

City of Coral Gables City Commission Meeting
Agenda Item D-4
November 18, 2008
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael “Ralph” Cabrera, Jr.
Commissioner Wayne “Chip” Withers

City Staff

Interim City Manager, Maria Alberro Jimenez
City Attorney, Elizabeth Hernandez
City Clerk, Walter J. Foeman
City Clerk Staff, Billy Urquia

Public Speaker(s)

Jorge Freeland, President of Hammock Lakes I and II Homeowners Association
Joyce Newman, Coral Gables Resident (Santona Street)
Joan R. Bradford, Coral Gables Resident (Balada Street)
Philip L. Brawner, Coral Gables Resident (School House Road)
Richard Namon, Coral Gables Resident (Oakwood Lane)
Blackwell Stieglitz, Coral Gables Resident (School House Road)
Ofi Fernandez, Coral Gables Resident (Banyan Drive)
Cristina Brochin, Coral Gables Resident (School House Road)
Steve Halegua, Coral Gables Resident (Oakwood Lane)
Darryl Robinson, Coral Gables Resident (Hammock Park Drive)

D-4 [Start: 11:06:52 a.m.]

Jorge L. Freeland, President, Hammock Lakes I and II Homeowners Association, Inc., requesting removal of certain condition on Resolution No. 2008-54 (as amended), passed and adopted by the City Commission on April 29, 2008.

Mayor Slesnick: We have D-4. All those people intending to testify or make presentations on behalf of, or against, or about D-4, please stand, and Mr. Clerk, if you'll swear everyone in.

Mr. Clerk: Do you solemnly swear or affirm that the statements that you are about to make here today will be the truth and nothing but the truth?

Mayor Slesnick: Thank you. I assume I couldn't hear, but I assume everybody said I do, so thank you all. We have D-4, Jorge Freeland.

Mr. Freeland: Good morning Mr. Mayor, Commissioners, appreciate the opportunity, and thank you for allowing us to come before you again. The issue before us today, as you may recall last spring was that we had a City resolution approving development of a taxing district for the homeowners of Hammock Lakes to construct a guard gate. At the time that we passed it, there was a stipulation in the resolution that the existing taxing district regarding a roving patrol not be affected or disturbed in any way; and when I spoke to you last spring about that I gave you my assurances that it was never our intention to affect the roving patrol. Over the course of the summer working with the City and with the County, the County has come back and said that they cannot agree to a City resolution with any sort of stipulation that it has to be a resolution without any stipulation affecting the taxing district. Now I don't know the reasons why the County came up with that. I think we circulated the City, the City Manager, and the City Attorney, the correspondence from the County. So the only thing before us today is to remove the stipulation from the prior resolution; and I want to make it absolutely clear to you this morning that our intention is not in any way to affect the roving patrol. The roving patrol is a critical part of the safety of both the Hammock Lakes Homeowners Association and the Banyan Homeowners Association; and there is nothing before you today that affects that taxing district. Moreover, as you are probably more aware than I am, you don't have the authority to affect that taxing district; the taxing district is a County taxing district. So we are not asking you today to affect the taxing district and the roving patrol specifically in any way.

Mayor Slesnick: Mr. Freeland, I'm not going...we'll come back to what you want to say, I just want...your comments raise a question that I am, seems to me to be a simple question; Madam City Attorney...?

City Attorney Hernandez: Yes sir.

Mayor Slesnick: If we would change the resolution and remove the roving patrol from the resolution, could we not enter into a separate agreement with the taxing district that they commit to the City?- I mean, in other words, our purpose was to assure the residents who came before us that there would be a continuation of the roving patrol, that's our purpose, and our purpose is to assure them the best way we can. We made it part of the resolution for whatever reason, who knows why the County objects to that, if we were to change the resolution, but to enter into a separate agreement with the taxing district stating their commitment, making it in writing, putting the seal of the City, I mean, is there another way to do exactly what we did and move forward?

City Attorney Hernandez: Mr. Mayor, I would have to review that issue and bring it back to the Commission, but my initial opinion is that it would be an unenforceable agreement, because the taxing district for the roving patrol is by and between the homeowners and the County; and you know, there is no contractual agreement that we can enter into at the present time that would be binding upon them, but I'm happy to review it, and perhaps there is a way to come back and enter into some sort of either interlocal or issue that could be addressed, but...

Mayor Slesnick: Well, unless that we can determine that now, we'll go ahead with the presentation and the comments, but go ahead.

