

**City of Coral Gables City Commission Meeting**  
**Agenda Item D – Mayor’s Comments**  
**October 12, 2021**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Vince Lago**  
**Vice Mayor Michael Mena**  
**Commissioner Rhonda Anderson**  
**Commissioner Jorge Fors**  
**Commissioner Kirk Menendez**

**City Staff**

**City Manager, Peter Iglesias**  
**City Attorney, Miriam Ramos**  
**City Clerk, Billy Urquia**  
**Assistant to the Mayor, Solanch Lopez**

**Public Speaker(s)**

**Mark Trowbridge, President, Coral Gables Chamber of Commerce**

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Agenda Item D [Start: 10:05 a.m.]  
Mayor’s Comments

Mayor Lago: I also want to thank you for discussing our centennial and that’s something I was going to bring up in the Mayor’s Comments and I’ll just bring it up really quickly now. I’ve been reached out to by, I know my colleagues also, by probably a litany of different organizations and interested individuals in our community. I think the more the merrier. The more the merrier, the more insight, the more guidance, the more ideas, the more opportunity for collaboration for sponsorship, so that we can really celebrate our 100 years. I also spoke to Karelia from Historic Preservation Association of Coral Gables, along with Mr. Trowbridge about engaging in the process of the centennial, and I think it’s going to be a collaborative approach. So, I welcome as many people who are interested. Please reach out to my office, the Manager’s office, to my colleagues, your ideas are welcome, and we look forward to hearing them, and we want to make sure that this is something to really, really celebrate and do everything in our power to make it memorable. So, thank you for that.

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Mr. Trowbridge: You are very welcome. I look forward to joining you. We'll see you in a few minutes.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: That is it Mr. Mayor.

Mayor Lago: Oh, that is disappointing. The purpose of public comment is to make sure that we allow everybody the ability to speak, and I want to make sure that we offer that and remind people that we are more than willing to listen to anybody who would like to make a comment on the record, and we welcome your comments more than anything. So, moving on. We close the public comment section and move onto the Mayor's Comments. I would like to call up Solanch and Mark Trowbridge to join us, because I'd like to, in an effort to continue to stay top of mind, along with Matt Anderson, please, and Suramy, whoever would like to join us. I'm going to bring up every Commission meeting how we are refocusing on our downtown, and I'm going to bring it up on multiple fronts. First off, I want to play tribute and respect to Suramy's team at Code Enforcement. They are taking the bull by the horns. They are out there. They are working. I see them with picks, picking up garbage, notifying employees, tenants of the situation and the forthcoming planning that we're doing in regard to the new regulations about cleaning sidewalks, about making sure that weeds are removed, about cleaning your windows, about focusing on the beautification of the City Beautiful. So, I want to commend staff, our Zoning Department for going out there and really focusing on our Central Business District. I want to commend them, and I want to reenforce, reenforce the good work that they are doing, that's number one. Number two, I want Solanch to please give us a brief presentation on the efforts of the Chamber, the Business Improvement District, our staff, and the 45 volunteers that were out there on a Thursday afternoon, one hour pick-up, which was incredibly successful. Take it away Solanch.

Ms. Lopez: So, we have just a handful of the many pictures that were taken the day of the event. This was the Downtown Community Cleanup Event in partnership with Keep Coral Gables Beautiful, the Coral Gables Chamber of Commerce and the B.I.D. We had 45 volunteers in total. This included many members of our staff from our Public Works Director, our Parking Director. We had a member of Code Enforcement there, Julian from Economic Development and a couple different businesses that are part of the Chamber and the B.I.D., along with just some volunteers; yourself Mayor, and your family were out there; Commissioner Anderson. So, we had a great turnout, especially because it was an event we put together in a little over a week. So, it was a great turnout for this event. We were out there, like you said, for a little over an hour, and there was a total collection of 160.7 pounds in just an hour. A lot of the material litter that was picked up, a lot of the participants found them inside of the shrubbery along the different areas of the downtown.

Mayor Lago: I think the great thing that you are seeing in these photos is people of all ages. So, here's Deena, leading by example. Obviously, we had Kevin, we had Hermes, we had Julian, Matt, yourself. Here's an example of my daughter. We cleaned up all of Alhambra, from Ponce all the way down to LeJeune and we circled back and it was incredible to see the amount of just litter and garbage; and it also allowed us to, I walked with Terry from Code Enforcement, which allowed us to really identify certain areas, and you really notice these things when you are standing on the

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corner of your main street and you look down and you say, why is there so much pigeon feces in front of Bank of America? – why is there so much gum in front of Amerst Bank? – why are the sidewalks so dirty on Ponce? – why are there so many weeds in front of the following restaurants. So, it was an opportunity for us now say, what we are going to embark on in December and holding ourselves accountable really makes sense, because when you are driving by in a car, you really don't have the opportunity to pay that much attention. But when you are walking and you are noticing that there is like, Mark Trowbridge will explain probably in a moment, in front of our Aragon parking garage, we filled probably 5-gallon buckets just from one bush that was full of cans and food, and that to me is unacceptable. We are much better than that, and I was just really impressed by the amount of people that came out to really focus on cleaning up our downtown, because it needed it.

