



City of Coral Gables and University of Miami Annual Review

September 28, 2022, to September 27, 2023

1. REQUEST

The City of Coral Gables is requesting review and consideration of the following:

A Resolution approving the annual review required by the City of Coral Gables and University of Miami Development Agreement and Section 163.3235 of the Florida Statutes, for the period from September 28, 2022 to September 27, 2023.

2. BACKGROUND INFORMATION

The University of Miami is required to submit an Annual Report to the City of Coral Gables, according to the Development Agreement, dated September 28, 2010. Per Paragraph 49 of the City of Coral Gables and University of Miami Development Agreement, dated September 28, 2010 ("City and UM Development Agreement"), the University of Miami is required to submit an annual report documenting:

the University's compliance with the requirements of this Agreement, at least thirty (30) days prior to the anniversary of the Effective Date of the Agreement.

On August 25, 2023, the University of Miami submitted an Annual Report for the period from September 28, 2022 and September 27, 2023 ("Development Agreement Annual Report 2022-2023"). The City and University of Miami Development Agreement, paragraph 49, provides that the:

City Manager or his designee shall review the annual report submitted by the University and prepare a written report which shall be presented to the City Commission at a duly noticed public meeting for review and approval.

This constitutes the required written report which will be submitted to the City Commission for review and approval.

3. UNIVERSITY OF MIAMI 2022-23 ANNUAL REPORT

The *UM Development Agreement Annual Report 2022 – 2023* contains six (6) elements: 1) Preface; 2) Statutory Provision (§163.3235, Fla. Stat. 2011); 3) Amendment to Recitals; 4) Joint Obligations of City and University; 5) City Obligations; and 6) University Obligations.

1. Preface

The Preface describes the obligations of the City and UM Development Agreement, Paragraph 49, and requires no review and analysis.

2. Statutory Provision Element

The Statutory Provision Element requires no review and analysis. The City shall review the UM Development Agreement at least once every 12 months.

3. Amendments to Recitals

The legal description of the campus was amended by Ordinance 2019-07, on January 22, 2019, and the total acreage of the campus increased to 240.61 acres. No amendments to the Recitals occurred in this reporting year.

4. Joint Obligations of City and University

The report addresses two (2) joint obligations: 1) Section 5 - Annual Meeting, and 2) Section 49 – Annual Review.

Section 5 - Annual Meeting

The report states that the Annual Meeting was hosted by the City of Coral Gables on January 31, 2023.

Section 49 - Annual Review

The University of Miami submitted the 2022-2023 report to the City of Coral Gables on August 26, 2023. After City Commission approval, the University shall submit the 2022-2023 report to the Department of Community Affairs.

5. City Obligations Element

The report addresses the City satisfied the following obligations:

Section 15 - Amendments to the Comprehensive Plan:

The City of Coral Gables amended the Comprehensive Plan by Ordinance No. 2010-29, adopted September 28, 2010. Further action is not required.

Section 16 - Amendments to the Zoning Code:

The City of Coral Gables amended the Zoning Code by Ordinance No. 2010-34, adopted on October 12, 2010. In addition, a change in zoning district was approved by Ordinance No. 2010-35, adopted on October 12, 2010. On March 18, 2016, the City Attorney made an Opinion to clarify that Ordinance No. 2010-34 replaced the UMCAD map and text provisions. Therefore, the UMCAD map and text are not legally operative. Further action is not required.

Section 17 – Watsco Center:

Increase in Seating Capacity: The 2022-2023 report states further action is not required. The University of Miami submits an updated Watsco Center Parking and Traffic Management Program at a future date, which will include an updated Events Management and Security Plan to reflect

the additional seats.

Alcoholic Beverages: In 2019, Resolution 2019-82 approved the sale of alcoholic beverages at all University events at the Watsco Center. The 2022-2023 report provides an updated Event Management and Security Plan.

Section 19 – Internal Road and Access:

Since 2018, the University completed construction of the Internal Road, parking lot connections, and Pisano Avenue improvements. Furthermore, the University has met all conditions of Section 19 under Ordinance No. 2016-56. A letter of compliance is within Appendix 7H of the 2022-2023 report.

Further action is not required.

Section 21 – Conveyance of Internal Streets and Waterways:

Under Ordinance No. 2011-03, adopted January 25, 2011, the City vacated the streets. On March 30, 2011, the University of Miami submitted an Easement for Parking Meters. Additionally, the City deeded the Waterways to the University of Miami on February 7, 2011. The total acreage of the campus is 240.61 acres. Further action is not required.

