

**City of Coral Gables City Commission Meeting
Agenda Item H-1
December 13, 2011
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

Mayor Jim Cason

Vice Mayor William H. Kerdyk, Jr.

Commissioner Maria Anderson

Commissioner Rafael “Ralph” Cabrera, Jr.

Commissioner Frank Quesada

City Staff

City Manager, Patrick Salerno

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Public Speaker(s)

H-1 [Start: 6:34:46 p.m.]

Resolution amending the Fiscal Year 2011-2012 annual budget, authorizing a transfer of funds from the General Fund Reserves into the General Improvements Capital Projects Fund, authorizing an appropriation of funds for certain landscaping and streetscape improvements and further appropriating funds pursuant to the UM Development Agreement.

Mayor Cason: City Manager.

City Manager Salerno: Thank you Mayor. Item H-1 is a Resolution amending the Fiscal Year 2011-2012 Annual Budget, authorizing a transfer of funds from the General Fund Reserves into the General Improvements Capital Projects Fund, authorizing an appropriation of funds for certain landscaping and streetscape improvements and further appropriating funds pursuant to the UM Development Agreement. In the recent past, members of the Commission had brought to staff’s attention several opportunities to further beautify the City. This item will allow for these initiatives to begin to move forward. I think the Agenda Item explains those three

initiatives and I am requesting that we go ahead and make the appropriation which will start the process to implement these projects.

Mayor Cason: And there will be a separate session in the future on the types of trees and all of that?

City Manager Salerno: Well, it wouldn't be a Commission meeting discussion to decide the trees, but it will go through the normal process that any – this type of a project which two of the projects are maintenance projects and one is a new initiative, but it will go through – it has to be designed, etc. and certainly is up to the Commission, you have to award a contract.

Vice Mayor Kerdyk: Mr. City Manager, I know that the three items, one item of course is being funded by the Development Agreement, the University of Miami, do we have funding for the other two items there that are identifiable in the budget, our budget?

City Manager Salerno: We are appropriating the funds, we received funds during the year from developers that were negotiated, the arrangements, and we are largely taking those resources and appropriating them for these beautification projects.

Vice Mayor Kerdyk: And have we had any consultants help us out as far as the plant material that is going to go on Ponce de Leon Boulevard Landscaping Improvement Project in the LeJeune Road Landscaping Improvement project?

City Manager Salerno: Well the – in the case of Ponce – yes, although that has not been, a final determination has not been made, but yes, we've involved landscape consultants in that regard. On LeJeune we have not yet engaged a firm to assist in that regard which is largely a civil and landscaping project, and the concept on Ponce in front of the University is a replacement of the trees that had been there for decades.

Commissioner Cabrera: Knowing that, Mr. Manager, knowing that LeJeune Road is governed by Florida Department of Transportation at this time, have you received any kind of approval from the Department of Transportation as to the scope of this project?

City Manager Salerno: Commissioner, Public Works Director and his staff have met with D.O.T. and the County, and they have verbally indicated their support for it, we plan to have further discussions with them, but they have already indicated that they are supportive of the project as we've delineated it for them.

Commissioner Cabrera: Let me tell you what my concerns are amongst the four, five of us, excuse me. We had several years ago a really contentious item with regards to the Department of

Transportation coming in and making improvements to LeJeune Road, which part of those improvements included a median project. Now I'm not suggesting what the Manager is proposing tonight is another median project, but let me tell you, it was a really heated issue...

Commissioner Anderson: I remember that.

Commissioner Cabrera:...Mrs. Anderson, Mr. Kerdyk and I, we really dealt with some passion from the citizens who were affected by it, those east of LeJeune, those west of LeJeune, and while I think the Manager's proposal is a good proposal from the standpoint of ensuring that we have these funds two months into our new fiscal year available for these projects, I would feel a lot more comfortable if we could first see that design and give him the appropriation to be able to fund the design elements of the project, and then allow us to see it again, allow that process to be a public process so that – because I heard him say that there has been some consulting work done on Ponce de Leon Boulevard as it relates to that landscaping improvement project. I'm glad to hear that Public Works staff is working with the D.O.T. and the County on this, two regulatory agencies. But let me tell you the scope of it, that project comes from Altara Avenue all the way to Zamora, from Altara to Zamora on LeJeune Road are over 30 blocks, that's a pretty big project. Now, I'm not suggesting that I am opposed to it, what I'm suggesting is why don't we take this in a sequential process, so that the five of us can actually review the process as it moves along, and we don't have to appropriate the full funding mechanism, so that, I don't know what the Manager may feel, maybe its \$100,000, maybe its \$50,000, to be able to design the project rather than to give all that money up front, because I don't know how the rest of you feel, but I've always been very, very bullish on trying to upgrade our reserves and we are going to borrow, excuse me, we are going to transfer \$461,000 from the General Fund Reserves into the General Improvements Capital Projects to fund these projects, so that's how I feel on this item, and I'd like to hear from the four of you.

