

City of Coral Gables City Commission Meeting
Agenda Item J-2
September 26, 2017
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Pat Keon
Commissioner Vince Lago
Commissioner Frank Quesada
Commissioner Michael Mena

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item J-2 [4:03:27 p.m.]

Status report regarding invocation of Chapter 164 dispute resolution process between the City of Coral Gables and Miami-Dade County Public Schools.

Mayor Valdes-Fauli: The last item, I think, is J-2, status report regarding Chapter 164, dispute resolution process between the City of Coral Gables and Miami-Dade Public Schools. I had an appointment with the Superintendent of Schools, which was cancelled because of the hurricane and the appointment has been rescheduled sometime soon, I don't remember when – Mr. City Attorney.

City Attorney Leen: Yes. So Chapter 164, as you know we initiated the dispute resolution process prior to Hurricane Irma and we were going to have a meeting, as you mentioned, obviously the hurricane got in the way, and justifiably so, and we received a message from the School District that although the City wanted to expedite it, but once Hurricane Irma occurred we fully understood that we needed to wait. We also need to focus on disaster relief and so did they, so that's over now, not completely over, obviously we are still doing work, but we figured

that we'd reach out to them again to see if they want to go forward, because we want to be clear, we are not trying to delay their work at West Lab, we just want to make sure that they are following our zoning code and at least showing us the committee to come here and to go through our process and reach some sort of way forward. So, we sent out a message to the Deputy School Board Attorney and he's going to be getting back to us, and my understanding is we are having another meeting that's been set up, and the City Manager and the Mayor will be going and meeting with the Superintendent, I plan to attend as well. We'll see if we are going to have attorneys in the room or not, for these sort of things often it's better not to, but I'll be there in case they need me to come in regarding the cease and desist letter or if their attorneys are there I'll be there; and then the idea is still to go forward and to put together a list of all the different issues we are having, similar to FPL in many ways, different issues that we are having with the School District. I know Vice Mayor Keon has a number of items that she wants to have addressed and I think each of you do have some items yourself. They relate to things like Coral Gables High School, the infrastructure, they relate to programming, they relate to boundaries, school boundaries, things like that, Tucker Elementary is an example of one that we are seeking information on.

Commissioner Mena: But, let's not allow all those other issues to delay the specific West Lab issue. I'm sure many of you, a lot of parents reached out very concerned that they understand the position in some respects, but that they don't want it to be delayed, because their kids are – there is no space for the kids, is part of the expansion as it is. I assured them that we are trying to move it forward expeditiously; I want to just make sure you keep a level of urgency on that part of it.

City Attorney Leen: Commissioner Lago can't participate in that part of it, but I want you to know that the Commission has already given me direction there; we are not going to delay that. The idea is just to get them to reach an agreement with us and then I'll be talking to the Mayor and at some point we'll release the cease and desist, once they agree to really participate in this process to recognize that we may need to get seats at Coral Gables, pardon me, at West Lab, and then we may want to be able to purchase them, in addition you are not participating.

Commissioner Lago: I can't talk about that. I can talk about 164.

City Attorney Leen: All these things are things that I will be addressing with them administratively, so I'm not going to bring that back to the Commission, because of Commissioner Lago's situation. I will keep you informed individually, other than Commissioner Lago.

Mayor Valdes-Fauli: Don't release the cease and desist yet.

City Attorney Leen: I won't sir. We are not going to release it until you meet with the Superintendent, the Mayor is going to be meeting with the Superintendent and we will try to find a way forward, but for everything else that's the Commission and we are going to put together this list, have this meeting and continue to proceed with our Chapter 164 meeting. When we actually meet with the School Board, which is what happens, the School Board meets with the Commission in a joint session, I'm telling you, I hope and it shouldn't be that issue should be resolved. We'll be discussing all the other issues at that point.

Vice Mayor Keon: I think there is consensus on most of the issues that we will go forward to the School System with. I know I feel very strongly about the windows at Coral Gables Elementary. I understand I don't know if there is consensus on that. I've heard that some people don't think it's not important. I want to know that before we go forward.

Mayor Valdes-Fauli: I think it is important.

Commissioner Mena: I think everything is important. I don't recall exactly when we last spoke about it, but I thought we were still getting some numbers as far as...

Vice Mayor Keon: Dona has already gotten them. I just want to make sure that there is consensus on the issues that have come up.

Mayor Valdes-Fauli: Yes.

Vice Mayor Keon: Thank you.

Mayor Valdes-Fauli: Very much so.

Commissioner Lago: If I may speak out of turn. I made a comment to Dona; maybe I think two months when we voted in favor of replacing the windows here in City Hall, maybe that was the issue. I think everybody has been in favor of it. I support you on that, I always have.

City Attorney Leen: Commissioner Mena, at the last meeting when you were questioning the Deputy School Board Attorney, what you said was very telling. Could you build anything you want in our City?- and that's ultimately, we need a check limiting principal. They need to acknowledge that we have a right to be at the table with them and that they are going to have to come to you and get your agreement to certain things, that they can't just do it that undermines our entire zoning code. That's the idea that's the principal that I'm following, I'm following that meeting.

Mayor Valdes-Fauli: Anything else?

City Attorney Leen: Mr. Mayor, I'd like to ask for an Executive Session in City of Coral Gables with Instagram and Facebook, case number 2017-017450-CA-01, either at an upcoming meeting or a special meeting.

[End: 4:09:14 p.m.]