

City of Coral Gables City Commission Meeting
Agenda Item H-5
December 12, 2023
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Peter Iglesias

City Clerk, Billy Urquia

Assistant City Attorney, Naomi Levi-Garcia

Public Speaker(s)

Agenda Item H-5 [Start: 5:56 p.m.]

Annexation update presenting options for Coral Gables resident participation.

Mayor Lago: Moving to H-5. Can we move H-6 for the next meeting, is that okay or not?

City Manager Iglesias: Yes Mayor.

Mayor Lago: H-6 we defer. Let's do H-5. Last item of the day.

Assistant City Manager Levi-Garcia: Good afternoon, Mayor and Commissioners, Naomi Levi-Garcia, Assistant City Attorney. At the last Commission meeting, you all gave us some direction to come up with some different options for collecting Coral Gables resident feedback and response to their feelings about annexation. So, we've put together some options. I can run through them pretty quickly. Its four options. Can I have the presentation, please. So, Option 1, would be a Coral Gables Special Election where we piggyback off of an existing election, either in August or November. The cost would be approximately \$18,000. So, submission deadline for ballot language would be May 24th for an August ballot, and July 26th for a November ballot. The Elections Department at Miami-Dade County would handle the vote counts and the signature verifications.

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We could also do a Coral Gables Special Election mail ballot. This would be a mail ballot with just the annexation question on it. That would have to take place between April 1st and May 15th, we would still be on the Election Department's schedule. They'd need to fit that in between their existing elections. The question would have to be approved at the January 9th Commission meeting in order to have enough lead time. The cost would be about \$80,000. The Election Department would handle the vote counts and the signature verifications. So, if we moved away from the ballot option, we could also go with a mail petition. This would be similar to what occurred when we were collecting the petitions in favor of annexation pursuant to the requirements of the county code. The cost would be about \$47,000. We'd have a self-determined deadline for deciding petition language and the return date. The only issue with this is that we would not have a way to validate the signatures. So, whether to require signatures would be optional. We could have language to the effect of a declaration under penalty of perjury and the petitions could be uniquely numbered and coded to ensure that only one petition is returned, and they wouldn't be duplicated. The other consideration with this is that city staff would have to be responsible for processing the return petitions. So, they wouldn't be given over to the county for any verification. They would have to take place in-house. So, there's another real cost associated with staff time, which I don't have quantified, but something to consider. And then moving away from the ballot and petition options, you could go with an online survey, and so, this would just be purely a non-scientific online survey, similar to any kind of straw ballot-type of situation and we could e-mail those to the e-mail addresses that we have on file, or we could have links on the website. We could have various options for getting the survey out and there'd be a lower cost associated with this option.

Mayor Lago: That's it.

Assistant City Attorney Levi-Garcia: That's it. Yes.

Mayor Lago: Thank you, Naomi, good job. So, Commissioner Menendez, you're the driving force behind this. I don't think we need to go to a ballot. I don't think we need to go to a vote. I think we can make a decision to move forward and let this selection happen, the county makes the decision and then we vote on it at the end. Obviously, I'm in favor of annexation. I think there's value in closing off our borders. The Police Chief who's here has made it very clear and I think as properties continue to rise, God willing, that we'll see significant value in that. I don't trust an online survey. I don't trust petitions. I think that if we're going to do this, then we go to a vote in August, but I don't think that we need to go to a vote. I think we're in these seats to make a decision and I think we move forward on that decision, but you're the one that's driving the ship here, so I'd like to make a decision at the end of the day so we can move forward.

Vice Mayor Anderson: One of the concerns I have is how do we inform voters of all the potential pitfalls and issues that can happen on either side of the fence, so to speak, of annexation versus non-annexation. So legally, can we express concerns if that area is not annexed, how it can be developed in the future versus something that we can prevent something very bad from happening from rezoning efforts by Miami-Dade County to address whatever concerns that they have and how they feel its best use that property to resolve issues.

Mayor Lago: Vice Mayor, if I may. I hate to interrupt you.
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Vice Mayor Anderson: You go right ahead.

