

City of Coral Gables City Commission Meeting
Agenda Item F-9
October 26, 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

Public Speaker(s)

Maria Cruz

Agenda Item F-9 [Start: 11:21 a.m.]

A Resolution of the City Commission authorizing an extension through November 9, 2021, of a Zoning in Progress related to the incentives and/or bonuses provided in Section 5-200 of the Zoning Code “Mediterranean Standards,” for new commercial, mixed-use, and multi-family projects; and providing for an effective date. (Sponsored by Commissioner Anderson)

Mayor Lago: Moving onto item F-9.

City Attorney Ramos: F-9 is a Resolution of the City Commission authorizing an extension through November 9, 2021, of a Zoning in Progress related to the incentives and/or bonuses provided in Section 5-200 of the Zoning Code “Mediterranean Standards,” for new commercial, mixed-use, and multi-family projects; and providing for an effective date.

Commissioner Anderson: The purpose for this is just to get us to second reading on what we just voted for, a place marker.

Vice Mayor Mena: Second reading on what we just voted on.

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Agenda Item F-9 – Resolution authorizing an extension through November 9, 2021, of a Zoning in Progress related to incentives and/or bonuses provided in Section 5-200

[Date]

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Commissioner Anderson: Right. So, continue the zoning in progress until the second reading on November 9th.

Commissioner Menendez: I want to comment.

Commissioner Anderson: You may comment.

Commissioner Menendez: Last time we spoke, and we voted, my concern was that we get the message out there that the city is not open for business, because merchants and others, talked to Chamber of Commerce personnel. It's created some confusion, we all know why we are doing it, why we've done it, but I think at this point we are doing our best to sort of kick-start our economy locally. We've got a unanimous vote first reading. I'm comfortable that we are going to get there, the finish line. I would imagine unanimous vote second reading. I'd like to, perhaps reconsider, perhaps not extending it, because we've got the job done, but I don't want to extend the confusion that may be out there about what we are doing as a city.

Mayor Lago: I think you said it. I think you articulated it very well; and I think also, I want to send a message that there is faith and trust in the Commission, that the Commission is going to do the right thing. And that staff understands the importance and the BOA understands the importance of holding everyone accountable before these bonuses are even considered to be granted, that the design has to be at the same level as being requested in regard to these bonuses. So, I'm with you and I agree, and I think your comments are spot on.

Commissioner Anderson: Here's my concern and City Attorney can comment and weigh in on this as well. People think they have vested rights and something that's currently on the books, as opposed to what we've already passed on first reading and we get to second reading. The point of the Zoning in Progress is to say, listen, you don't have any vested rights in any and all architectural styles, you are going to have to comply with a new ordinance. That's the point. I don't think it sends a message that we are not open for business, because everybody that is processing their applications through the Board of Architects and Planning and Zoning are fully aware of that and signed waivers and...extends waiver requirements when they are submitting their progress. They are going to need to comply with the new ordinance that we are proposing. So that's the sole purpose of this is to make sure that the Mediterranean ordinance promotes things that are Mediterranean, as opposed to any and all architectural styles.

Commissioner Menendez: My concern wasn't so much in the realm of real estate or development. Its folks outside the realm. They see in their minds a moratorium and they don't understand that its limited strictly to projects, Planning and Zoning, and like I said, I've spoken to the Chamber of Commerce personnel, they've gotten phone calls, what does this mean to me, I'm a merchant. Once its out in the public realm there is some confusion. My question to the City Attorney, are there any items or projects that are scheduled to be approved between now and second reading?

City Attorney Ramos: I don't know. There's going to be two Board of Architects meeting, one on the 28th and one on the 4th. Mr. Trias can say what he thinks is going to be on those agendas.

Commissioner Menendez: Whether we have it or don't, it doesn't prevent the Board of Architects from approving or Planning and Zoning from approving it?

City Attorney Ramos: The only difference is that for Board of Architects, we've been having big projects at least submit a hold harmless. It says that they understand that there's a Zoning in Progress and it could change and that that approval may not be valid.

Vice Mayor Mena: I'll be a no vote on this. I think I said last time that would be the last time I extended it. I'm not sure if I did, frankly. More than anything I think that moratoriums we should use them very reluctantly. I don't think – I think they should be reserved for issues of emergencies or urgency. I frankly don't necessarily think that this issue rose to that level. I think we did it as a matter of respect for the process that we were going to be engaging in. I think that process is now really concluded as far as the Blue-Ribbon Committee's work. And so, I don't think its necessary, more than anything, and then I don't want to create an environment where every time we go to evaluate something, we put a moratorium on whatever we are doing. I don't think that's really how government, in my opinion, should work. I think we just keep evolving and keep working on things and work to improve the process and we will keep doing that. So, I would at this point I'm ready to move on from this Zoning in Progress.