Mayor Cason: Bill?

Vice Mayor Kerdyk: Let me just talk to you about the LeJeune Road project, I'll give you my interpretation of that. Commissioner Cabrera is hundred percent right, we have very many contentious issues. The reason was because the medians that were proposed by FDOT extended a couple of blocks, so what would happen was that you couldn't get ingress and egress into your street by turning off on LeJeune Road, some people could not get it, and of course they were very upset because they couldn't get it. As I understand, this is strictly going to be the median where they...

Commissioner Cabrera: Painted, painted...

Vice Mayor Kerdyk: The little triangle which DOT will have no problem with allowing us to do it; it's just a landscaping issue. So it's a little bit different as far as...

Commissioner Cabrera: I said that, I agree with you.

Vice Mayor Kerdyk: I know, I know. So that's as far as that goes, I'm just trying to update, maybe the City Manager can talk about the funding mechanism a little bit more. I share your...

Commissioner Cabrera: Mr. Kerdyk in all the years that we've been serving together, and I'm not trying to criticize and throw wrenches into the system, I'm really not, what I'm trying to suggest is in all the years we've been serving together we have looked at these kinds of worthwhile landscaping projects in a sequential manner; you develop a design, you present a design, you develop a budget, you present a budget, and then you move this project forward. I can't imagine why I would not want to see the improvements that have been outlined in this item today, I really can't, and neither can you, but have you have an opportunity to see a design?

Mayor Cason: I don't think there is a design yet...

Commissioner Cabrera: No, there isn't, exactly Jim, there isn't one.

City Manager Salerno: What we are doing here – this does not relate to the effort and the discussion before that the Commissioner correctly characterized this as not related to that project, because it's not establishing medians, it's not changing turn lanes, it is replacing asphalt that have been delineated, that is not in the travel way. What this does, this action puts money so that, for the project, but it doesn't commit more than – those dollars are there, they don't get spent without the Commission's approval, but I don't think the idea that, that's why we have Landscape Advisory Boards for is to talk to them about these types of things. If every time we want to plant a tree we are going to need to schedule it before the Commission and take that time, I just think the policy question here is, are you interested in beautifying that street that has excess asphalt?

Mayor Cason: Yes.

Commissioner Cabrera: Yes.

City Manager Salerno:...and if the answer is yes, the step would be to appropriate the funds, let us continue our discussions with the DOT to see that they continue in support, if they give us the green light we would start the design process. I have no problem – we'll inform the Commission before – we can't spend any dollars toward construction of this project and we wouldn't spend money on design of this project in the absence of knowing very firmly from the state that they are supportive. You are only allowed to put in their trees probably with the diameter of less than four inches, OK. So if you can imagine nice green cover whether it be a hedge or annuals or

whatever in those islands, and the issue is going to be on what sort of a four inch diameter or less tree goes in there, we just would – I'm responding to Commissioners suggesting to me these are opportunities to improve the beauty of this community and you ultimately get to decide whether it gets built or not by subsequent vote to create...

Commissioner Anderson: These are funds from the University of Miami Development Agreement, right?

Mayor Cason: Some of them are.

Commissioner Anderson: Yes, I know some of them are, not all of it, I remember that.

City Manager Salerno: The money from Ponce, Ponce in front of university is \$100,000 that pays for their portion of the project. There will be cost above that once we know, we get the design processed and bid the project. That's a maintenance project that's been out there for decades that the City hasn't done.

Commissioner Cabrera: I'm not questioning that.

Mayor Cason: Let me ask Frank what's your, on the policy issue, do you have any problem...are you in favor of the landscaping?

Commissioner Quesada: I'm in favor of the project, I just have a question as to what did we do in the past?- how involved has the City Commission been with actual design of landscaping project?

Commissioner Cabrera: If I gave you the impression...

Commissioner Quesada: That's where I was going.