Mr. Freeland: Thank you Mr. Mayor. So in any event, the purpose today is to ask your permission to remove this stipulation on the prior resolution. As you may recall, and just to summarize from last spring, we conducted a poll of the homeowners of Hammock Lakes; there were fifty-five (55) homes in favor of developing, creating this new taxing district. There were six against, that's out of a total of seventy homes. So what that reflects is that nine homes did not vote or were not able to be contacted. I come before you today representing those fifty-five homeowners; people have already spoken; they have already articulated a strong desire to have that. In today's environment since we met last, crime has increased. We've had greater problems I think primarily as a result of this economic crisis that we are in, and the homeowners are even more adamant about trying to develop their own safety. So this issue is even more pressing than it was before, more important to all these homeowners. I have since also spoken with the head of the roving patrol, the Lieutenant Police Officer in charge of it, and he recognizes and we recognize the importance of maintaining the roving patrol for the protection of our residents. Now, I don't know if you want us to recap all the prior discussions that we had, or whether you'd like us to focus on this issue?

Mayor Slensick: Thank you for asking that, and I want to make the point that the people who intend to speak it is the Commission's only business here is to consider this one issue. We are not going back to reconsider the whole thing. So, if you'll please cooperate with that, I'd appreciate it.

Commissioner Cabrera: Yeah, because quite candidly, I don't know about the rest of you, but in the last twelve hours, I've gotten about a half dozen e-mails with people writing to me about road closures in this area; first and foremost that's misinformation, that's not a road closure; and second of all I don't even know why we are taking this issue up again.

Mayor Slesnick: We're not.

Commissioner Cabrera: I know you are making a very valid point, and I appreciate your leadership, I'm just hoping that people who are going to speak will abide by your request.

Mayor Slesnick: Today we are here to consider the request of the Hammock Lakes I and II Homeowners Association to remove a condition of our Resolution 2008-54; and you've heard now what it is, it's the roving patrol. Also maybe to make everyone feel comfortable, I mean, not everyone, but is this Commission, let me just ask this question, is this Commission as-a-Whole still committed to assuring that the roving patrol stays into the future?

Commissioner Anderson: I'm going to speak for myself only. I philosophically as I've spoken then, not personally, philosophically I think it is a road closure, but we are not going to discuss that. So I don't support the removal of the condition, I think for that reason.

Vice Mayor Kerdyk: Let me say because I supported it; I do support the roving patrol being part of the overall fabric, but I did support the gate going in.

Commissioner Cabrera: I'm the guy that came up with the roving patrol...

Vice Mayor Kerdyk: Yeah.

Commissioner Cabrera:... and you know I threw the gauntlet, because it was either you or someone else that said they would never take it down, so I said OK, we'll make it a condition; and you all didn't like it, I saw your body language, and I happen to think that somebody at the County was talked to, I don't know who, but somebody at the County was talked to and I think political winds caused some of these things to occur. I'm not going to fall on the sword on this thing, so I mean, if the County is putting this upon us and saying that they are not going to accept a roving patrol, I'm certainly not going to pick a fight with the County over this issue, but I do support the roving patrol.

Vice Mayor Kerdyk: Yes, so how can we....?

Commissioner Cabrera: I support the roving patrol.

Mayor Slesnick: Well, what I'm trying to say is, I know some of you are here to say you want to keep the roving patrol; my sense of the Commission is that we are all for keeping that stipulation; we just need to find a way to do it so that you can move ahead.

Mr. Freeland: Absolutely, and as I pledge to you in the spring and I'll reiterate my pledge, I represent the majority of the people in our homeowners who want the roving patrol. So the extent that we can come up with an alternative way to give assurances to Banyan Drive and the other people to maintain the roving patrol, I'm all for it. We want nonetheless to be able to continue to move forward with our goal toward safety and getting a gate.

Vice Mayor Kerdyk: But you know I don't need to negotiate the roving patrol up here, meaning I don't need to come up with the methodology, all I'm doing that, maybe we need staff to get back in touch with them and bring it back to us again, once they have an agreement or some type of discussion with the homeowners group.

Commissioner Anderson: Vice Mayor Kerdyk, Bill, if I read it correctly it's a separate thing with the homeowners. Would they have to come up with their own separate agreement to keep the roving patrol?

Vice Mayor Kerdyk: They would have to.