Commissioner Anderson: Mr. Trias, I have a question for you. Do we have anything that's going to be pending for the Board of Architects or Planning and Zoning that would not qualify under the current proposed, that we just voted on, version of the Mediterranean ordinance?

Planning and Zoning Director Trias: I don't think so. I don't believe so. I think that one of the good things about this discussion is that people are really taking it seriously now and the projects we get do comply with the requirements better. So, I don't believe so. And again, the way I understand it, the only practical or the only legal limitation is the Commission's action. So, we continue to go through Board of Architects and Planning and Zoning as needed. And like I said, I think the projects have really, really improved and the applicants have taken this very seriously.

Commissioner Anderson: I had some comfort in the waiver that they signed, in order to be able to – they are recognizing the fact that the ordinance was changing, that they new they didn't have a vested right. If we don't have anything pending right now at all.

Planning and Zoning Director Trias: Nothing that by November 8th, I don't believe so, no. And to the Vice Mayor's point, I think the board is actually doing a much better job also already, trying to be more responsive.

City Manager Iglesias: It truly was an execution issue and I believe that's been corrected.

Vice Mayor Mena: I think the big projects, a couple that are out there anyway, are going to end up here.

Planning and Zoning Director Trias: Absolutely.

Vice Mayor Mena: So really, we continue to have control over what it is we want to see there or don't want to see there. So, I'm not too worried about that happening between now and the next meeting. In fact, they can't come to us before the next meeting, and so.

Commissioner Anderson: On that note, and with your assurance, I'll just ask the Mayor we'll just take this off the agenda.

Mayor Lago: Perfect. Thank you, Commissioner Anderson.

Vice Mayor Mena: I think there was a comment.

Mayor Lago: Excuse me. Ma'am the floor is yours.

Ms. Cruz: I have a comment and I'm going to tell you, under this administration, under this group of elected officials, I think I can go with this business of trust the Commission, but you know what the problem is, we have been burned so many times, you know the citizens, the residents. I mean, if we could count how many times we have trusted and then things have gone in a way that we did not want. This is why where you are now, because you know what, we have trusted before and we have not gotten what we wanted, okay. So, having said that, as long as I heard Ramon and you know I read minutes and when I find discrepancies I jump, okay, because sometimes we hear things here and then what we see, in fact, is a little different, and we have to hold people's feet to the fire. And I want you to know that there is a serious discussion going on in this city, as I speak today about putting together a referendum to tie the hands of the elected officials, as to what the people want, as to height in this city, and the research has been done and attorneys are being contacted. I'm just letting you know that as well as you have said you are taking it seriously, and the boards are taking it seriously, they people that pay the taxes are taking it very seriously, because we do not want what has happened on Ponce with the Plaza, to happen in other places. And we are going to do whatever, and I'm going to tell you, I'm not leading the way, I'm just telling you what's going on. I'm telling you that we are not going to have another Plaza in this city, if there is a way that we can stop it, and research has been done because there are other places in Florida where people have put referendums in place and there are places in Florida where the maximum height is 4 or 5 stories, because the people spoke and its held in court, okay. So, I'm just saying to you, please, please, remember that you answer to the residents, to the taxpayers, and that we do expect you to act like that. We're not saying we want you to agree with us all the time. I'm going to tell you a perfect example, the Coral Gables Neighbors put out a letter arguing about a project, and the other day we said, you know, hello, it's the best we can get, its pretty nice. We are going to remove that letter. So, we want to work with the developers, okay. We want you to work with the developers because you also want the developers to work with us that you had discussed today.

The 100 Miracle Mile is a perfect example. There are things that can happen that get the neighbors on the right place, not everything we want, but we cannot expect everything we want.

Vice Mayor Mena: This is the 100 Miracle Mile with the 43-foot building on Miracle Mile?

Ms. Cruz: This is the one about having the little building in the front.

Vice Mayor Mena: I would just say, I think a lot of the lack of trust that exist is also because of misinformation put out there by a lot of people.

Ms. Cruz: That's okay, but...

Vice Mayor Mena: Actually, let me take that back – by a few people.

Ms. Cruz: Okay. I was going to say...