Commissioner Cabrera:...and I'm glad you asked the question and I appreciate the clarifying question. If I gave you the impression that my goal here is to pick what four inch diameter plants we are going to put there?- and how high they are going to be?- and what color is the curbing going to be?- that is not my intent. My intent is to create a process that I've been accustomed to where you appropriate the necessary funds to have someone design this, whether it be internally or externally, that's certainly up to the administration to decide and then present that to us, so that guess what happens?- it becomes a public process. Everybody gets to see it, everybody gets to feel it, everybody that's affected by it, so that people don't come back to us angry that, hey when did these things gets designed?- and when did these things get approved?- and how come I didn't have anything to say about it?- I live on LeJeune Road or I live on Altara or I live all the way down on Zamora, and there are issues that effectuate this installation. Don't misunderstand me Mr. Quesada, I am not looking to squelch this, in fact I don't know why I have to work so

hard at these things, all I'm asking to do here is to have the appropriate sequential process so that we do this right. What's the rush?- I don't understand the rush yet, we are two months into our new fiscal budget and all I'm saying is, hey this looks like a really worthwhile thing, maybe what we should do is take it little step slower.

Commissioner Quesada: So what you want to do is – so today we vote on appropriating the money once we have a design that comes before us, we vote on it or we don't vote on the design.

Commissioner Cabrera: Well I would prefer to see the Manager come back to us, I would love to direct the Manager to come back to us with an actual budget that includes the design and whatever else is necessary and allow him the funds to be able to do that, so we don't have to go in and tap \$460,000, well some of the money should go there, the UM Development Agreement is a perfect example, we really do need to move that forward because after all the University expects that. The Ponce de Leon maintenance project, I can understand some of the concerns that he has raised, there's been lots of material that's old now and dysfunctional and it needs to be, but to take 30 blocks of LeJeune and all of a sudden make some very positive changes to it, and just simply say here's the money to do it, and I don't know what happens next.

Commissioner Quesada: You want more specificity as to the 220 LeJeune landscaping project.

Commissioner Cabrera: Mr. Quesada, I don't want to have to face the people that are going to be affected by it.

Commissioner Quesada: I understand I'm not fighting you; I'm just trying to clarify.

Commissioner Cabrera: I appreciate you...

Mayor Cason: How much money, City Manager, would be necessary now to do the actual study as to what would go in to address this issue?- how much of the \$560,000 would you need now to...?

Commissioner Cabrera: \$460,000.

Mayor Cason: \$460,000.

City Manager Salerno: There are three separate projects; I think the only thing that's being discussed here is LeJeune, OK. Let's just point this out – the money that goes there besides the amount of money that's going to go for design, nothing else gets spent without the Commission's approval.

Commissioner Cabrera: I understand.

City Manager Salerno: So by appropriating these funds, OK, the only thing Commissioner Cabrera was saying was that he wanted to authorize the funds for the design, OK...

Commissioner Cabrera: Yes.

City Manager Salerno: Why only the design because you can't spend anything else but the money for design without another vote of the Commission. It would have to be bid and you would have to award it. So nothing else gets spent, so why break this into artificial segments instead of putting the project forward. There is not a project that we've got in the budget where we put just the design portion forward, OK. You fund the project, we've got a project funded, you fund the project, not just the design of the project because all that implies maybe we won't do it, but again you are not at any risk because no money else besides design can be spent without bidding the project, if coming back to the Commission and deciding they want to construct it. So I'm suggesting that there not be an artificial step put in place here when if the majority of the Commission thinks it's a worthwhile project, and the state says we are supportive of it, which they have indicated already they are, as well as the County...

Commissioner Cabrera: Verbally.

City Manager Salerno:...then we are creating steps that are not necessary and do not accomplish anything else for you.

Commissioner Cabrera: Listen, let me read the item because let's move on, I'm not going to change my position around here. LeJeune Road Landscaping Improvement Project – this project at a cost of approximately \$220,000 would replace the existing painted asphalt islands in the center of LeJeune Road with new landscape islands, including trees, ground cover plantings and irrigation system from Altara Avenue to Zamora Avenue. Altara Avenue to Zamora Avenue if you take one of our City maps is 31 blocks long, and this project states that it will cost, not the design, it will cost \$220,000. Ladies and gentlemen \$220,000 to me is not chump change. All I'm looking to do is say, you know Mr. Manager you've got a great point here, if you are telling me that the majority of my colleagues would like to see this done, I would like to support my colleagues on something like this because I too believe it's a worthwhile project, but let's design it, let's give you the necessary money so you can design a project and bring it back so that the citizenry, the stakeholders all feel like, hey by the way in the Coral Gable City Commission meeting they are appropriating funds to do a project and we are going to have a chance to see it and the Landscape Beautification Board will get a chance to work on it. You hit the thing about the Boards, I know how many times Boards have been completely shut out of the process, but now all of a sudden we want to bring them back, I'd like to have them in there all the time, I'd like the Landscape Beautification Board to look at this, I'd like the Traffic Calming Board to look at this, it's important, and I like the idea. I don't dislike what's being proposed, and I don't

want to micro manage it. I just think there should be a sequential process and it's not artificial. This word artificial I never said it; it's a real live project.