Mr. Freeland: Well actually, may I suggest that we already have an agreement on the roving patrol. We have a taxing district; there is no intention to remove it, and I don't think that any of this is really necessary to give those assurances, and I've pledged my support for the roving patrol; and I think that if a neighbor took a poll of their neighborhood, they would find that the vast majority of the neighbors are for the roving patrols. So there are people who have muddled this issue and confused this, so this isn't an attempt to get rid of the roving patrol; and it's not by any means. So the point is, is that in order for us to be able to move forward with our guardhouse, we need to eliminate this stipulation, that's the only thing before us.

Commissioner Cabrera: But if you do remove it...

Mr. Freeland: Pardon me?

Commissioner Cabrera: But if you do remove it I won't forget, if you do remove it, I won't forget, because I mean...

Mr. Freeland: I can tell you we have no intention, we not doing that, and I think that for us to go to remove it would be an entirely different process.

Commissioner Cabrera: And I believe you, and I believe your good faith gesture, and I believe your honesty, and so I'm not questioning not only your integrity but your commitment, it's just that I think it's a mute point, I mean not your comments, but this whole roving patrol issue becomes now a mute point for us.

Commissioner Withers: Can they have two taxing districts...?

City Attorney Hernandez: Sure.

Commissioner Withers:...why don't we just keep a roving patrol taxing district and this is a separate taxing district?

City Attorney Hernandez: Absolutely, but when its up for renewal they can just decide not to.

Mayor Slesnick: Wait a minute, and you all signed up to speak and if anyone wishes to speak what we said please do so, if you'll just confine it to what we are talking about. But I think the Commission would like to have a recommendation from staff and from the City Attorney as to the best way to approach this where we all feel comfortable going into the future.

Interim City Manager Jimenez: We can provide that sir; we can wait for the City Attorney...

Mayor Slesnick: So at the next meeting if we could come back Maria, and tell us this is how you should do it, this is what we should do to be able to assure the residents that we have taken the steps necessary that we can take, I mean, in actuality if you all, Liz, correct me if I'm wrong, but if they wanted to stop the taxing district tomorrow, we couldn't stop them, I mean...

Interim City Manager Jimenez: That's correct.

City Attorney Hernandez: All we do is give our consent when they create it.

Mayor Slesnick: Well let me say it this way; I'd like to assure the residents that we've done everything within our ability to assure the continuation of the roving patrol as they move forward, and once we do that maybe the majority of us will feel comfortable moving forward.

Interim City Manager Jimenez: Yes sir, we can do that.

Mayor Slesnick: But I would say to the residents that are here, if you all voted the taxing district out, and the County agreed to disband it, it would be gone, and we wouldn't have anything to do to stop that. However, next meeting we will have a proposal.

Mr. Freeland: Alright, fair enough. Thank you.

Mayor Slesnick: Thank you. Joyce Newman, 1212 Santana Street.

Ms. Newman: I'm Joyce Newman, 1212 Santana Street, and I'm here representing the Riviera Neighborhood Association, of which I'm currently the President; our Board is aware that I'm here, but our members have likely not received information. On hearing the discussion right now, and in order for me to clarify so that our members can understand, I have a question which is a question, I guess, for the Attorney. I would have been under the impression that if something is rejected at the County because there is a condition on it, that it then has to be resubmitted to the County, and when it would be resubmitted that it would actually be as if it were new, is that correct?

City Attorney Hernandez: You don't start the process all over again. The City Commission forwarded conditional approval consent, and the County, not the County Commission, the County taxing authority supervisor rejected that condition and sent it back to the City. Its up to the City Commission whether or not to accept his position, or whether to reopen the matter, whether to reject then withdraw its consent, but you don't go all the way back to square one, it's the Commission is here...its appropriately before the Commission today.

Ms. Newman: Right. So the Commission could decide to start it as if it were new, or it could decide to modify it and send it back to the County.

City Attorney Hernandez: Exactly, or it could decide to just completely withdraw its consent.

Ms. Newman: OK. Then that's what I would be asking for, and if you'll just permit me a minute then. Our members use these roads as an alternate route to and from Old Cutler. However, even though we as nearby neighbors do drive through these streets, I heard your traffic consultant stated at the last meeting that cut through traffic is not a problem. I also heard the Police Officer state that crime there is not a problem. Even if there was cut through traffic and/or a crime problem that would be no reason to close public streets. Many of us have traffic safety and crime issues in our communities. We do not address them by isolating ourselves; instead we work with our neighbors, the City and the entire community to address the problems. There is absolutely no reason to close these streets except to raise property values for the Hammock Lakes community. Car traffic is not the only public safety issue; for anyone who happens to have an emergency health situation while south of Hammock Lakes Drive, a road closure could be a matter of life and death. As a RN (Registered Nurse), I know that people do not call an ambulance, that's why we are always hearing call 9-1-1, do not attempt to drive. Still people invariably put the heart attack victim or the bleeding family member in their car and head to the hospital; they think it would be faster. At times it may. I called today and I know there is no emergency vehicle at Matheson Hammock Park. As I have a boat at Matheson, the scenario I envision is an accident at the marina, where the people involved will think that emergency vehicles are miles away; they

