

CITY OF CORAL GABLES
WATERWAY ADVISORY BOARD
 HYBRID MEETING AT CITY HALL/ZOOM
 WEDNESDAY, MAY 1, 2024 - 5:30 P.M.
 MEETING MINUTES

MEMBERS	District	J	J	A	S	O	N	D	J	F	M	A	M	APPOINTED BY:
		23	23	23	23	23	23	23	24	24	24	24	24	
Manny Chamizo	2	P*	*	*	P	P	A	A	A	P	A	A	A	Vince Lago
Pat Nolan	1				P	P	P	P	p	P	P	P	P	Melissa Castro
Juan A. Galan Jr	3	P	*	*	P	P	A	P	P	P	E	P	P	Rhonda Anderson
Kevin Ritzenthaler	1	P	*	*	A	A	P	A	p	P	P	E	P	Kirk Menendez
Nancy Sanabria	7				P	P	P	P	p	P	P	P	P	Ariel Fernandez
Douglas Yoder	CR	P	*	*	P	P	P	A	P	P	P	P	P	Amos Rojas, Jr.
Bertram Goldsmith	7	P	*	*	P	P	P	P	P	P	P	P	P	Commission-As-A-Whole
Levi Meyer	6	P	*	*	P	P	P	A	p	P	A	E	P	Board-As-A-Whole
Vacant														Commission-As-A-Whole

- P – Present**
- P*- Present (zoom)**
- E – Excused Absence**
- A – Absent**
- R – Resigned**
- (-) – No Appointment**
- (*) – No Meeting**

STAFF:

- Lorena Garrido, Central Division Administrative Manager
- Yanissey Solivera, Administrative Assistant
- Jesie Acebo, Assistant to the Public Works Director
- Gustavo Ceballos, Assistant City Attorney
- Sergeant Guido Antezana

GUESTS:

1. Mario Garcia Serra, Attorney for The Gables Waterway
2. Kirk Lofgren, Representative for the Gables Waterway
3. Jorge E Ortiz, Developer for the Gables Waterway

CALL TO ORDER:

The meeting was called to order at 5:30 p.m. by Mr. Yoder. Quorum was met.

MEETING MINUTES APPROVAL:

Mr. Gallan made the motion to approve the minutes of April 4, 2024, seconded by Mr. Goldsmith, all were in favor, and adopted unanimously.

DISCUSSION:

Mr. Gustavo Ceballos, Assistant City Attorney, was present at the meeting to answer any Board questions.

Mr. Galan inquired about the Code relating to canal widths and vessels that are too wide. He stated that there is a green vessel in the Mahi Canal, at 6750 Granada Boulevard which is wider than allowed and Code Enforcement is not responding. Mr. Ceballos stated that Code Enforcement, just as police officers, have discretion and if they believe there's a violation they will cite otherwise, they won't. He Added, Code Enforcement cites on a regular basis for dock violations, encroachment violations, etc. Mr. Galan said that Code Enforcement attended the April meeting and Mr. Loar was not aware of the width requirements. Mr. Ceballos said that most of the Code Officers assigned to that area know that there are size specifics in certain canals because they have different widths and there are certain navigable width requirements that are applicable everywhere; however, places like the Mahi Canal, which is much narrower, have strict requirements.

Mr. Yoder asked Mr. Ceballos if there is a practical way to track the status of complaints related to Code Enforcement on the waterway. Mr. Ceballos said that everything the Board is suggesting and discussing is outside of the purview of the Board; however, if the Board is concerned with the health and wellbeing of the waterways, they have the right to make a resolution requesting that the City Manager ask Development Services Department, specifically Code Enforcement, to provide a monthly report, reflecting citations issued to waterfront properties and their status.

Mrs. Sanabria made a motion to set forth a resolution reading, be it resolved by the Coral Gables Waterway Advisory Board that the City Manager direct Development Services Department, specifically Code Enforcement and Police Department, to provide a monthly summary report reflecting citations issued to waterfront property owners and their status. Motion was seconded by Mr. Goldsmith; all were in favor.

Mrs. Sanabria brought up the subject of the 2.2-acre site at 155 Isla Dorada known as Cocoplum Conservation Inc. She asked Mr. Ceballos if Cocoplum Conservation is owned by a corporation, and the mangroves are encroaching can the homeowners legally trim the mangroves without permission. Mr. Ceballos said that Code Enforcement was notified of the issue, they went out to investigate and if they believe there's a violation, they will issue a citation. Ms. Garrido added, she requested a public records request from Miami Dade County on the actual tax bill or whoever is on record to see if we can obtain contact information. She stated that some areas showed 155 Isla Dorada; however, there was another address for Susan Petersen. Mr. Galan stated that there are three corporate entities, The Cocoplum Conservation Corporation, IOC HOA, and a Florida State Agency. Mrs. Sanabria stated that as per the Florida Division of Corporations, the Cocoplum Conservation Inc. is inactive and has several addresses listed. Mr. Galan said that all the waterways in Phase Two and part of Phase One

are dependent on those mangroves being trimmed because if they are not trimmed, it will reduce the property values and residents will have non-navigable waters. Mr. Galan suggested staff investigate and inquire about the width of the canal when it was built, compare it to the width it is today and find out which organization will be responsible for maintaining those mangroves.