City Manager Salerno: Frank, I did. There is no need to put in these extra steps in this process that limit then the Commission's ability as far as when you get down to spend money.

Commissioner Cabrera: Fine.

City Manager Salerno: If you are going to appropriate funds for design the next time that any monies get spent on construction and that's after a vote of the Commission.

Commissioner Cabrera: Commissioners I'm talking to you, I'm not talking to anybody else here, I'm talking to you and the public is watching this, you understand my point, I don't want to get over passionate about it, if you don't want to support me on it so be it. I believe I have a strong position on this, I believe I'm talking with common sense prevailing, and if you all feel differently then so be it, but obviously I won't be able to support the project as it is based upon the arguments I've made this evening.

Commissioner Quesada: Mr. Manager, I have a question.

City Manager Salerno: Yes sir.

Commissioner Quesada:...that's going to determine how I'm going to fall on this. Will the Landscape Advisory Board be voting on the design?- the final design?

City Manager Salerno: Yes, we will present – I've already had discussions with Glenn that the design – remember what we are talking about here, its ground cover, OK, and/or the type of four inch caliber tree that will go in there. They will fully vet it in that regard because it's talking about landscape. So that's what they are there for.

Commissioner Quesada: If they vote in favor of it, then obviously we'll proceed, if they vote against it and then make some changes or revisions will those revisions be incorporated into the design?

City Manager Salerno: Well we'll see what they are, I couldn't tell you – since I don't know what they would incorporate, staff always has to reserve the right, but I'll do this, I'll make sure, I will do this so that you all know, after it goes to the Landscape Advisory Board, OK, I will inform all of you of what the spec is going to look like as to the ground cover, the trees. I'm not designing it, OK, we will have a landscape professional do it, we'll go to them. If the Landscape Advisory Board says they'll like "X" tree instead of another tree, that's fine, you know. If there is something that they come about that is contrary to design standards or something, but I'll make you aware of it at that time so that you can be aware fully of what's going...

Commissioner Cabrera: I'm not interested in you making us aware of it, I'm interested in vetting the process publicly, that's what I'm interested in.

City Manager Salerno: That's what this is Commissioner.

Commissioner Cabrera: I'm vetting the process publicly this evening. I'm not going to argue with you, OK, I'm talking to my colleagues, I don't want to have dialogue with you, it's the holiday season, and I don't want to have...

City Manager Salerno:...and I'm talking to the members of the Commission sir and I have the right just like you do.

Mayor Cason: Look, I think the issue is this, do all of us support the concept of the political level of moving forward on the beautification?- do we...?

All: Yes.

Mayor Cason: OK. Secondly...

Commissioner Cabrera: Conceptually I do.

City Manager Salerno: I will report back to you before and after the action of the Landscape Advisory Board, so you'll know what kind of ground cover or tree they are picking, that's what we are talking about. You can say we are not talking about ground cover and the four inch caliber tree, but that's exactly what they are going to be deciding.

Mayor Cason: When do you think that you'll be able to come back to us with the results of that survey, of the...

City Manager Salerno: As soon as...

Mayor Cason: Are we talking a month, two months?

City Manager Salerno: Two to three months.

Commissioner Anderson: OK. So you are going to bring it back to us. I'm willing to appropriate the funds; we are going to see it isn't we?

City Manager Salerno: I'm going to give you the information Commissioner.

Commissioner Anderson: OK. I'll just make a motion...

City Manager Salerno: If anybody doesn't like what they see, bring it up at a Commission meeting, there will be ample time over this time to say, they don't like what they see.

Commissioner Cabrera: No, I'll publicly notice it. I'll publicly put out my own Coral Gables E-NEWS propaganda and let people know what's happening with this project so they can...

City Manager Salerno: I will guarantee you, I will do it in an E-NEWS because I want to make sure the residents know that this Commission is moving forward in continuing to beautify. I've got requests, I've discussed this with Commissioners, different ones suggesting...

Commissioner Cabrera: You didn't discuss this with me, you didn't call me on it, you didn't discuss this item with me.

City Manager Salerno: I'm talking about Commissioners coming to me saying, they'd like to see beautification of these streets, that's what I'm talking about.

Commissioner Anderson: And I'm going to make a motion now to move forward Item H-1, the appropriation of funds.

Mayor Cason: Do we have a second?

Vice Mayor Kerdyk: I'll second.

Mayor Cason: Vice Mayor seconds. City Clerk please read the roll.

Commissioner Cabrera: No

Vice Mayor Kerdyk: Yes

Commissioner Quesada: Yes

Commissioner Anderson: Yes

Mayor Cason: Yes

(Vote: 4-1)

[End: 6:58:27 p.m.]