Mr. Trowbridge: So, I'll just echo everyone's comments. The fact that in a short amount of time, we really galvanized the number of different constituencies to come out and be part of this, and I hope this is something that we can do on a regular basis. I think we are meeting this week to talk about doing something in December that will be sort of a holiday theme cleanup. But as you see, it's a very family-friendly event and we had folks of all ages; and as Solanch mentioned, it was great to have some of our members, our Chair Ana Chaoui was there with other members of our board, and of course joining forces was Aura Reinhart and members of her leadership as well. It doesn't take long to find the little hot spots. We now know that some of those shrubs that look so great are concealing hundreds of bottles and empty cups, and listen, we know where we have some challenges. So, I think we have to address that longer term, so that those items don't go unnoticed, if you will, and I think Mayor, you talked to some of the delivery drivers who sort of stage their outside the Aragon garage, and in between deliveries they are having a soda, and then unfortunately discarding much of that waste right into the shrubs, and you don't see it until you go looking for it. As we pick up things, we saw an awful lot of cigarette butts that were just discarded, not only on sidewalks, but in planters, both on public and private property; and you know, it's a sign of the times, but a lot of discarded masks. I know a number of people worked in the allies and we have a significant number of restaurants in Coral Gables. Almost each one of them has their own dumpster and of course over time things fall out of those, or overfilled, or folks just missed the dumpster completely. But I think everybody who participated hears your comments Mayor, and your colleagues, but also has a tremendous amount of pride in keeping the downtown as pristine and beautiful as possible.

Mayor Lago: Thank you Mark. Matt.

Mr. Anderson: I'll just say, echoing everyone's comments. It's great to see, it's also an educational opportunity as we are out there educating the community on the types of litter that we are seeing out there, cigarette butts when they do cleanups across the nation, ours the number one item that they are finding, as they are doing these cleanups; and it's also exciting to see that it's a healthy competition when you get people out there and they want to collect the most amount of litter. So, it's always a fun part of it and it's a great way for us to help continue beautifying our community.

Mayor Lago: Before we close, I just want to put some things on the record. I'm going to continue to put this on the record and we will be having this conversation every Commission meeting until  
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we implement December 1<sup>st</sup> our strategy to clean up the downtown and hold the entire community, starting with us, accountable. Number one, zoning was able to, excuse me, Code Enforcement was able to very clearly see that when half of the median is dead, we need to speak to that business owner and find out whether the city is responsible or the businessowner is responsible. When signage has fallen, and all is a pole and they've got to replace that sign or let's remove the sign. We have enough visual pollution. Maybe we don't need a sign there. If there hasn't been a sign in five years, maybe we don't need to put back a sign. The sidewalks need to be cleaned; they need to be maintained. We are working on that now with staff to really implement the schedule starting in December. The windows need to be cleaned. And also, a real key point of contention for me and I think Mark can attest to this, and Commissioner Anderson, we have teams that we pay, we have companies that we pay to landscape. If we are not holding them accountable – when Mark Trowbridge and I sit in front of a bush in front of the Aragon parking garage, and we pull out five 5-gallons worth of cans and sodas where all the Uber-eat drivers are basically parked and they are just tossing everything in there, someone's not doing their job, trim that hedge. Maybe it's time to remove those green fichus and put something more low-lying. By the way, there is a garbage can within ten feet of that. They would just rather throw it into the bushes than they would actually throw it into the garbage. So, it's an issue of culture, it's an issue of bad habits that we need to change, and maybe we need to do certain things in that area, maybe move the can a little closer to the curb, so that people notice it. Maybe we need to get rid of that green fichus and put something a little bit more low-lying. It's an issue of we just can't continue to turn a blind eye, because what ends up happening is, the quality, the level of quality in the downtown is slipping, and that results in us having to do drastic construction versus maintenance, and we are not doing the necessary maintenance which falls, not on the shoulders of the city in most accounts, it falls on the shoulder of the owners of the properties. And I know we went through Covid, and I know we did a lot of different things, but it's time to hold people accountable, especially the businesses and hold ourselves accountable. And we are going to do these cleanups as often as we have to do it and I will be there and I'll invite all my colleagues to attend, and I invite the Business Improvement District and the Chamber to continue to help us, give us the guidance necessary to make the necessary changes in our downtown. So, with that being said, if anybody has any other comments, I'll move onto my next item.

Mr. Trowbridge: I know you have an item a little bit later. I think we are discussing that now.