Mayor Lago: You're touching on something that it's virtually impossible to be able to explain to somebody on a flyer or an e-mail.

Vice Mayor Anderson: We just went through this in South Dade.

Assistant City Attorney Levi-Garcia: We can send it anyway.

Mayor Lago: You know what a TLD is. Do you know what happens at TLD, do you understand what's happening in the State of Florida with these issues. You know this property is in Miami-Dade County. Do you know that if they decide to move and upzone this area, they could potentially put a building. That's one of the reasons why annexation makes sense. We control our destiny. We control our destiny, and we try to maneuver the situation as best as we can to ensure that we elevate the quality of our neighborhood all the way to 8th Street. We expand on our cameras, the policing tactics have, like the Police Chief just said. I agree with you wholeheartedly. I just don't even know how we'd start explaining it to the masses on the zoning ramifications if somebody were to assemble five acres, four acres, that they can put up a building there that could be how tall.

Vice Mayor Anderson: It's happened to us on our doorstep with the county in a couple of places. It is a very big concern. I think that everybody has, because its not only how it impacts the land use there, but it's the impact on the neighboring homes around the area, the traffic, the density, what it is going to be used for, all that kind of stuff that we won't be able to weigh in on, even our highest and best use. I have no appetite to do that at all in that area, but it concerns us. When you have a 40-story building on your doorstep here and then we're burdened with the additional traffic, and the additional infrastructure, burden on our trolley system that we don't receive any concession for from the county. It's a big concern. I don't know how we can educate folks on that, because it's hard enough even for someone when they are coming into this position to wrap their head around the zoning code. It's a layering process of learning what is MX3, what is MX2, what can happen to that, and the county is a whole different animal right now. You've seen the direction the county has gone. You've seen the direction the state has gone on some of this, so there is an appetite when you have that type of piece of property, and they've done it before on mobile home parks where they do this conversion to a much higher density situation to solve problems, but it does it on our back. It does it on the Coral Gables residents' back, because we're impacted with the traffic down the road and when someone asks us, well why do we have a 40-story building there. What can we say. Well, they call control that land. We don't control the zoning on the land. So that's my concern. I don't know how we educate folks on those choices there. I understand the cost issue, but frankly that same cost issue exists throughout the North Gables when you compare it to residences in the South Gables. But then again, we also have a Central Business District up here that helps support the North Gables as well. So, there's no easy answer to this. I think we should sleep on this, and we can resume the discussion in January, but that rezoning potential is huge.

Mayor Lago: A big problem.
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Vice Mayor Anderson: A huge issue as it will impact everybody in that surrounding neighborhood.

Mayor Lago: And by the way, as you guys know, you drive that area all the time. There's a lot of commercial property there, which is a benefit for annexation, because again, you can't Homestead, the property value keeps going up which will be a good supplement for the city just like the downtown is. The downtown supplements the residential neighborhood. But if somebody assembles a property over there and is able to get enough land, they could potentially put together a pretty significant project.

Commissioner Fernandez: I still believe that we should get the input of Gables residents. It was a request that was made by residents during this campaign. They have a desire to be part of the process. It's going to affect a lot of them. We heard comments here, you know the only ones that are going to be affected there are the people who are around it. Financially it's going to affect every resident of the City of Coral Gables. So, everybody in Coral Gables should have a say. So, I agree with the Vice Mayor. I think we have something to digest, and I think we should make a decision on this item in January.

Mayor Lago: So, let's do this. If I may, Mr. Commissioner, I think in January, we'll bring it back, we'll discuss it, but I'd like for you to do me a favor. I'm all in to get the highest and best use. Let's get people to vote in August. So, I would also like for you to do me a favor and find out, and I know the answer is zero. What would be the additional cost, which is not, to also add additional ballot questions, since we're doing it already. I would add elections in November, which is something that Commissioner Menendez wanted to do anyways, so we can add it there.

Assistant City Attorney Levi-Garcia: I don't think you incur additional cost unless you use the second page, unless you're on the same page.