Ms. Garrido stated that the liaison from the South Waterway HOA Board contacted her last week and would like to invite Board members to attend their Board meeting on May 14th at 6:00 pm. Mr. Yoder said that he will attend.

Mr. Meyer inquired about the park on Blue Road. He stated that there were signs and activities that looked as though they were going to begin construction. They cleared the trees and a lot of the overgrowth. Ms. Garrido stated that she will share information with the Board.

OLD BUSINESS:

Representatives from The Gables Waterway LLC, proposed luxury condos at 6100 Caballero Boulevard were present at the meeting to answer the Board's questions.

Mr. Yoder shared the various concerns such as manatee protection, overpopulation, increment in the number of boat slips, increment of watercrafts, traffic congestion, altitude, and elevation.

Mr. Mario Garcia-Serra, attorney, for the developer, introduced himself. He stated that the health and wellbeing of the waterway is very important for the developer. They are open to suggestions and happy to answer any questions. He stated that they were concerned from watching the video of last month's meeting as there were assertions made that the marina is illegal; however, that is not the case. The marina has an operating permit issued by DERM and a certificate of use, issued by the City of Coral Gables. He said they understand the concerns of boat slips being leased at the marina; however, once the site is redeveloped, the marina will be limited to residents of the new development.

Mr. Galan asked Mr. Garcia-Serra if the current marina has a pump-out system and how many boat slips they are authorized to have. Mr. Garcia-Serra responded they have 25 or 26 but they are currently using 22. He clarified that the overall number of slips is regulated by the manatee protection plan, which limits the number of slips that were in existence when that plan was adopted in 1983. He added, the plan upon redevelopment, would be sticking to those 22 slips and therefore there wouldn't be any increases.

Mr. Kirk Lofgren, consultant for the developer, introduced himself. He stated that the marina currently doesn't meet the threshold for DERM's requirement for a pump out; however, upon redevelopment, the plan is to provide a portable pump out station in the marina. Mr. Nolan asked if the marina had running water and electricity. Mr. Lofgren responded, yes. Mr. Ritzenhaler inquired about infrastructure. Mr. Lofgren said infrastructure is a really good idea and the plan upon redevelopment would be to add a new seawall with fenderings.

Mrs. Sanabria asked if the Gables Waterway Project met with the Board of Architects. Mr. Garcia-Serra responded not yet. He added, they met with the Development Review Committee in November, and they have been incorporating their comments and meeting with residents. He stated that before they meet with the Board of Architects, they will conduct a neighborhood meeting. They will reach out to everyone residing within 1,500 feet of the property. Mr. Nolan said that the length of the Mahi canal is more than 1,500 feet and the developer should notify all homeowners residing on the canal as it will also affect them. Mr. Garcia-Serra said that is a rather long canal and there's a separate zoning process they must go through to be able to go through the development review process. He added, they are happy to talk about the waterway, its impact and so forth; however, expanding the notice area to other properties that are not required to be notified, is not necessary or appropriate. Mrs. Sanabria asked how many homeowners are on the notice area. Mr. Serra said he's not sure but it's whoever is within 1,500 feet.

Mrs. Sanabria stated that during the previous meeting, a few residents attended and had concerns about manatee protection. Mr. Lofgren stated that his background is in science and at this stage that waterway being in a dead canal it doesn't have significant amount of seagrass habitat. In fact, the agencies don't even dive into that habitat so while they look at the potential impacts to seagrass it's likely not going to be an issue, given that the sediment type is very unconsolidated at this location which is what you will expect. The exception is until you get to the end of the canal but there is an existing tree area that is shaded so there is very little seagrass. Mr. Galan asked why this area is a preferred area for manatees to give birth and nurse their babies. Mr. Lofgren said that it's generally for protection and sometimes it's because of the warm water, in fact, during the summer months manatees tend to move out of those waterways to go feed and be in warmer water away from those canals which is when the construction would happen. Mr. Lofgren added, this waterway is closed from November 15th through April 30th and there is no additional boat traffic allowed through there other than by permit and this marina has those permits to allow for that access.

Mr. Yoder asked if the property is currently served by sanitary sewers. Mr. Garcia-Serra said yes, and it will continue to be connected to the sewer.

Mr. Galan asked if during construction they will keep the marina open. Mr. Lofgren said he would expect it to be closed at some level during construction just to avoid any impact on the vessels that are there.