Section 22 – Re-Conveyance of Fire Station Property:

The City deeded the Fire Station Property to the University of Miami by Special Warranty Deed on February 7, 2011. The total acreage of the campus is 240.61 acres. Further action is not required.

Section 46 – Recording of Agreement and Submission to the Department of Community Affairs

The City recorded the Development Agreement into the Miami-Dade County public records and submitted the Agreement to the Department of Community Affairs on September 28, 2010. Further action is not required.

6. University Obligations Element

The *UM Development Agreement Annual Report 2022 – 2023* identifies all University obligations:

Section 25 – Monetary Obligations - Consideration and Mitigation:

The 2022-2023 report states that the required payment of One Million and Twenty-Five Thousand Dollars (\$1,025,000.00) was timely paid on Dec. 1, 2022 through the City's wire instructions. No other obligations pursuant to Section 25 were identified.

Section 6 - Gables Fellows Programs:

Jasmine Young was selected as the Gables Fellow for the Fall 2022 and Spring 2023 semesters.

Section 7- Lecture Series

Six (6) lectures were presented by UM during the 2022-23 year. Paragraph 7 of the City and UM Development Agreement requires six (6) lectures each year.

Section 8 - Performance and Concert Series

Paragraph 8 of the City and UM Development Agreement requires four (4) concerts and two (2) cultural events each year. Four (4) concerts were presented during 2022-23 school year. The two (2) required cultural programs were presented during 2022-23 school year, plus seven (7) additional cultural programs were presented, for a total of nine (9) cultural programs.

Section 10 - "Meet the Docs" Health Care Program

The Development Agreement requires 4 "Meet the Docs" lectures. Four (4) "Meet the Docs" lectures were held during 2022-2023.

Section 12 - Hurricane Athletic Tickets Program

The University of Miami made 250 tickets available to the October 22, 2022 football game, 250 tickets to each of the eight (8) baseball games, 250 tickets to each of the four (4) men's basketball, and 250 tickets to each of the four (4) women's basketball games. The distribution of tickets described fully satisfied the obligations of Paragraph 12 of the City and UM Development Agreement.

Section 17 - Watsco Center Ticket Program

The 2022-2023 report states that the Watsco Center Ticket Program does not become effective until the additional seats authorized by the City and UM Development Agreement are installed; additional seats have not yet been installed.

Section 9 - Ponce de Leon Beautification Project

The 2022 – 2023 report states that UM contributed its share of the cost of beautification of Ponce de Leon Boulevard on October 25, 2013.

Section 11 - Consulting Services

The 2022-2023 report states that UM and the City have partnered with the City's GIS division and on the School of Architecture's Real Estate Development and Urbanism program.

Section 13 - Student Enrollment

The 2022-2023 report states that Student Enrollment Report for the Fall Semester 2022, dated November 14, 2022, showed that the current Student Undergraduate Enrollment is 11,932 students and has not reached the 12,000-threshold for the obligations in Paragraph 13 of the City and UM Development Agreement.

Section 14 - Uses, Intensity of Uses, Public Facilities, Reservations

The 2022-2023 report states that the University is in compliance with the requirements of Paragraph 14 of the City and UM Development Agreement. Further action is not required.

Section 18 - Miscellaneous Uses and Temporary Occupancies

The 2022-2023 report states that students were assigned temporary housing at the Thesis Hotel in the City during the entire Fall 2022 semester. The University notified the City Manager through a letter. At the beginning of the Spring 2023 semester, an additional 90 students were assigned temporary housing at the Thesis Hotel. A few weeks after the Spring 2023 semester commenced, all students who were assigned temporary housing at the Thesis Hotel were relocated back to on-campus housing.

There have no other uses or activities, on campus or off-campus, that required the submittal of reports as required by Paragraph 18 of the Development Agreement.

Section 20 - Mobility Plan

The 2022-2023 report states accurately states that an updated Mobility Plan was timely submitted to the City on June 1, 2023 pursuant to Paragraph 20 of the City and UM Development Agreement.

Section 23 - Encroachments

The University prepared a study of any and all UM encroachments on City-owned property and submitted the study to the City on June 1, 2011. Further action is not required.

4. RECOMMENDATION

Staff recommends **approval** of this Annual Review.

The City and UM Development Agreement provides that the City Commission shall review and approve the Annual Review.