Mayor Lago: Yes.

Mr. Trowbridge: I think for us, as you have said, this will be on each agenda going forward. I think at our last discussion, Commissioner Fors talked about putting together the matrix, I think that's probably in development. I think it's been great to go out and talking with the businesses. I think it's good that we are giving them feedback and warnings, if you will, versus citations, but you know in some cases where there are very obvious issues, those need to be resolved as quickly as possible and the businesses need to respond as quickly as possible, so that we have an ongoing dialogue and that's something that turns into citations and fewer responses.

Mayor Lago: Similar situation to what we are working on right now in the residential neighborhoods. In December when we start rolling out our warnings for cardboard, people should

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not be warned, people should know very clearly that your cardboard, even though its unbroken down, because you don't want to break it down, goes next to your recycling bin. It does not go in the trash pit. That does not mean we are removing your trash pit, you still have your trash pit, but the issue is we are trying to deviate cardboard from going to the waste stream which cost us more money, let us at least recycle it, and not have to pay for it going into the garbage. At least it will save us hundreds of thousands of dollars a year that we could spend on other great things in this community – sidewalks, trees, working on our parks, ensuring ADA accessibility, but instead we are just throwing that away and paying that in garbage, when we shouldn't. Let us recycle. We may not make money on the recycling, which we do a little bit on cardboard supposedly, but at least we'll divert it from the waste stream which is costing us money. So that's coming in December. So, anybody that's listening, put your recycling next to, excuse me, put your cardboard next to your recycling. Don't put it in your trash pit, because in December we will not pick up your trash. We'll give you a warning, we'll pick it up one time and moving forward. Let's take an opportunity now to educate ourselves to make ourselves even a more beautiful city. So, with that being said, thank you Solanch. By the way, you, Matt deserves all the credit, you guys have been doing a great job since you started implementing these projects.

[Applause]

Mayor Lago: Keep Coral Gables Beautiful – you brought this to the city, you deserve all the credit. I can't thank you enough for your efforts and continue doing this, because this is something that is going to only continue to improve our brand and that's what we are all about, improving our brand.

Ms. Lopez: Thank you Mayor. On that, our next event for Keep Coral Gables Beautiful, if anybody wants to join us is actually next week at the Coral Gables Art Cinema. It's the second event in our conservation series. It's a documentary film screening of 100 Yards of Hope, which was produced by Forrest Blue, a non-profit veteran organization. It's a 45-minute film and we are going to have a short panel discussion afterwards with several of the veterans that were in the film, along with some of the UM scientists that participated in the making. So, it essentially that they planted 100 yards of coral reefs when the Super Bowl was down here a couple of years ago. So, we welcome anybody that wants to join. Tickets are on sale on the Art Cinema website, they are a minimum of \$5.00 and then you can donate more to the Cinema if you like. We hope to see you all there.

Mayor Lago: Thank you. I look forward to it. I'll be there. Number two, I had a conversation with a few residents, obviously breast cancer awareness month. I'd like to see if my colleagues would be in support of lighting up the city, City Hall maybe for a week or for an extended period of time to ensure that we bring the necessary awareness and continue in that trend to hopefully eradicate this terrible disease one day.

Commissioner Fors: Mayor, if I may jump in on this same topic. Tomorrow, as a reminder, we'll be lighting City Hall at 8:30 p.m. for metastatic breast cancer, which is a subset of breast cancer in general, also celebrated during this month. So, I remind everybody to drive by, if you are interested take pictures and hashtag it, "Light up MBC."

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Mayor Lago: That's right, you brought that to the city. Thank you. I appreciate it Commissioner. Third item is, I want to thank Temple Judea. I had the pleasure of attending their service on Friday and I gave the sermon. I wanted to congratulate Rabbi Fiche and Rabbi Segal; it was an incredible, incredible opportunity for myself to witness what a beautiful service Temple Judea has. It was full of young kids, it was lively, there was singing, it was very interactive. So, if anybody would like to witness a pretty incredible, I don't want to say a religious experience, but a pretty incredible service, because everyone is welcome, even if you are not Jewish, I highly recommend that you visit Temple Judea; and it was wonderful to engage them and talk a little bit about the city and what we are doing, especially the Commission's efforts in regards to anti-Semitism and our efforts to catch the culprit that was responsible for those horrific anti-Semitic acts and that the city took a very strong position. It was a good moment, and it was bringing our communities together. With that being said, the fourth and final item that I wanted to really bring up really quickly. My staff is working on putting together a memo in regard to the bridges, City of Coral Gables bridges, while they are in the City of Coral Gables, we may not have control of them. They are controlled, many of them by the county. My issue is not a structural issue or a real major repair issue like Spaulding, some people may view it as kind of minor, but I view it as major if you don't address it. My issue is more of an aesthetic issue. So, if you get a chance, again, we are all driving from point A to point B as quickly as possible, I will be presenting to you a memo so you can see. I happen to live next to three bridges and you can really see the amount of mold that is growing on the bridges. I don't know if I have the pictures here, but the amount of mold and the condition they are in aesthetically is unacceptable in Coral Gables. I know the county is responsible. I'm not talking about we have to paint these bridges, let's at least pressure wash them so it's at least respectable, that's number one. Number two is the issue that the only way to access these if you are walking over with the baby carriage is on the street that you get up on the bridge. There are a lot of opportunities due to the location of these bridges that they are on – the two adjacent properties are on side yards, where at least in my neighborhood, the trees are not all the way up to the street, where you could potentially do a sidewalk that won't affect anybody's front yard, and when you look at the bridges, for example, Blue Road, when you look at the one on Bird Road, when you look at the one on Granada, they should have sidewalks. They should have sidewalks even if the residents oppose them, how do you cross that bridge.