will hop in a car, get stuck behind traffic on Old Cutler, backed up from Kendall and have no alternative route to the hospital. In that case private profit could result in a death. On a lighter side, our members are looking forward to improvements and access to the one hundred acre portion of Matheson Hammock Park at the end of School House Road, which the County is planning to open for public use, and this is new since the last meeting and would be reason for you to consider this as a new issue. If these streets are less accessible our members and residents from other areas of the Gables would lose two direct and unobstructive routes to the public parkland; a guardhouse is not welcoming. I understand that the other Coral Gables Park, which is inside a community that is now gated, is not used by those outside of that immediate community. Hammock Oak residents would be having a public park as their backyard, and by restricting others from accessing it profit once again at public expense. As an aside, it takes an hour to walk from Riviera Park to the beach at Matheson Hammock. All of the Matheson Hammock Park area is my neighborhood park for my community. A street closure and gating would likely again raise property values for the gated homes, but at the expense of all your other citizens. It would sacrifice the quality of life for many for the profit and lifestyle of a few; a public loss for purely private profit. The Riviera Neighborhood Association asks that you do reconsider this issue, and ask that you vote to protect the interest of our members and of your broader community by voting against this time for the street closures. Thank you.

Mayor Slesnick: Helen Bradford, 9315 Balada Street.

Ms. Bradford: Good morning Mr. Mayor, Commissioners. I've lived in Old Cutler Bay for forty years, and my children grew up with two of the Commissioners, and this is mute because I've already heard what the discussion is, but my whole area thinks that there is going to be a gate at Hammock Lakes Drive that we can not go through; most of us do not know that it is going to be a gatehouse, if it's a gatehouse it's a different issue, but I urge you not to close that gate. Many times we can not get out of our area as a safety issue when there is a storm except going through there, through Hammock Lake Drive, and I think it's a real hazard to those of us who live on the other side of Old Cutler Road. Thank you.

Mayor Slesnick: Philip Brawner, 9100 School House Road.

Mr. Brawner: Good morning Mr. Mayor, Commissioners. I come primarily to try and set two things straight. One, I know Mr. Freeland is committed to not abandoning the roving patrol, however within the last two months we've received a, at my home at 9100 School House Road, a letter being circulated recommending that we do terminate the roving patrol. The roving patrol is less attractive if you have the gate. It isn't just a gate as I understand it, Hammock Lake Drive will be barred by a permanent gate that can only be unlocked by the Police or Fire and not by any other person travelling. So that it is effectively a wall. As far as somebody as Mrs. Bradford would see it, she will see it as a wall that she can't get through that street. The other thing is, Mr. Freeland stated that it was the unanimous opinion; I can tell you that at the meeting at which some of the petitions were delivered concerning the gatehouse was a very large meeting; it included the Hammock Lake Banyan Drive Association. Now, the nature of these associations is that everybody in the Hammock Lakes I and II Association also falls within the Hammock Lakes Banyan Drive Association. So essentially, the meeting of that organization was everybody in the community. It was unanimously stated by other people including Mr. Freeland that the purpose

was never to do away with the roving patrol, but what I see is that later after this gets this far down the line, there is hidden away in somebody's heart, a desire to do away with the roving patrol, and that, that issue will come to the fore if the present resolution is passed and the condition is amended and taken out of the approval by this group. I thank you. I ask you to vote against the resolution.

Mayor Slesnick: Richard Namon, 5555 Oakwood.

Mr. Namon: Thank you...[inaudible – off mike]...the roving guard...[inaudible – off mike]...the residents were concerned that if a guardhouse was built, and people then started to receive the bills for their annual guardhouse, that some of the people would say well our guardhouse is sufficient and will opt out of it. I personally don't care whether there is a roving guard or not, but for the group, for the large group, it doesn't make any sense, and I would request that you not pass a resolution deleting the roving guardhouse, instead I would suggest that you look at a creation of a two-tiered tax district; one lower tiered just pays for the roving guard, that included everybody, and a second tier those which would be affected by a guardhouse pays for the additional cost. That way the conflict that the County sees would be avoided. The County sees you trying to tie one tax district into a separate tax district, and that's what they are objecting to; I don't think they would object to a two-tiered tax district. Thank you.