Ms. Debra Register, resident of 1240 Placetas Avenue attended the meeting via zoom. She stated that she lives 3 blocks away from this development and neither her nor her neighbors have received a notice to meet with the developers. Ms. Register asked during the construction period how will the developer protect the waterways and how they will handle the traffic impact on US1 so that it's not a problem for those residents going out to US1. Mr. Lofgren said that keeping debris out of the waterways is mandatory and it will be monitored. He stated that there will be construction fences along the waterway to prevent debris from falling in the water and they don't plan to block the culvert as it provides fresh water to the manatees. Mr. Galan asked who is responsible for maintaining the culvert that is currently there. Mr. Garcia-Serra responded it's a City maintenance obligation.

Mr. Yoder inquired about the storm water runoff. He asked if the developer has plans for drainage during the construction period that would assure there will be no debris in the canal. Mr. Lofgren said that stormwater runoff is not allowed into the canal and that it will be taken care of through the civil stormwater plan which is not only required during construction but also there will be a permanent plan in place as well.

Mr. Nolan inquired about the current height zoning. Mr. Garcia-Serra responded that it depends on which part of the property he is referring to; however, most of it is zoned MX1 which with mediterranean bonus you're allowed to go up to 6 stories and 77 feet and the proposed height they are asking for at its tallest side is about 137 feet and 13 stories. Mr. Nolan inquired about the shadow the building would create on the water. Mr. Garcia-Serra said that there might be some level of shadow; however, they will conduct shadow studies as part of the zoning process.

Mr. Meyer stated that the focus for the Waterway Board would be marine life, waterway health and safety, specifically traffic and safety of boats coming to and from the marina especially in its current operation which allows charter vessels.

Mr. Galan inquired about docking jet skis. Mr. Lofgren stated that jet skis are treated the same as power boats and based on the current operating permit you get 22 boat slips; therefore, a jet ski would count as One boat slip.

Mr. Nolan inquired about parking. Mr. Serra responded, there will be parking inside and subterranean.

Mr. Nolan made a motion to set forth a resolution reading, be it resolved by the Coral Gables Waterway Advisory Board encouraging the City to provide notices to all Mahi canal residents regarding any City meetings that will consider The Gables Waterway project. Motion was seconded by Mr. Goldsmith; all were in favor.

NEW BUSINESS:

MARINE PATROL REPORT:

Sgt. Antezana shared that there was progress with the manatee signs. He stated that FWC provided a couple of links depicting all manatee signs in the City and if there is an area where the Board believes they would benefit from additional signs, it can be requested to FWC.

Sgt. Antezana reported on a marine crime that occurred last month. He stated that GPS units were stolen from a vessel docked at an apartment complex by US1 and the Riviera bridge. Sgt. Antezana said that the investigation is still ongoing as police are trying to obtain better videos from the apartment complex.

Sgt. Antezana also reported that Miami-Dade stopped a 60' vessel at the intercoastal halfway between Key Biscayne and Cocoplum and asked Marine Patrol to assist as they believed that something was going on with the vessel. Police searched and found 34 migrants in the below decks. The operator was taken into custody by the Coast Guard and migrants were loaded on Coast guard vessels to be repatriated. Mr. Galan asked if the operator was the owner of the vessel. Sgt Antezana said no that he believes it was owned by a corporation.

Sgt. Antezana said there was a vessel in Cocoplum that had the ignition keys stolen and cables cut on the lift. It appeared to have been a targeted operation. There was also a fishing vessel in Deering Bay marina that was burglarized, and a lot of fishing gear was stolen. Later that same night, a suspicious vessel was seen in the Sunrise Harbor area where an individual went on a dinghy to rummage around another fishing vessel but was interrupted around 3 am and nothing was taken. Police believe this is the same individual that stole the fishing gear in Deering Bay.

Mr. Meyer inquired about the additional vessel. Sgt. Antezana said that the additional vessel was included in the 2024-2025 budget and it's moving forward.

Mr. Galan inquired about installing security cameras on the waterways. He stated that this has been brought up in the past; however, residents were against it because of privacy concerns. Mr. Galan asked Sgt Antezana, based on your experience, would you support installing cameras or a sign saying smile, you're on camera on the waterways. Sgt. Antezana said that from his point of view cameras are very helpful. Mr. Yoder asked Sgt. Antezana if the resources were available, where would the cameras be installed and how many they would install. Sgt. Antezana responded that he can't make those decisions, that he could give his input where he believes they would be helpful. He added, police mostly rely on private cameras. Mr. Galan suggested placing the cameras on the bridges. Ms. Garrido stated that the City would need to first look at the feasibility of installation locations because there some bridges are owned by Miami-Dade County. Once this is looked into, we can look into the funding and permitting aspects. Mr. Galan suggested that Sgt. Antezana discuss with his supervisor the Board's interest in installing cameras and the steps that need to be taken. Ms. Garrido stated we can also ask other municipalities if they have cameras on the waterways. Mr. Yoder requested that this item is placed on June's agenda.

ADJOURNMENT:

The meeting was adjourned at 6:56 p.m.

NEXT MEETING:

Wednesday, June 5, 2024, at 5:30 p.m.