

City of Coral Gables City Commission Meeting
Agenda Item F-6
February 26, 2019
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

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

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item F-6 [9:49:54 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code, amending Article 2, “Decision Making and Administrative Bodies,” Division 2, “Planning and Zoning Board,” Section 2-203 “Meetings; quorum; required vote,” providing for clarifying Planning and Zoning Board voting procedures; providing for repealer provision; severability clause; codification; and providing for an effective date. (Clarify voting procedures for Planning and Zoning Board).

Mayor Valdes-Fauli: F-6.

City Attorney Ramos: F-6 is Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code, amending Article 2, “Decision Making and Administrative Bodies,” Division 2, “Planning and Zoning Board,” Section 2-203 “Meetings; quorum; required vote,” providing for clarifying Planning and Zoning Board voting procedures; providing for repealer provision; severability clause; codification; and providing for an effective date. Mr. Collar.

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Mr. Collar: Again, Craig Collar, Mr. Mayor, members of the Commission. This is more of a housekeeping measure. The rules of the Planning and Zoning Board that are in your Code provide that if there is a typo it goes to you without a recommendation. This just simply clarifies that if there is a typo that the Planning and Zoning Board can make another motion before it moves onto the next item to possibly fashion a compromise a recommendation, so that you get the benefit of the Planning and Zoning Board's recommendation and it's not just simply moving to the next, moving to the Commission without having an opportunity to fashion another motion. I believe that's how this should be interpreted, but in an abundance of caution we felt that it would be appropriate to clarify that.

City Attorney Ramos: This is a public hearing item.

Commissioner Quesada: So moved.

Vice Mayor Lago: Second.

Mayor Valdes-Fauli: Call the roll please.

Commissioner Quesada: Yes

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Mayor Valdes-Fauli: Yes

(Vote: 4-0)

Commissioner Keon: Absent

Vice Mayor Lago: If I may Mayor, I'll take it even a step further. I wouldn't even want a recommendation or no recommendation coming from the Planning and Zoning Board unless there was a vote, because right now a tie vote serves no purpose, we've had that come before the Commission and they take their jobs so seriously and they give up so much of their time that I think that the correct thing is a recommendation should be made. If it's up or down, bring it before the Commission, defer to another meeting.

Commissioner Quesada: But even if it's a tie and we are waiting on something, I like reading the questions they ask.

Vice Mayor Lago: Oh, a hundred percent.

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Commissioner Quesada: Because their minutes help me a lot.

Vice Mayor Lago: A hundred percent. That's what I'm saying. They work so diligently on behalf of the City, but I'd like to see an outcome and sometimes it happens. Listen, somebody couldn't make a meeting, there was a family issue, they are out of town. I get it. Trust me. Nobody's getting paid to be on this Board.

Commissioner Mena: My only concern when I had my pre-agenda, my only concern there was, you have somebody for whatever reason can't make a meeting...

Vice Mayor Lago: A hundred percent.

Commissioner Mena:....for a reason you are going to derail things just because – to me, if I get a 4-3 recommendation or I get a 3-3 tie, or I get maybe a 3-4 denial, I'm still looking at it and evaluating, what were the reasons in favor, what were the reasons against and formulating my opinion based on the information, regardless of whether its 4-3, 3-3, 3-4, you are still, to your point, you are going through it substantively to understand what the concerns were. To your point, I understand your point, but I'm also worried about just putting a hard stop because somebody from the Zoning Board couldn't make a meeting.

Vice Mayor Lago: No listen, I understand that. That's why my decision, my comments were a little bit – I don't want a hard stop, but I think there has to be some sort of...[Inaudible].

City Attorney Ramos: In the way I interpret it, it's not that ultimately they can come to some sort of compromise. It just goes up, tie vote, no recommendation. It's not going to stop it. It just allows the conversation to continue.

Vice Mayor Lago: For reconsideration.

Mayor Valdes-Fauli: Reconsideration.

City Attorney Ramos: Allow that opportunity in case it's there. If it's not there it's not there. What happens is what happens now. But it at least allows them to talk about it a bit longer.

Commissioner Mena: Right. Is there any – you know you notice these meetings and you have your process and they have a public hearing, and again, let's say the situation arises, somebody is absent it's a 3-3 situation. Then you have how many weeks before it comes to us. That seventh person was absent because they had somebody sick in their family or whatever it was. Can we just have

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maybe that seventh person either come to our meeting, reach out to us and give us their thoughts on the project?

City Attorney Ramos: We have an interesting provision to our ethics code that does not allow Board members to petition the Commission, unless they are the representative of the Board for purposes of that particular item, so that wouldn't work. But they could potentially put it on the next, ask for it to be put on the next hearing for reconsideration, if it hasn't already come to Commission, if possible.

Commissioner Mena: Right. Right. OK.

Mayor Valdes-Fauli: Do I hear a motion? Public hearing.

Vice Mayor Lago: So moved.

City Attorney Ramos: Didn't we vote already?

City Clerk Urquia: We voted already.

Mayor Valdes-Fauli: OK.

[End: 9:54:32 a.m.]