

City of Coral Gables City Commission Meeting
Agenda Item C – Public Comments
February 23, 2021
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 Jorge Fors

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Assistant City Manager, Ed Santamaria

Public Speaker(s)

Mark Trowbridge
Joshua Goodman
Wendy Long
Rhonda Anderson
Maria Cruz

Agenda Item C – Public Comments [Start: 9:40 a.m.]

Mayor Valdes-Fauli: Are there any public comments?

City Clerk Urquia: Yes, Mr. Mayor, currently there are four people registered to speak.

Mayor Valdes-Fauli: Four?

City Clerk Urquia: Yes.

Mayor Valdes-Fauli: Okay. Go ahead.

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City Clerk Urquia: The first speaker is going to be Mr. Mark Trowbridge.

Mr. Trowbridge: Good morning Mr. Mayor, members of the Commission, Mark Trowbridge from our Coral Gables Chamber of Commerce. I just wanted to also echo my appreciation for our Chief Ed Hudak, Mr. Mayor, very nice gesture, offering him and bestowing him a Key to the City. I just wanted to mention to the members of our Commission and of course our city leadership that our Chamber is going to be hosting our Bi-annual Candidates Forum on Thursday, March 11th. It will be a hybrid event with the candidates appearing in person on the campus of our partner, the University of Miami. We have been able to secure a venue there, socially distant; and then we will be broadcasting the event after its taped. So, I want to thank our city partners, of course Martha Pantin and her team, for helping us put that together. As I mentioned, it will be a hybrid event; 11 of the 12 currently qualified candidates have committed to participate. We have begun working with them in terms of a questionnaire and will be doing that with the two Mayoral candidates that are qualified here in the next few weeks, but we are looking forward to Thursday, March 11th. We would ask those of you that are interested in hearing about Groups II, Group III and of course, Group I, to tune in. It will be broadcast and rebroadcast a number of times. We are looking to be able to carry it live, but that is a walk-through determination this Friday with the University of Miami. So, I want to thank everybody and look forward to sharing that good information about the folks who are seeking office here in our City Beautiful. Thank you, Mr. Mayor.

Mayor Valdes-Fauli: Thank you Mark.

City Clerk Urquia: The next speaker is Mr. Joshua Goodman.

Mr. Goodman: Good morning. I'm here today representation of the Gables Accountability Project, a newly formed Florida non-profit organization. And I want to raise the Commissioner's awareness of the pending removal of several 30-year old oak trees that are at risk of being chopped down to make way for the WAWA gas station, 300 feet from my daughter's school, George Washington Carver Elementary. We learned of the removal only this week after Rhonda Anderson brought it to parents' attention. Three of the trees have been marked with tape suggesting they will be removed, while several smaller trees are surrounded with protective orange fencing. Instead of moving these healthy trees, as you did in the recent renovation of the Miracle Mile, the developer, the Bahamian Village LLC, in October requested their eradication to make way for the entrance to the six-pump gas station. The application is listed as pending. To parents and members of the community, this is a clear example of why we believe the process that led to the authorization of the WAWA was so deeply flawed. Had there been an opportunity for public input, as is required by the City's Charter, these plans would likely not have stayed hidden for so long, and I am sure alternative architectural designs would have been discussed. Now, I know that there are diverging

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opinions on the suitability of the WAWA at this location in front of the school, however, I am certain that we can all agree that chopping down mature, emblematic trees is not a way for communities to thrive. Coral Gables has been a Tree City USA for more than 35 years. Our tree line boulevards and green canopies are hallmarks of the city's unique plan development more than a century ago, and today, a key barrier against global warming. They are literally the reason why myself and so many other choose to make Coral Gables our home. Many of you have spoken passionately on this Commission about the environment in the past. But how a Commission that last year declared a climate emergency and criticize Bahamas for offshore drilling can stand by as our beloved trees are destroyed to make way for a gas station is beyond me. The good news is there is still time to act. So please do the right thing by our communities and our children and stop any further damage from taking place. Reject the removal of these trees and make sure that this not done until there is a settlement of the WAWA, which as you know is under litigation. Thank you very much.

Mayor Valdes-Fauli: Thank you sir.