Commissioner Anderson: You can't, its deadly. You have to go on the street.

Mayor Lago: I know that people don't want sidewalks in front of their yards, this is not in front of your yard. This would be on their side yard and most of them have walls, you won't even notice it. So, I'm asking staff that's part of my memo that I'll be presenting to the Commission and that I'll be hopefully bringing it to the next Commission meeting, this is just kind of a prep to have that discussion and I know that the county has a lot of the responsibility in regards to the maintenance, but we need to figure out some way to at least pressure wash them and get a little bit of information in regards to our jurisdiction. Get them located on a G.I.S. map, find out who is responsible. I know you are working a lot on that Hermes. If you'd like to talk one moment, please I welcome you.

City Manager Iglesias: Mayor, all that would be on our G.I.S. system next year, all the infrastructure including drainage and trees and so forth, that's part of the G.I.S. issue that you know you have to have it, but you have to put that information in G.I.S. for it to be effective.

Public Works Director Diaz: Good morning, Hermes Diaz, Public Works Director. So, you are absolutely right, we do have, we may have talked about this before, maybe it was with the Waterway Advisory Board was a topic of discussion. We do have 11 bridges in the city that we maintain. We are going to have all that stuff in G.I.S. We've done about four of them within the last couple of years or so, and by doing them I mean fixing cracks, painting them, pressure cleaning, and we are just moving along. We got \$75,000 this year to continue the process, so we are probably going to do at least two, possibly more, depending on how far the money goes some things need to be done on each individual bridge. So, it's something that we are definitely working on.

Mayor Lago: What I would like to see is, for example, let's use Blue Road as an example. Blue Road has a bridge, the only way to get off the bridge if you are walking or in a baby carriage is either on the street or on the sidewalk, that's on the bridge, but eventually it just drops, so it's like a 6-inch, 8-inch drop from the sidewalk onto grass. There is no reason why there shouldn't be a sidewalk there, because it's not in front of somebody's yard, it's a side yard. Its Blue and Granada right there, and also Blue right near...park where we have that park. Those are all side yards that I imagine, number one, people would welcome it because it's not intrusive, it's not in somebody's front yard, and even if they wouldn't welcome it, we also have to consider safety. When you are on a bridge, what are your options if a car is coming? – you jump into the water, what do you do here? It's very limited.

Public Works Director Diaz: So, I think on Granada we are actually currently working on that one, that's one of our bridges. The ones on Blue Road they are county maintained, but we can certainly engage with them.

Mayor Lago: I have a picture of that that I took this weekend. The amount of mold growing on the walls of the bridges is pretty rough, pretty rough, and it was brought to my attention by several residents. I'm going to include that in my memo. I just wanted to give you kind of a heads-up. I know you guys are working, but I would like to see a plan for sidewalks, just like I said, I'd like to see a plan for the sidewalk adjacent to the Granada Golf Course in the circle of Andalusia. Remember I talked to you about that? I'd like to see areas like that. Let's finish up those sidewalks, it would be important. I think we can get also, build a little bit of consensus once we have those sidewalks, and maybe, if people like the sidewalks and they'll ask for those sidewalks to finish off and connect.

Public Works Director Diaz: Absolutely.

Mayor Lago: Another thing I want to discuss here, and this is the final comment that I wanted to mention was about the issue of, I've been getting a few e-mails and I imagine my colleagues also, the issue of the public comments on the DRC and the BOA. I have some concerns about that, because we are pushing so much, and we are really setting the tone in regard to transparency and  
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public outreach. I understand that we want to maintain an orderly meeting, but I also don't want there to be a sense of that we are trying to chill speech in any way or form. So, I've gotten four or five e-mails about the fact that people can't give public comment on DRC and BOA. Why can't we do something similar to, for example, like what Commissioner Menendez said. Listen Mayor, I want people to be able to enjoy public comment and speak as much as they want, but let's try to set a 3-minute time limit, and at the end of the day, it's at my discretion. If I need somebody to speak again or somebody who has a second comment they want to make, we can have a rebuttal back and forth, but I think the idea of having public comment in some sort of orderly fashion is in line with what we are trying to do.

