Let's work together in a cohesive manner.

Ms. Swain: There are some things I know.

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Mayor Lago: And also, maybe we should have the Chief, good point.

Commissioner Menendez: I have a question for the Chief, maybe they can answer, if I may add my question is, so if the path on Old Cutler, they have a bicyclist, a person who is walking, you have a golf cart, golf cart is obviously wider than most people and wider than a bicycle, I'm on a diet so don't look at me, so who has the right-of-way?

Ms. Swain: The pedestrian always has the right-of-way.

Commissioner Menendez: Then you get to the bicyclist and the golf cart, and the golf cart is covering from one end to the other, that's a question I would like, at some point if it comes back, figure that out.

Vice Mayor Lago: Can you also address while you are addressing that this idea of the golf cart on a street. My understanding is there are certain types of golf carts that are street legal and others that are not or is that just a term that people throw around.

Chief Hudak: Well, there is by state statute, there are certain things that have to be to have a license plate on a golf cart, certain amount of time, certain reflective devices and things like that, which is what we are okay with. However, what we do see is when those golf carts go out into main thoroughfares then it becomes much more of a problem. So, in some of the private areas we are okay with it, the University of Miami. The University of Miami has several of them that they work with interior campus. They use San Amaro, they come around the other side, but if you notice most of them try to stay off of Ponce de Leon Boulevard. We have seen and I would have to get a little more data for you on this, comparatively speaking to our neighbors, when you open those up to not being licensed or registered then you do not necessarily have, or we do not have the authority to regulate who is operating them. The bigger issue, much more severe accidents on things like that when we are seeing kids driving. There are some gated communities within the city where we will see it where the kids are driving crazy and they are not registered, so you have to be 16 years old to have those, driving those registered vehicles. We are not in real big support when it gets into those lanes, as you say Commissioner, its bicycles and pedestrians and that's really what it should be, and I can think off the top of my head, if this were to be approved our enforcement efforts along Old Cutler which is a very difficult bike path to begin with, would make it nearly impossible which would put them out on Old Cutler and become a bigger problem for us as well.

Commissioner Anderson: And then it goes from golf carts to go-carts, we've all seen what kids can do on that, so there has to be a line drawn here somewhere for safety.

Chief Hudak: Our enforcements efforts on Thursday nights which is a countywide bike night, and you see the 4-wheel ATV's and people doing wheelies up and down U.S.-1 becomes quite a nuisance for us, and the officers do our best to try to stop it when its coming through. So, once we open up that box, so to speak, it becomes an enforcement problem for us.

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Vice Mayor Mena: Can I ask a question and I know the legal answer to this. You are saying that golf carts should not be on the shared path because its for bicyclists and pedestrians.

Ms. Swain: Correct.

Vice Mayor Mena: Certainly, you agree that the bicyclists are by law allowed to be on both.

Ms. Swain. Correct. Correct, by state statute, they are allowed to be on the street and on a sidewalk and a crosswalk, on a path.

Mayor Lago: Sue, please, but I think we need to...

Ms. Kawalerski: I'll just keep it very short. By the way, the county has designated all the trail system in Miami-Dade County, including Old Cutler Trail which runs through a number of municipalities for non-motorized vehicles, its posted, there are signs all along, non-motorized vehicles. Some municipalities like Cutler Bay are allowing their residents to use a non-motorized trail. I can tell you the county is against that, okay, the county is against it, but its not enforcing it right now, okay. What we are trying to do with the TAB is be a little preemptive, okay. Palmetto Bay has this resolution in front of the county saying, check the feasibility for putting motorized golf carts on the path. I can tell you; the county is probably going to say no. I talked with Jimmy Morales who is the CEO basically of the county, and he's totally against it. They are on top of it. What we wanted to do at the TAB is to take a preemptive resolution saying, we are not going to allow motorized vehicles on an already stated non-motorized path, okay. Once you start mixing motorized vehicles with manual, you are in for trouble, that's why the bike lane theory is, you put a bike next to a motorized vehicle and its dangerous, imagine a golf cart on a six-foot wide path.

Vice Mayor Mena: You certainly don't agree with that as to bikes on streets, its okay with mixing there.

Ms. Kawalerski: I do and there is a reason. There is a state statute that says, bicycles are considered vehicles in the State of Florida, so absolutely, I believe that a bike can take a travel lane. I'm against bike lanes because prefrail vision, distracted driving, you are not going to be seen if you are on a bike lane.

Mayor Lago: Chief – If anyone else has anything else, I would like the Chief to have the last word, so I can defer this item.

Chief Hudak: I was just checking because some of the guys in the suits are motormen. When there is a bike lane provided, our statute is they are supposed to be on the bike lane. Now that doesn't happen every weekend on Old Cutler and to do that would be a huge undertaking to get everybody that's riding in those groups on those bike lanes.

Ms. Swain: But that's a bike path not a lane.

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Chief Hudak: If there is a bike path...

Ms. Swain: They don't have to be on it, just a lane.

Mayor Lago: Ms. Swain.

Chief Hudak: So again....

Mayor Lago: Let's have this discussion in further detail when we have more information. So, I'm going to defer this item for the next Commission meeting, and I've asked the TAB and Ms. Swain to provide additional information so that we can continue having this discussion and make a decision on that.

Chief Hudak: Yes sir.

City Attorney Ramos: Can we get a motion to continue from somebody?

Vice Mayor Mena: I'll move it.

Commissioner Menendez: Second.

Mayor Lago: All in favor.

All: Aye.