Vice Mayor Lago: Mr. Mayor, if I just may add a comment to this gentleman. I spoke with this gentleman, I think it was about a week ago, and I had a conversation with our ACM and our CM, in reference to this gentleman's concerns about the trees. He brings up a very good point. Obviously, I don't think any of us on this Commission want to see those trees cut down, and I think the more favorable option would be to relocate them. I think we need to be concerned about two things; number one, there is a court date, Madam City Attorney, scheduled for April 16th, correct?

City Attorney Ramos: For what sir?

Vice Mayor Lago: For the WAWA. I think there is a court date that this gentleman was explaining about April 16th that's coming.

City Attorney Ramos: We have not been served yet.

Vice Mayor Lago: You have not been served. Again, I think we should speak to Mr. Goodman in regard to this, because my understanding is there is something coming before the courts on April 16th.

Mayor Valdes-Fauli: I would hate to get involved in this litigation.

Vice Mayor Lago: No. I'm not saying to get involved, but I'm not saying to get involved.

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City Attorney Ramos: If there is separate litigation with WAWA, I don't know. As far as we're concerned there is a complaint filed, but we have not been served.

Vice Mayor Lago: Okay. My point is, we may have not been served, but there is a complaint, and it will be heard on April 16th is my understanding.

Mayor Valdes-Fauli: We don't know.

Vice Mayor Lago: What I would like to do, its very simple, we can just have our City Attorney reach out or I can reach out and get the document for the city and provide it to you. I would hate to see these trees cut down before April 16th. I would not like to see these trees cut down, personally. I think that we should find a way and I think WAWA should come to the table as a team player and do what they can to be considerate of the fact that we are moving forward, obviously with the project. These are some nice, beautiful trees, I was there over the weekend and I reviewed it. Maybe not all of them could be relocated, but maybe certain portions can be relocated and used somewhere else on the property or used in a city park. There is always a need for beautiful shade trees. So, I would hate to see these trees cut down hastily before April 16th in an effort to get it done, and then what happens if for some reason there is some long drawn out litigation that halts the project. Those are my two cents and I just wanted, maybe my colleagues were in support of that or they had their own opinions on the matter.

City Attorney Ramos: So, neither the settlement agreement nor the litigation that is pending speaks to the trees specifically. The trees go through their process, their regular process irrespective of whether there was a settlement agreement here or not, it would go through the permitting process that they need to go through to remove the trees. My understand and Mr. Santamaria can expand on that and Mr. Dannemiller is on the phone, is that they went through the process at the county, that's a county street and they've obtained permits from the county. I don't know if we maintain jurisdiction over permitting in addition to the county when it's a street within the City of Coral Gables.

Mayor Valdes-Fauli: Thank you. Thank you very much.

City Manager Iglesias: May I say, Vice Mayor, that they have a legitimate building permit, they have a legitimate tree removal permit from the county, when its in the county right-of-way. I just wanted to emphasize that.

Vice Mayor Lago: I understand.

Mayor Valdes-Fauli: If it's a county matter, why should we get involved?

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Vice Mayor Lago: At the end of the day they are beautiful trees and if we can save the trees and we can use them somewhere else or they can be relocated on the property, maybe we can advocate to WAWA to consider potentially relocating those trees onto a different area of the site, or maybe those trees can be used across the street at the empty space, or they can be used at another location in the city. I think its worth the effort to at least have a conversation over it. It could be a win for us in a rather contentious issue.

Mayor Valdes-Fauli: Alright.

Commissioner Mena: I'll just say, I'm always if there is a way to mitigate the tree issue and trying to do that, I'm all for it. We've always in this city taken a lot of efforts to preserve our tree canopy. We've got a lot of discussions about various trees over the years in different situations. I understand it's a county matter and so we have to give them some deference, but if there is a conversation that can be had to help mitigate it, I think that's great. I do want to be clear, however, that in no way it should be viewed as some sort of leverage situation with respect to the broader issue. The lawsuit having – I just wanted to clarify also, in terms of the lawsuit that Vice Mayor Lago referenced, to the extent that they haven't served the process on us, what it basically means is we are not really a party to the lawsuit yet, even though they named us and haven't served us, which a city, as lawyers you have to serve a lot of people. Some people are hard to serve. Its very easy to serve a city, and they haven't done that, which is interesting and usually telling, but we are not a party to that lawsuit at this point, unless they serve us the process. Have they not served us, Miriam, in either of the two lawsuits filed by this attorney?

City Attorney Ramos: That's correct.