City Manager Iglesias: Mayor, those two boards are a little bit different than normal. The DRC is something that is paid by the applicant and designs the technical review. In other words, does the project have sanitary sewer? – is the sanitary sewer too small? So that's really something that's paid and most of these big projects pay about \$10,000 for that review, and so, it's really a technical review, and people can provide their comments in writing. The Board of Architects is a board that is eight architects that come in here pro-bono. They come here every week for 3 to 5 hours and is pro-bono.

Mayor Lago: Do we used to allow...

City Attorney Ramos: Let me clarify on Board of Architects. There is a public comment section at the beginning.

Mayor Lago: Okay. Perfect.

City Attorney Ramos: That's what the rules say. And then DRC, you all established in Resolution 2021-232, to have e-mail comments, so that it wouldn't stop the technical review that they've paid to receive.

City Manager Iglesias: The DRC has the e-mail comments and the Board of Architects, they can speak at the beginning, and then they have comments, e-mail comments that they read before the project is being looked at.

Mayor Lago: That's fine.

City Manager Iglesias: So those things are happening now. I just think that those two boards are really technical boards, especially the DRC, but as the City Attorney just said, you can provide comments to the DRC, you can speak at the beginning of the Board of Architects, and you can provide written comments that are read on every project at the beginning of when that project is being reviewed.

Mayor Lago: Did we used to allow comments at DRC before?

City Manager Iglesias: DRC comments are only allowed if allowed by the Chair, but that is a technical.

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City Attorney Ramos: And I know historically there was never a comment at DRC.

Commissioner Fors: I think people just started recently showing up at DRC. There's always been my impression that nobody, no residents ever showed up in the past. I think they started showing up maybe one or two years ago.

Commissioner Anderson: May I add to it. Part of the reason is we have at least the photos available now that we have a way for people to access it. At the last DRC though, the e-mail didn't work, so there was no mechanism at all for residents to be able to ask a question. And some of the questions that people come up with are valuable, at least get a better project out in the end. Did we consider how the access to the egress, the drop off for supplies and so forth, those are some of the questions that could be beneficial. But when you have e-mail failure and you have zero capacity to be able to provide any public comment or questions, even in a chat, would be helpful. I don't know if the technology is there now to be able to have some mechanism where after the presentation some questions can be asked to see if it was missed, if something was missed by the committee members.

City Manager Iglesias: We can certainly look at that and have some type of secondary system in case one fails, but you've got technical reviews on every one of those issues. So, the idea of why a project would pay \$10,000 for that review is to find out what problems you have, technical problems you have on that particular project, and that's the intent of that board. I do think if somebody has something that is major that could affect that project and it's missed by all the technical staff, then certainly we would be happy to bring that up, but that's unusual, and that is generally for the larger projects, it's a \$10,000 fee for that. So, I do think that the intent of that review was a technical review. The Board of Architects, people can speak at the beginning, people can provide their comments on e-mail for a specific project.

City Attorney Ramos: Mr. Manager, the zoning code actually says that DRC is open to the public, but public comment is not intended to be solicited. That's the language in the zoning code for DRC specifically.

City Manager Iglesias: And it makes sense because of the type of review that that is. That's really a technical review that is paid by the applicant to find out. Mayor, if you need a 16 sewer and you only have a 10 sewer, you want to find that out at the beginning, because you may have to have a quarter mile of a sewer run, right.

Mayor Lago: I don't disagree. But my question is, how is the technical review going to be impacted by public comment? It's not going to be impacted. So, to me, I would apply the same rules that I apply to BOA. You are allowed to have your comments in the beginning and the process takes its course, the applicant gets their time for the fee that they paid for. Its reviewed technically by staff and by consultants. But to me, I don't think there is any harm or fowl in having a public comment in the beginning at all. Plus, how many people are going to come and speak at DRC, not many. But I just want you to think about that, because I think it's important to consider that, and it's an opportunity now that I know that BOA, obviously has public comment that goes out by the

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wayside, that's fine with me. I think it's being perfectly run, and I would run the DRC the same way.

City Manager Iglesias: We can take a look at having public comment at the beginning, and then let the meeting run.

Mayor Lago: I don't have an issue with it. You can even do like what Commissioner Menendez said. You have one minute to speak at DRC.

City Attorney Ramos: If you want to do that, we should look at striking that language in the zoning code and amending Commissioner Anderson's Resolution 232.