Mayor Lago: Commissioner Menendez said he wanted to add that awhile back ago, since we're doing this already, we might as well do that and we can add the November elections on the ballot and I would also like to add one more, if my colleagues would indulge me and it would put the nail in the coffin and put this to a rest, and that would be, let's put the salaries, where the residents should be the ones approving the salaries of the Commissioners or whether the Commissioners should have their own rights to approve their salary.

Commissioner Fernandez: And I would add whether members of the Commission should be fulltime and not have outside employment.

Mayor Lago: Perfect.

Commissioner Menendez: This is a little bit of a problem. We have a Charter Review Committee.

Commissioner Fernandez: Exactly.

Commissioner Menendez: That's been assigned to address these issues.

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Mayor Lago: But we can run both. There are no issues, Madam City Attorney, whether a Charter Review reviews something, and you have a referendum.

City Attorney Suarez: If it's the will of the Commission, you can certainly proceed.

Commissioner Menendez: It sounds like we have a divided Commission, so.

Commissioner Castro: Very.

Commissioner Menendez: I think we should...

Vice Mayor Anderson: This is talking about saving money.

Commissioner Menendez: I'll work with Naomi in the middle of this. So, we should take a vote to see what we want to do.

Mayor Lago: So, Commissioner, you don't want to do – you said you wanted...

Commissioner Menendez: A motion, Mayor. Make a motion, we're good.

Mayor Lago: Okay. I'll make the motion. We will do the elections in August, and it will be for the November elections. It will be for the raises, whether we'll put the wording, where the raises should be addressed through resident approval. We will do the request for annexation consideration, and I think Commissioner Fernandez said he wanted to add something else to that whether you should be fulltime.

Vice Mayor Anderson: If we can do this, save the residents money and only spend the \$18,418, and resolve these issues once and for all, I think it's a wise expenditure of the money to get that done.

Commissioner Menendez: There's a motion on the floor, is there a second?

Vice Mayor Anderson: I'll second it.

Commissioner Menendez: Okay. Let's put it to a vote.

Commissioner Castro: No

Commissioner Fernandez: No

Commissioner Menendez: No

Vice Mayor Anderson: Yes

Mayor Lago: Yes

(Vote: 2-3)

Commissioner Fernandez: I'll make a motion to place annexation on the August ballot for Coral Gables residents.

Commissioner Menendez: I'll second.

Vice Mayor Anderson: I'm going to vote no at this time. We need more information as to how we can inform voters about the pros and cons. This is why I said to digest it in January.

Commissioner Castro: There's a second.

Commissioner Menendez: There's a second but was it the Mayor's proposal a little while ago to include annexation in August.

Vice Mayor Anderson: He did.

Commissioner Menendez: Okay.

Commissioner Fernandez: You voted for it.

Commissioner Menendez: There's a second.

Mayor Lago: But didn't you also say you wanted November elections on the ballot, and you said you didn't want it now. Why not?

Commissioner Fernandez: You...[Inaudible]

Commissioner Menendez: When did I say that.

Mayor Lago: About four or five months ago.

Vice Mayor Anderson: You did.

Commissioner Castro: Well, you change your mind very often.

Mayor Lago: You forgot already.

Commissioner Menendez: I don't know. We've been here for nine hours.

Mayor Lago: Listen, I could be here another nine, perfectly fine with me. Alright. We've got a first and a second.

Commissioner Fernandez: Yes

Commissioner Menendez: Yes

Vice Mayor Anderson: At this time, no.

Commissioner Castro: Yes

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Mayor Lago: I'm going to vote yes. Let's do it.
(Vote: 4-1)

City Attorney Suarez: So, we'd have to bring the ballot language back.

Assistant City Attorney Levi-Garcia: So, we'll bring the ballot language back. It needs to be submitted by May 24th, so some time early next year we'll bring back the proposed language for you all to vote up or down on and we'll proceed accordingly.

Commissioner Fernandez: Thank you for your hard work.

Mayor Lago: Alright. I don't think there is anything left on the agenda to discuss.