Commissioner Mena: So, the attorney filed two lawsuits against us, they have now been pending close to a month?

City Attorney Ramos: That's about right. Peter communicated with me about whether I would accept service, I said of course.

Commissioner Mena: So, you told them you would accept service, but that hasn't happened yet.

City Attorney Ramos: And we check daily, I mean, it could be downstairs right now as we speak, but we check daily and as of yesterday it has not come in.

Commissioner Mena: Okay. I don't know, to your point Vice Mayor, I don't know what the options are as far as trying to assist with just doing what we can to assist with the tree situation, but again,
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I just you know, its not hard to read between the lines on some of these things and we understand what's going on in the broader picture. It shouldn't be something that slows anything down or impact the settlement. Its an unrelated issue, but if we can help with the tree situation, I'm always for that.

Mayor Valdes-Fauli: Thank you.

Vice Mayor Lago: Mr. ACM.

Assistant City Manager Santamaria: We can look into the possibility of relocating these trees. I don't know if that's possible or not. I do know that they are establishment trees and sometimes it's a very difficult endeavor. So, from the point of the city side, we can look into it and offer our opinions, but as the Manager mentioned, this is under Miami-Dade County permit.

Commissioner Mena: Would they voluntarily consider maybe like, basically, even though they are not technically subject to it, like maybe complying in some way with our tree mitigation program? Usually, I think when we have somebody who gets an approval to remove some sort of tree, if you can't relocate it, they can plant other trees.

Assistant City Manager Santamaria: They are already subject to mitigation through the county.

Commissioner Mena: They are subject to the county...

Assistant City Manager Santamaria: The permit does mention mitigation.

City Manager Iglesias: Commissioner Mena, part of the county permit does include mitigation from a county perspective. I think what we can do is speak to our arborist and find out what the survival rate in what chance we have in actually moving those trees, and maybe using them in one of our parks. We'll be happy to do that, and then evaluate it further. My understanding was that it was low, but we can certainly look at that again and see because of where they are planted.

Commissioner Mena: Maybe the school even wants it. Maybe we can work with the PTA to have it planted somewhere on the property of the school for the benefit of the kids there. That's something we would have to work with the School Board on, I guess. But whatever we can do, obviously, for the kids in the school and to help mitigate it, I think would be terrific.

Vice Mayor Lago: I think that, just like we were discussing, when you talk about mitigation, obviously there is mitigation, the county requires it, but the mitigation is one-one thousandths of what you have there right now. It deals with tree canopy, the span of the tree canopy, but we are

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talking about a beautiful tree in comparison to a tiny little tree that's going to be installed and hopefully will grow into something mature over the next 30, 40, 50 years. I'd just like to see an opportunity that go out to WAWA and say listen, even though you have a tree permit to cut those down, show some good faith, show some good faith to the neighborhood, for the residents, for people in this community and let's see if we can salvage those trees, plant them somewhere on the property; plant them across, like Commissioner Mena said, at the school, can always use a canopy, plant them in maybe one of the Coral Gables parks. That's a good sign as a new tenant coming into the City of Coral Gables that they are trying to work, to potentially do something that is environmentally sound and makes sense, instead of just cutting down a tree. The trees, from my understanding, are not sick, the trees are just in the way from the turning radius for the driving team leaders that are coming into service that gas station. So, to me, I would like to see those trees potentially moved, relocated, in some way saved for the betterment of the community as-a-whole. So, I ask staff, through the Manager's office to please start those conversations before they actually go out there and cut them down, if the Mayor will indulge me with that.

Mayor Valdes-Fauli: Alright. Thank you very much. Thank you. Next.

City Clerk Urquia: Next speaker is Ms. Wendy Long.

Ms. Long: Good morning, my name is Wendy Long, I live at 805 Majorca Avenue. I really appreciate this conversation and my comments, I wanted to make are also about the trees. To the Vice Mayor and the Commissioner, who both just really addressed Mr. Goodman's comments, I really appreciate that. To you, Mr. Mayor, who said if it's a county issue, why should we get involved. The answer is, because you were elected to serve the city. Your constituents are talking to you about a problem and a concern, and that is why you should get involved. At the beginning of the meeting, during the invocation, it was mentioned about blessing the land with honorable industry. You just welcomed a new Director of the Historic Preservation Society, which again, is talking about taking care of our city. This is the same issue and that's why its important. That's why you need to get involved, is because as your constituents we are asking you to. So again, thank you very much to the Vice Mayor and the Commissioner who have indicated they are willing to partner with us and to talk to us and to have a conversation, because that's what its about being an elected official. Thank you.