Mayor Lago: Okay. Before we do that, I just brought this up as an item to discuss for my colleagues to consider. I imagine the Vice Mayor, the Commissioner have other comments and they want to add their opinion to the matter. This is just a discussion. I don't want to move anything forward right now. I just want to have a conversation in the Sunshine, that's it.

Vice Mayor Mena: I just think there is a time and place for comments and there is already an opportunity at BOA, Planning and Zoning when it comes to the Commission, and at some point, you're chilling the technical process from being able to move forward in an orderly fashion. I think Commissioner Fors said last meeting, I forget the exact analogy he used, but he doesn't need the doctor who is about to do surgery on his leg to get public comment before he does it, or something like that. This is not the purpose of that meeting. That meeting is a technical meeting. We are all for public comment on the projects themselves and the big picture issues and BOA, PNZ, the Commission. A lot of times we have community meetings. A lot of times we have Sunshine meetings. A lot of times the applicant themselves has community meetings. So, what I don't want is to derail a process and make it take longer than it should. We already kind of have the reputation for being a city where some of these projects take a really long time to be able to go through the entire matrix that they have to go through. And the question is, if it's a technical review, I think the point the Manager is making is that's not really the type of place for public comment because they are not the technicians that are talking about very technical issues, like the size of the sewer lines and things like that. Broader issues about traffic and about this, that and the other, can be addressed at BOA, PNZ, the Commission, etc., and should be. I worry about a chilling effect on staff as well and on people that are there to give technical comments that they feel the pressure associated when you have neighborhoods that are, frankly, passionately against the project, and that's okay, they should express that, but I think they could express it to the people who will make the decisions on the issues that they are concerned about, as opposed to the smaller technical issues. And again, understanding that they can still submit it in writing. So, to Commissioner Anderson's point, if there is something about ingress or egress or things like that, that there could be helpful comment, it should be submitted in writing and should be considered, and to your point, e-mail shouldn't fail, obviously it sounds like it did, and if it does, we should have some sort of contingency plan for that. But ideally, you have the comments submitted in writing and they'll be considered by the people as part of that meeting. I'm not against it, its okay. At some point we need to have a process that's a little more efficient than maybe it is, and there are plenty of

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opportunities for public comment on these projects and we should continue to have that. It just doesn't need to be at every single step of the process. I'm not sure it does.

Mayor Lago: You know what I think is good that came out of this discussion, first the discussion is good, but number two is the fact that, there is opportunity to be heard at the BOA and I wasn't aware of that. There is a lot of misinformation out there that's being published and sent to thousands of people, and to me, it's a shame, when we start moving in that direction where we are basically influencing people based on misinformation and e-mails that are being sent out, which again, they don't serve the city well; they don't serve the city well and we spend our time having to correct the record. I know that Maria Cruz wanted to say something on this issue. If you would be so brief. Thank you.

Ms. Cruz: I think there is an issue, and the issue is, most of the boards meet and its up to the chairman to allow people to speak if they want to. I think it was absolutely wrong to preclude the people from speaking, its should have been left like it's been. I have seen, you know I watch Zoom a lot and, for example, the last DRC there were some issues that came up that I would have liked to say, you know what, the residents would not like to give the developer a part of a street, okay, and we couldn't say anything. So technically that's not a bad thing, looking at it technically. But from our side, you know the street is ours, we don't want to give it to anybody.

Vice Mayor Mena: Can I talk to you about that Maria, and I'll let you continue. I just want to address that example. The problem is that it's not DRC's role to say, well does the residents want that or not. That's not their role in the process. There is a process and the resident's input on that point should absolutely be factored before a final decision is made on the project, but its not the DRC's role to effectuate the will of the residents, that's not their role. Their role is to technically say, well, you can move this lane and if you do, you can move it 10 inches, but not 12 inches, and things like that. It's a technical discussion, and so, I appreciate that concern from a resident, that's a very fair concern. Its just not that committee's role to weigh that and make a decision based on it.

Ms. Cruz: But the problem is that once they go through that, they leave there thinking that its okay to move the street. So instead of shortening the space, shortening the process, the process is going to get longer, because eventually we are going to go to BOA or whatever and challenge that.

Vice Mayor Mena: But at some point, you know what, it's a fair point, at some point that is on the applicant. If the process takes long for that reason, if the applicant didn't go get public input, and then at the end when they get here there is an issue on something like that, that causes a delay, then I don't feel bad, because they should have gotten that public input to begin with, and they should have spoken to – they could have addressed it at the Board of Architects, they could have addressed it here. I appreciate – I agree with everything you are saying. My only point is, I don't think it's that committee's role to say, yes, you can technically do this, but the residents don't want it. That's not their role in the process.

Ms. Cruz: But maybe they could show both sides. They could say, you know if you do this, be aware that there may not be an agreeable, you see what I'm saying. Instead of allowing them to leave there thinking, oh yes, there is no problem, and yes, there's a big problem.

