

**City of Coral Gables City Commission Meeting
Agenda Item G-11
July 9, 2019
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena**

City Staff

**City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Assistant City Manager, Ed Santamaria
GIS Manager, Mark Hebert**

Public Speaker(s)

Agenda Items G-11 and I-6 [3:36:15 p.m.]

G-11: An update from staff regarding existing restrictive covenants that hold property owners responsible for the maintenance of surrounding areas (Sponsored by Vice Mayor Lago)

I-6: A GIS Web Map presentation regarding restrictive covenants and other property information.

Mayor Valdes-Fauli: Vice Mayor Lago this is your restrictive covenant issue.

Vice Mayor Lago: If I may have Assistant City Manager Santamaria, just come up really quickly in regard to this issue.

City Manager Iglesias: And this is also related to I-6, which is the GIS Web Map presentation we can handle both at the same time.

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Vice Mayor Lago: I wanted Mr. Santamaria just to give us a quick briefing in regard to where we are. We've been working on this for what, about a year now, over a year?

Assistant City Manager Santamaria: Actually, we've been working on it longer than that in terms of...but we've been working with you on this issue for some time.

Vice Mayor Lago: So I just wanted to get an update on where we were, so that my colleagues can understand; and think this is for them because I need their input because they are another set of eyes and ears and this could be potentially an opportunity to really beautify the City if we hold people accountable in regards to those development agreements that are signed years in the past that we have hundreds of covenants in place that I believe, I don't want to speak for the entire Commission, are not being adhered to, especially when we talk about landscaping.

Assistant City Manager Santamaria: So, Vice Mayor, actually there are about 10,000 covenants that the City has entered into for restrictive covenants regarding encroachments on the public right-of-way.

Mayor Valdes-Fauli: Will you list them for the next meeting?

Vice Mayor Lago: No, no, we are working on them.

Assistant City Manager Santamaria: That's a herculean task.

Vice Mayor Lago: I have faith in you.

Assistant City Manager Santamaria: We are in the process right now of putting this all together on a GIS based system, where it would be possible for someone to access a property on a map, just like you do with the Dade County Property Appraiser's website and to pull up information on that property. That information that I'm talking about right now is release of restrictive covenants would be, if that property is subject to restrictive covenant, a copy of that restrictive covenant and also information as to what that restrictive covenant which the other party entered into willingly is responsible for in terms of maintenance on the public right-of-way. This can range from your simple driveway, whether it's a Chicago brick paver driveway, or any other non-standard improvement that folks may have on the right-of-way. It could be landscaping, it could be an irrigation system, it could be decorative boulders, it could be something that is in the right-of-way that the City wants to reserve its rights, number one, to withhold itself from any liability; number two, to make the property owner responsible; and number three, also to make sure that the City has recourse in the future it has to have that improvement removed.

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Vice Mayor Lago: So, let me ask you the most important question. Commission Keon calls or I call, Commissioner Fors calls and says, I past by a project which we approved five years ago, the landscaping looks terrible, the sidewalks are broken, its missing an oak tree. When will we be able to go live and our staff will be able to say, look back at that agreement, pinpoint what the standards were, they were agreed upon, and then hold that individual or entity accountable?

Assistant City Manager Santamaria: Before what would happen is it would be done manually, and we would hold folks responsible. This is going to facilitate the process in terms of that now you can do it with an application, a software, a GIS based software, and it will allow us to be more responsive, and it will allow folks to have, throughout the City, to have access to this information. And so, we've done is judiciously decided to take advantage of working out an initial map, this is the framework of the map which is actually operable right now, that focuses on the largescale projects, which typically have the most problems. And I'm not singling out projects by name, but it could be the Palace, it could be 10 Aragon, it could be 55 Merrick. Mostly these projects typically, as part of their conditions of approval, because they want to have specific right-of-way improvements that are not typically what we would provide, they enter into these encroachment covenants so they could have the benefit of these improvements; and so, we are focusing on these largescale projects, because it gives us the ability to see and to catalogue what it is that would perhaps be most visually obtrusive in terms of perhaps damages to landscaping or damages to...

Vice Mayor Lago: Commissioner Mena brought up on the agenda before the issue of code enforcement, we've been harping on that for years. I think this is going to be a necessary tool when you talk about code enforcement, because right now someone's going to have to look up this agreement and its written-on paper or it's in some sort of cloud. I want this to be readily accessible so that staff can say, when Commissioner Keon calls and says look, I have an issue for some reason something doesn't look right here, let's look up and see what was prescribed when the covenant was signed. And there are a lot of issues that we are having in the City right now where people are not being held accountable, because it's happened 10, 15, 20 years ago.

Assistant City Manager Santamaria: So, as it was mentioned previously, IT was working on a presentation about some of this mapping software and efforts that they are doing in terms of providing a very robust backbone for this type of operation and at this time I'd like to turn it over to Mark Hebert.