Mayor Valdes-Fauli: Thank you ma'am.

Vice Mayor Lago: Thank you.

Mayor Valdes-Fauli: Next.

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City Clerk Urquia: Next speaker is Ms. Rhonda Anderson.

Ms. Anderson: Sorry, it took me a moment to unmute. Thank you for the moment to make some public comments, I think this is very valuable. I have a couple of points to hit. First off, I think the Key to the City for Chief Hudak is overdue. Everyone I speak to about the police force is pleased with him, including everyone that works with him and the residents. I have some brief comments about the trees at the WAWA. You do have a pending permit for application for the removal, the eradication of those trees. It doesn't reference a county permit. This is one of the many reasons why I've asked for architectural drawings, the location of existing trees beautiful, so that we can be better informed when reaching settlement agreements, or issuing permits, or while the matter is before the Board of Architects, as to the issues regarding existing healthy specimen trees. Designs of buildings can be altered and enhanced by these trees, as opposed to the latter pulling the trees. With regard to removing these trees, or moving the trees, we have moved trees this size in our city along Miracle Mile. It can be done, but it takes time. That is another reason why the vacation of trees must be indicated on drawings, so that the root pruning, the watering that's necessary for an oak to be moved, can be done well in advance. If memory serves me correctly, you started that process a year before we actually moved the trees on Miracle Mile. Mr. Dannemiller would have a much better record than I do in my memory. The next point I wanted to ask you about was, a confusing notice that's popping around on a workshop for Wednesday. Some people think it's a resident input meeting, other people in the latest tweet that I saw on it, indicated its really just a listening session for the residents. Aside from being extremely short slash, inadequate notice, its confusing for everybody. And lastly, and I know you have a time certain on the fertilizer, but I have some food for thought for you. I think the ordinance is are great first step, but we need to go steps further. I've heard inadvertently from folks during the quarantine period that the waterway was much clearer when we were under quarantine, when the golf courses were not being as well maintained. We need to think about time release fertilizers as required, whether we have jurisdiction over landscapers in order to require them or give them notice.

Mayor Valdes-Fauli: Thank you Ms. Anderson, your time is up. Please conclude.

Ms. Anderson: Ticketing them for using improper fertilizers and whether phosphorous is needed at all. Thank you.

Mayor Valdes-Fauli: Thank you Ms. Anderson.

Ms. Anderson: Thank you for the time.

City Clerk Urquia: Mr. Mayor, we have one last speaker, its Maria Cruz.

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Mayor Valdes-Fauli: Okay, Ms. Cruz, you have three minutes.

Ms. Cruz: Yes. This is Maria Cruz, 1447 Miller Road. I was not planning to speak on this, but I'm fascinated they were discussing trees and we do have an Assistant Public Works Director in charge of landscaping, and we've heard from the Assistant City Manager, the City Manager, the residents, and nothing from the person in charge of landscaping. I guess I need to refresh everybody's memory because the reason that this is okay, supposedly is because it's a county road. Well, I remember not very long ago, when we fought over the Royal Palm trees that were on U.S.-1 and that was a state road, and we took it upon ourselves to fight for them, rightfully so, because we didn't want the palm trees to be removed. So, what's the difference? We can fight against DOT, but we cannot fight against the county or is it that our landscape person is home and not taking care of the business at hand, which should be to save the trees. That's his job, and if he cannot do it from home, that's not my problem. Those trees should be taken care of and please do not talk about mitigation, because you know what, its easier to mitigate, its cheaper to mitigate than to save the trees. So, most developers, most people would take another \$500.00, \$800.00, whatever amount of money would take to mitigate and the trees will never be that big before all of us die. Okay. So, let's get the people in charge of landscaping to look after our trees, because that's their mission and if they cannot do it then let's find somebody else who can do it, but I don't think the Assistant City Manager and the City Manager should be involved defending and not protecting our trees. Thank you.

Mayor Valdes-Fauli: Thank you Ms. Cruz.

City Clerk Urquia: Thank you Mr. Mayor.

Mayor Valdes-Fauli: Thank you.