Commissioner Fors: Quick point and I just want to emphasize that, just like the point you're making, I think we discussed before is that, why have public comment to that particular committee when they are not the ones who decide to approve moving that street or closing that street. Just like they can't be the ones to, just like they are not the ones that approve it, they also can't say that you can't move the street. So, when you give them public comment its almost like, they have no role in going one way or another on it. Their response probably in their mind is e-mail your Commissioner about it. Tell them you don't want the public here.

Ms. Cruz: But you know the perception is, in the eyes of the people that are presenting the project that they are doing the right thing and that there are no issues, because even though the DRC does not approve, okay, you bring me something, go ahead, it doesn't mean that I approve, but in your eyes, in your mind its fine.

Vice Mayor Mena: I think you're selling them short. I think they do know, and I think that anybody that tells you the opposite is not being honest, because they should know better than to think that because DRC said they could technically do something that, that means that this Commission will absolutely approve. We've seen that time and again that that's not been the case.

Mayor Lago: Ms. Cruz, Commissioner Menendez wants to say a few words.

Commissioner Menendez: Ms. Cruz, thank you, always a pleasure to see you. You always add important issues to the conversation. My concern and just by observation is that, if you have a problem with your eyesight you don't go to a cardiologist, if you have a rash, you don't go to a neurologist. Each committee has a specific finite authority under the Charter, under the Code by which they are supposed to rule, opine, approve, deny. And I'm fine with the public being able to speak on any matter in any form, in any way. What I've observed, no fault of the residents, no fault of the Commission, just human nature is that some committees, some boards after a while of listening to a broad array of issues, not necessarily in line with their authority, sometimes those boards start thinking, well, then we can opine, and we can pass rulings on those other issues, and all of a sudden the board that has a specific agenda, a specific role by our laws, all of a sudden they start going in and branching out. What happens is, it muddies the water, and it creates confusion. No fault of the residents, no fault of the Commission, its just human nature. So, if we are able to at least contain the comments for discussion within the parameters of that board, I see that as a good thing. Its when we branch out, it muddies the water and creates confusion. That's my observation.

Ms. Cruz: Since we have several attorneys here, before this resolution it didn't say that there was no discussion. It just said that you would solicit public comment. Soliciting and allowing are not words that mean the same. So, the problem began when we passed something that says, that it will be not allowed, as opposed to, if the chair, you contact the chair and you tell him the issue and the chair can decide, like many boards. Many Commissions, public comments are not given, the chair  
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has to say, go ahead. That's what the issue is here that we added something that was not there and should not have been added.

Commissioner Fors: Then the problem was compounded by the fact that we permitted it in writing and that that didn't work.

Mayor Lago: And the problem is compounded because, number one, what the Commissioner is trying to explain is what you see is mission creep; mission creep is an expansion of one board's role and becomes all-encompassing. Now you're talking about aesthetics when you are not even involved at the BOA. You are talking about – that's not what should happen. You also see what happens in an e-mail that was sent out to thousands of people this week where it says, in the BOA there is no public comment. We just found out here on the record there is public comment. So now you have people saying that BOA does not allow public comment. Just like an e-mail that I did not violate the Sunshine Law, just making sure we put that on the record, and I responded to an e-mail that was sent to me and I responded to everyone on the Commission that was copied on that e-mail talking about a certain project's FAR that was outside of the zoning code. I had to explain that that project's proposed FAR was in line with the zoning code, and that there was no variance being requested or there was no increase, that's the zoning code, that's how the code works. You are allowed a 3.0 as per the project, you are allowed .5 as a result of the Med Bonus, and you are allowed an additional X amount to get you to 4.375 based on TDR's, which are conditional use and are approved by this Commission. That is the zoning code, that is the existing zoning code. So, we have to be very, very careful, not only as a Commission, but also as an organization and residents in this community, what we are putting on the record and we are sending to thousands of people, because the misinformation runs rampant and now, we have to correct it on the record, when we shouldn't have to correct it on the record. I don't have an issue with public comment on DRC in the beginning, like we do on the BOA, one minute, 30 seconds, put your comments on the record. Make sure they are relevant comments. If you are a civil engineer and you want to talk about the pipe distribution or the magnitude of a certain pipe – perfect. If you are a road, if you are a person who deals with road paving and you want to talk about different quality of the road pavement, alright, let's talk about that. But I don't want to talk about certain things that are not part of that board that should be discussed in zoning or should be discussed in other boards that carry significant magnitude. I don't want to deviate from the discussion I had at the DRC. That's my opinion.

Ms. Cruz: I agree. The way the BOA does it is very good, because they do it at the beginning and even if you have something to say later, sorry, you already did. And that's all I'm saying.