Vice Mayor Mena: And we have 50 maybe closer to 60,000 residents that we represent, they are not all as engaged as you and many others.

Ms. Cruz: Right.

Vice Mayor Mena: But they still vote, and they still live in the city, and we still serve them. And so, I stand by most of the decisions this Commission has made. I think we've taken decisions that always account for the input from the residents.

Ms. Cruz: Did you hear what I said?

Vice Mayor Mena: I did, but you also cited to an organization, I'll be honest with you, you also cited to an organization, and I recently pulled its opposition to a project as some gesture of good faith and that organization has put out a lot of misinformation over the years, including about me and my colleagues, and so, all I'm saying it goes both ways.

Ms. Cruz: There are other people involved.

Vice Mayor Mena: That's important to keep in mind.

Ms. Cruz: Listen, at this point there are other people involved and there is a...of some sort and we are trying to get people in the middle.

Vice Mayor Mena: And the last point, and the last point, since the latest in a long line of looming threats is apparently a referendum, we have laws and rules, there are laws and rules for referendums. If somebody wants to do a referendum, I encourage them to do it, because its part of the democratic process.

Ms. Cruz: Correct.

Vice Mayor Mena: And our rules and regulations as are elections and as everything else that's available to them in this beautiful country with this amazing democracy that we have.

Ms. Cruz: So far.

Vice Mayor Mena: And if they want to have a referendum, I hope they avail themselves of what the rules provide and I wish them luck in that process, and we will continue to serve this community as best we can.

Ms. Cruz: And you heard what I said at the beginning. The problem is that now people can come here and talk, and people are listening, but since we've been burned before, we don't want to be burned after, and that's why we're saying, thank you because you are listening.

Vice Mayor Mena: I don't think you've been burned by any of the five people up here serving this Commission.

Ms. Cruz: No. Listen, we don't have guarantees that you all will be here forever.

Vice Mayor Mena: That's true. That's true.

Mayor Lago: Go ahead Commissioner Menendez.

Commissioner Menendez: You said something very important and I'm glad you mentioned it, bring people to the middle. What you said made me reflect on just today. When we make decisions, we open up our minds and our soul to the community as to what we're thinking and why we are thinking, and we reach an agreement that, perhaps in other places they don't agree, because we're really trying to do the right thing in a thoughtful, careful approach. And being burned, I get it, but sometimes the people being burned bring the lighter fluid to the bon fire, and what I ask of you and – I wish all residents were as active as the follow through as you do, but we need to find – help get the word out. If we approach things in a civil manner, we can all win, but unfortunately there are people out there that don't want to win, they don't want a win-win, they want their win, and at the end of the day the city loses. So, we're here to make it work and hopefully, hopefully, we set the standard, so the day that we're no longer here, that standard set on how to conduct government, and how to interact and that's maybe our legacy. Maybe we have these few years to set the standard and leave a legacy of civility, so that our City Beautiful can always be beautiful.

Ms. Cruz: All I can tell you is, you all need to be open to the idea that we, and I speak for myself and I think I've proven the point, we want what's best for the city, and this is why, and this is why I spend the amount of time, and you know that I have never opened my mouth till I have checked it before, because I don't believe in giving wrong information, okay. So, my whole point is, thank you all, because you are listening, thank you because you are willing to take an extra step when necessary, and so far, so good. Thank you.

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Mayor Lago: Thank you. I also want to thank the Vice Mayor and the Commissioner for their comments on the record. One of the things I've mentioned before, and we continue to have less of today is the issue of misinformation. I dealt with that yesterday with a resident that I spent close to 20 minutes on the phone with, addressing the misinformation about traffic calming, and the traffic calming that we continue to embark on, which we are addressing, which we are implementing in neighborhoods, but there seems to be now this message that we're selectively installing traffic calming, and that's coming, obviously from certain people in this community that will go nameless. But I think that we can do much better. I think that we can do much better and the truth will always prevail. If you ever have a question, if you ever have a concern, reach out to the Commission. Your entire Commission is here for open door Fridays on Fridays. You can reach any Commissioner by e-mail, by phone call. They will return your call. You can reach the Manager, or you can just visit us here at City Hall whenever you'd like. There is an opportunity to have a transparent dialogue between the city and the residents and the business community and we all welcome it. This is a completely different Commission. There is no time clock. People will not be gaveled down. People will be respected. We will have a dialogue, even when its in disagreement, but it will be a dialogue that is based on respect, and we welcome it sincerely. Thank you.