



# City of Coral Gables and University of Miami Annual Review

September 28, 2023, to September 27, 2024

## 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, 2023 to September 27, 2024.*

## 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 27, 2024, the University of Miami submitted an Annual Report for the period from September 28, 2023 and September 27, 2024 ("Development Agreement Annual Report 2023-2024"). 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 2023-24 ANNUAL REPORT

The *UM Development Agreement Annual Report 2023 – 2024* 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 December 11, 2023.

### **Section 49 - Annual Review**

The University of Miami submitted the 2023-2024 report to the City of Coral Gables on August 27, 2024. After City Commission approval, the University shall submit the 2023-2024 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 report states that 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 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 report provides an updated Event Management and Security Plan.

#### Section 19 – Internal Road and Access:

Since 2018, the University has completed the construction of the Internal Road, parking lot connections, and Pisano Avenue improvements, fully satisfying the conditions of Section 19 under Ordinance No. 2016-56 of the Development Agreement. A letter of compliance from the City of Coral Gables, dated August 20, 2018, acknowledges the completion of these works in accordance with the approved permits and the conditions of the Development Agreement. A copy of this letter is included in Appendix 7H of the report. No further action is required regarding this item.

#### Section 21 – Conveyance of Internal Streets and Waterways:

The legal description of the campus was amended by Ordinance 2019-07 on January 22, 2019, increasing the total acreage of the campus to 240.61 acres. Under Ordinance No. 2011-03, adopted on January 25, 2011, the City vacated the streets, and on February 7, 2011, the City deeded the Waterways to the University of Miami. Subsequently, on March 30, 2011, the University submitted an Easement for Parking Meters. A graphic depicting ownership is included in the Development Agreement, which requires no further review or analysis, and no further action is required regarding these items.

#### 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 2023 – 2024* identifies all University obligations:

#### Section 25 – Monetary Obligations - Consideration and Mitigation:

The 2023-2024 report states that the required payment of One Million and Twenty-Five Thousand Dollars (\$1,025,000.00) was timely paid on Dec. 1, 2023, per the City's funding instructions. No

other obligations pursuant to Section 25 were identified.

#### Section 6 - Gables Fellows Programs:

A University student was hired as the Gables Fellow for the Fall 2023 and Spring 2024 semester but was unable to complete the internship due to leaving the University.

#### Section 7- Lecture Series

Six (6) lectures plus one additional lecture were presented by UM during the 2023-24 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) required concerts plus one additional concert were presented during 2023-24 school year. The two (2) required cultural programs plus 2 additional programs were presented during 2023-24 school year.

#### 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 2023-2024.

#### Section 12 - Hurricane Athletic Tickets Program

The University of Miami made 250 tickets available to the November 28, 2023, football game, 250 tickets to each of the four (4) 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 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 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 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. In addition, the University's Office of Sustainability is a strong partner to the City's Sustainability department and the Director is the Chair of the City's Sustainability Advisory Committee.

#### Section 13 - Student Enrollment

The report states that the Fall 2023 Student Enrollment was 12,277 undergraduate FTE, as detailed in the Student Enrollment Report for the Fall Semester 2023, dated October 26, 2023, which was prepared by the Office of Planning, Institutional Research, and Assessment of the University and is attached as Appendix 11A. Furthermore, in compliance with Sec. 13(b) of the Development Agreement, the University prepared an "Enrollment Reporting Threshold" report, which was submitted to the City on March 22, 2024. This report is included as Appendix 11B.

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

The 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 report states that no students were assigned temporary housing at the Thesis Hotel in the City during the entire Fall 2023 semester. In Spring 2024, approximately 80 students were housed at Thesis Hotel. They were all moved to on-campus housing within several weeks of the start of the semester.

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 report states accurately states that an updated Mobility Plan was timely submitted to the City on June 1, 2024, 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.