Mayor Lago: Like the Vice Mayor said, you have multiple bites of the apple, you have multiple bites of the apple at Planning and Zoning, you have multiple bites of the apple at Commission. How many times do we allow people to speak here over and over and over again? These projects have not one, but they have two readings. You have a public meeting which is put on the record, as Ramon has put up. For example, we are going to talk about the zoning code in a little bit, an item that I have here on the agenda we need to discuss. The zoning discussion ten years ago had 32 meetings from what I remember, and that we'll discuss in the Med Bonus today at 5 o'clock. So, there's an example, we are as transparent as we possibly can, but if there's an issue in regard

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to DRC, I don't have a problem mimicking the BOA, but it has to avoid mission creep, and it has to be very, very clear.

Ms. Cruz: And by the way, don't bring up the meetings because meetings with staff don't count.

Commissioner Anderson: One last follow-up point. A lot of this may be mute, if conceptual review is taken advantage of by the proponents for the projects, because they are at BOA, the public comment can be made on the issues that most residents bring up. But if we can enable a chat session, I think that will address most of the issues. People may have some questions. They may want to ask once the presentation is done and therefore the reviewers can be looking at those questions during the process itself, and hopefully the e-mail will begin to work. The purpose of the August resolution...

City Manager Iglesias: Commissioner, the e-mail was an anomaly, and we'll make sure that there is a backup system to that, but I think that's a technical discussion that should be handled freely, look at different issues. For instance, where is the best egress or ingress for that building.

Commissioner Anderson: And I agree with you, but I just wanted to correct one thing.

City Manager Iglesias: Are we discussing by taking parking away, we certainly want to minimize that. So, there's a discussion there on all technical aspects of that project. For instance, traffic and those things are handled by our traffic engineer, our transportation engineer. So, I do think that that meeting really is a technical meeting and the Mayor made a very good point that the Mediterranean issues are not in that, that's a Board of Architect issue. So, you can take a meeting and take it to a point that its not what that meeting is intended to be.

Mayor Lago: Its derailed.

Commissioner Anderson: That's not my point. The City Architect was there at the last DRC meeting and did make some comments in writing regarding the Med Bonus. So, it is looked at, but I just wanted to state that the purpose of the August resolution was not to limit public comment, we actually opened it up more. We had e-mail ability and I'm just asking that, we had failure of e-mail, we need to pivot. We need to have a chat capacity as well, and if all that fails then we need to pivot again.

City Manager Iglesias: That is an anomaly and certainly we can have...

Mayor Lago: So, Mr. Manager, will you do me a favor, for the next Commission meeting, just put an item on we'll address pivoting if we have a failure like that, which is again, not common, happens once in a Blue Moon, but maybe a Chat is an option that we could find a way that residents and businessowners could engage with staff and say, hey listen, you didn't read my e-mails, my e-mails didn't go through, I want to put them on the record.

City Manager Iglesias: We will do that Mayor.

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Vice Mayor Mena: One last point as we are talking about that. We are talking about things like ingress and egress. We make a final decision, I want to know where the experts, the technicians think an egress point should be, and then I can weigh, if the residents disagree where they think it should be. I don't necessarily want those things...

Mayor Lago: I'm going to take it a step further. Nobody was on this Commission when you did this. So, the Vice Mayor a few years ago implemented a piece of legislation, which requires developers to pay for a separate parking study, traffic study, so the developer has to come with two; one that they pay for which represents them; and then one that they pay for and the city controls. Why did we do that? – because we wanted to have an independent, non-biased traffic study that was paid by the developer, but that the city controlled, that the city chooses the individual and we did that, to make sure that we weren't getting traffic studies that we, not that we didn't trust, but that we felt that could be potentially less biased. So, there are a lot of things that we don't talk about, let's give credit where credit is due that are already in place to ensure checks and balances. Let's move on.

City Clerk Urquia: Just really quick. For this specific DRC meeting, the Planning Department opened e-comments for their agenda prior to the meeting, which means the public was able to submit comments on anything they wanted to, and that was working online. They allowed for e-mails to be sent directly to them and the e-mail address that had the issue was corrected the very next day, a resident brought it to our attention, but IT fixed it, as it was a matter of a setting that something was wrong.

Mayor Lago: I'd like to make sure the e-comments are available.

City Clerk Urquia: They are available before every agenda.

Mayor Lago: Make sure we publish that, that you can do e-comments, that is available for your use.

Commissioner Menendez: And if possible, if you can come back after the next DRC meeting to report to us how many comments or e-mails were submitted, and how many were read into the record.

City Clerk Urquia: Will do.

Mayor Lago: I want to keep track of those during the meetings, because I'd like to see how much engagement we really have. Obviously, when it's a more contentious project or a large project that's coming down the pipeline, you have more people attend, but I want to make sure we keep track of that, okay. Thank you. Moving on, we'll close the Mayor's Comments, and we'll move on to the Consent Agenda.