Commissioner Keon: I have one issue. I think for two years I've asked the palm tree that has no head on it...

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Vice Mayor Lago: By Merrick.

Commissioner Keon:...by Merrick Park on Ponce by the entrance and the exit, its in that little triangle, for two years I said to somebody, can somebody fix that...

Assistant City Manager Santamaria: That one happens to be ours.

Vice Mayor Lago: Can you get that done?

Assistant City Manager Santamaria: It happens to be ours. I saw that bracing palm tree about a week and-a-half ago, two weeks ago when I met on site and we've had discussions about removing it.

Commissioner Keon: Put a new tree in there.

Vice Mayor Lago: For example, we've talked about some of the shrubbery on Ponce near the Collection in that area where, again...

Assistant City Manager Santamaria: It is chronic.

Vice Mayor Lago: People have to be held accountable.

Assistant City Manager Santamaria: Mark are you ready?

City Manager Iglesias: Before Mark starts, I'd like to say what we would like to do in the next two or three years is completely populate the map that you are looking at. We have everything available on GIS. So, this is the beginning on what we are doing, but that doesn't happen by itself, needs to be populated and that's what we are doing now to have all the software completely integrated on a GIS platform and of course electronic planning review and go through it as carefully as possible. So, what you are looking at is the beginning of that process and we are going to continue with that.

Mr. Hebert: Good afternoon, Mark Hebert, GIS Manager in the IT Department. This map here is part of a larger presentation that I prepared for you today, to kind of look at just different ways where you view properties here in the City. So they can be places with restrictive covenants that are recorded, largescale development taking place in the City, City properties that may be under lease agreements with third parties, zoning use, land use, that sort of thing, capital improvement projects where projects are taking place, construction, etc., and then of course historic as you are well aware. The first one here is simply a manual collection of the records that we have, scanned

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documents, and listings put into a GIS. We identified the locations, put them into the GIS and right now this is the proof of concept as to how it might function and it may function integrated with other domains within the properties themselves, but right now we are looking at this one discretely, covenants, restrictive covenants. So, the property here is the 2401 Ponce Building, it has a description of the type of covenant that is there and then we have a link to it that is stored on our local document management site. It's the documents that are recorded by Public Works that are stored and kept by them, so these still have to be vetted to make sure that they are appropriate, that they are right, that they cover the subject matter as discussed. Right now, this is the basic principle of the map. You click on it, you can see the covenants involved. There may even be more than one at a particular location. This one, for instance is outdoor seating. At other locations there may be multiple covenants, like in this case you have three. One's about trees and grates at 10 Aragon; another one here is about the concrete benches, receptacles, and other amenities that are located at that site, also at 10 Aragon; and then another covenant regarding more trees and planting. As you can see, in this one, the location of the covenant is adjacent to 10 Aragon, whereas the one, the first one is along Galiano and Miracle Mile. So, there are different locations around the site where the covenants apply, and then the link, hopefully takes you to the document that is relevant to that location. In this case, we have a site plan and some landscape.

Vice Mayor Lago: So, let me ask you a question. This is a question I asked the Assistant City Manager before, when will this be populated and when will we be able to use it as a tool? - two or three years?

Mr. Hebert: Its an ongoing process, so we are still collecting the manual paper records, they are being scanned into the documents. In some cases, they are already done, but there is a discovery process that exist in Public Works that they...

Commissioner Mena: Are we getting all sort of new projects in there, like real time?

Assistant City Manager Santamaria: Sure. As the transition happens to paperless, those projects are being scanned.

Commissioner Mena: So, what's the turnaround of the new project to be up on this?

Assistant City Manager Santamaria: Once its approved and the covenants are executed, it gets scanned and it gets uploaded.

Commissioner Mena: Pretty quickly.

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Assistant City Manager Santamaria: Very quick. We can use this now, its just not fully operational. It is a tool right now for major projects.

City Manager Iglesias: We have 90 years of information that we have to scan and get online, so we are looking at an ongoing project, but I do think that we start with the low-hanging fruit, which are the bigger projects and work our way down towards that 10,000 number of the number of covenants.

Assistant City Manager Santamaria: Actually, in the Central Business District.

City Manager Iglesias: But the idea of the GIS is to document sanitary sewer or drainage, everything in the City. It's a big task but once you get it done, I think it's well worth it.

Vice Mayor Lago: It's great, it's great for staff.

Assistant City Manager Santamaria: Absolutely. It's a fantastic tool and its puts us ahead of a lot of other cities in terms of...

Vice Mayor Lago: I don't want to put this up every three or four months on the Commission. I want to give you time, but if you can tell me like we are looking at really – because I want to start asking you questions about certain projects that I see out there and I don't want you taking the time from staff to look up all this information. I want it to be readily available at your fingertips.

Assistant City Manager Santamaria: Right.

Vice Mayor Lago: Because there are certain projects out there that we bring up that again, I know that the maintenance level is sub-par at best, and they haven't been following what's in their covenant, but I don't have those covenants in my fingertips, so I don't know exactly what's going on.

Assistant City Manager Santamaria: This will definitely address some of that lifting that goes on in the background, it would be instantaneous. You just pull up the address and it will show you what's involved in terms of any restrictive covenants. So, it would facilitate the work for staff, it would make us more responsive and that's the idea behind it.

Vice Mayor Lago: And you have all the necessary funding, especially now during budget season, you have all the necessary funding to move this project forward and deliver it in the next two years?

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Assistant City Manager Santamaria: I believe we do have all the necessary funding, subject to things that might change, but I know the Clerk is already working on scanning a cadre of documents and files, and Public Works is also looking at following up on this and integrating it with Cardigraph and InterGov. So, we are working with IT, the City Clerk's office, it's a united front.

Vice Mayor Lago: OK.

City Manager Iglesias: This also can be used by Code Enforcement, if they see something wrong, they can click on it and find out is it our fault or was there a covenant.

Vice Mayor Lago: And do we issue it immediately?

City Manager Iglesias: Immediately.

Vice Mayor Lago: Instead of having to look it up or wait for some scanning.

Commissioner Mena: Are we inputting going backward, going back...to older projects, we are doing it all inhouse?

Assistant City Manager Santamaria: We are working with Laserfiche to do the scanning and that's the City Clerk's office, and some of it will be done inhouse.

City Manager Iglesias: As we progress toward...some of it will have to be consulted out.

Vice Mayor Lago: Are you finding that a lot of information is missing?

Commissioner Mena: How are we handling that?

Vice Mayor Lago: Because you are going to go back and there's paper 20 years ago.

Assistant City Manager Santamaria: Because there are 90 years of records. I can tell you, for example, the previous municipality that I worked with there was a fire that destroyed a lot of documents. I don't think that that's the case here, but it is 90 years' worth of records and there are going to be gaps in there without a doubt. Hopefully, we've done a good job, a good enough job of being custodian of these records so that we have access to what we need. So Mark, do you have anything else to add?

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Mr. Hebert: Not on this subject, no.

Assistant City Manager Santamaria: I think Mark was going to have a presentation.

Mr. Hebert: It was just a brief presentation, just to give you kind of a place-setting for the other domains around property and just touch on that. I mentioned the various other areas – largescale development in the City. Some of you may be familiar with this map. This is just a facsimile of it. This is the actual map here. It shows you the largescale projects going on in the City. We updated in coordination with the Planning Division and Development Services; and right now, what you see is Commission approved projects and those that are under construction. And all of these projects, you click on the project, see what's going on with it. There's a pop-up that may or may not occur, and then this links out to the information relevant to this project in Legistar. Other property-based applications that we are trying to incorporate and bring up to speed. So, you have property management, properties that are under lease that the City manages. So, I'm trying to provide economic development opportunities to view this and manage it, may be add more data. Right now, there is not a lot of data regarding these properties, things that the Commission may want to know, the public may want to know, things that economic development and their management of these projects may want to know, trying to facilitate that so things are a common platform. You are familiar also, probably with the zoning maps, Planning Division in Development Services, so this is more of that information. A lot of it is clickable, so you click on a site, there is a pop up that occurs. In this case, there are no links, all the information is provided by Miami-Dade County Property Appraiser's Office. We are all familiar with them as well. Another one that we are working on is to facilitate with Public Works, the management of their Capital Improvement projects. You have the common platform for transparency purposes, and you can actually see where these projects take place. Some of them are locations, obviously, but then there are some that are occur along a length of street or roadway and we have link outs to the information in the budget as well. This provides a lot of documentation, a lot of information, how its used, whether its pertinent we need to develop that in concert with the stakeholders and the champions of these things. And then lastly, I believe I have historic maps. You are familiar with historic districts. This is showing the districts in the City as well as plazas and other information. Historic markers in this case and I believe we have links for these to take you out to more information about the historic marker. So, the idea is, like you are talking a common platform, a single...find out as much as possible. Then we need to make it user-friendly and these are being made available so that people can get what they want and not have to weigh through a morass of all these different layers. So, they can maybe select by separate apps, if they want to look at encroachments, they want to look at historic markers, they want to look at properties, so they'll have different ways of accessing that data, that needs to be looked at from the user ability.

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City Manager Iglesias: This is a lot of data that we are compiling, it's a lot of work, but once we are finished we have these kinds of platforms throughout the City that can be used by everyone; and I think its what we are looking for to have something fully done in a three-year period. Its just a lot of work as you can see. There is a tremendous amount of data to actually populate in there.

Mayor Valdes-Fauli: Thank you very much.

Mr. Hebert: Any questions? Thank you.

Vice Mayor Lago: Thank you – great work.

[End: 3:53:17 p.m.]