Mayor Slesnick: Blacky Stieglitz, 8820 School House Road.

Mr. Stieglitz: Mindful Mr. Mayor of your admonitions, you know where I stand on this; I think the whole issue is not well taken, but be that as it may, I think the Commission has not heretofore faced up to the realities that the presence of this roving patrol in our neighborhood is a substantial lid on the prospect of crime. We live in a very low crime area in that area, but you have lid on top of that a very low presence, Police presence in that neighborhood, with the new, I forget what they call it, way the Police Department is organized so that you have these pods; we have a very, very low Police presence in our neighborhood, which translates into very low cost for the City of Coral Gables for Police protection in our neighborhood. Now, who pays for what?- we believe there is adequate Police protection down there, we do, and I simply stated it seems to me, if you remove this restriction in the resolution, what you do is to cast the burden of Police protection in our neighborhood onto the broader citizenry of the Gables, and whereas now at no cost to the Gables, we have a roving guard patrol that is providing Police protection. Why would...how does that make any sense?- and I ask that rhetorically, not expecting a response, but be that as it may, we have no Police problem now, we don't want one, we don't want you to remove this, and I have to join with Mr. Brawner, who previously spoke, the representations that have been made here today about, we don't want to do anything to the roving patrol, simply are not borne out by the conduct of the proponents on this resolution. They continue to agitate in favor of removing this, in fact, doing away with this Special Taxing District that supports the roving patrol; and the reality is that that place is at risk, a whole group of people who have nothing to do with this street closure issue, it's the Banyan Drive folks; and if you remove this restriction the next thing you can count on, the next thing you are going to be looking at is a petition to do away with the Special Taxing District that supports the roving patrol; and the people on Banyan Drive can't support it without us. So I urge you for every good reason – budgetary, safety, and really just basic fairness. You saw it before, Commissioner Cabrera, you

placed the Commission there because you saw it too that these folks are not committed to keeping that roving patrol; and I urge you to maintain that position so that we continue to enjoy the benefits of Police protection. Thank you.

Mayor Slesnick: Thank you. Ofi Fernandez, 5441 Banyan Drive.

Ms. Fernandez: Thank you Mr. Mayor, Commission, Interim City Manager and City Attorney. I am on Banyan Drive; I am one of those neighbors that will be severely affected if the roving patrol is eliminated. Mr. Freeland said he represents Hammock Lakes I and II; I'm not exactly sure when those meetings took place, we were never invited, because we are not on the lake, our house is on Kendall Drive, so we are on Banyan and Kendall if you will. So I don't know when all these votes were taken in the neighborhood because our side was not included. If the roving patrol is discontinued, we will have security issues much more Police presence needed in our neighborhood; our cars have been "egged", our things have been stolen out of my car, we have had people in our backyard, and whenever we call Coral Gables Police, and the one that comes is the roving patrol. So to allow the possibility to disband the roving patrol in the future will place a budgetary issue as far as we will need more Police presence down there. I ask you to please reconsider the whole issue and see how we can make sure that in the future we don't lose the roving patrol.

Mayor Slesnick: Thank you and I appreciate your comments, but I would ask Major Masington to take back your comments to the Chief, I don't think he is here right now. If you call the Coral Gables Police you should see a Coral Gables Police Officer.

Ms. Fernandez: Oh, it is a Coral Gables Police Officer that comes, because the roving patrol is...

Mayor Slesnick: I'm talking about an on duty Coral Gables...if you call

Ms. Fernandez: Oh, well...

Mayor Slesnick: If you call you should get the on duty Coral Gables Police Officer. I know, she said that didn't happen.

Commissioner Cabrera: But you are saying this is that doesn't happen, what you are actually saying is that it doesn't happen. If you call the Coral Gables Police Department given your experience of where you live, the person, the Officer that comes to your home, depending upon the call, is the roving patrol officer...

Ms. Fernandez: That's correct.

Commissioner Cabrera:...assigned to your neighborhood.

Ms. Fernandez: That's correct.

Commissioner Cabrera: And the Mayor is saying that, that's not right; what should happen is that an on duty uniform Police Officer come to your property and investigate whatever your call is about.

Ms. Fernandez: Well, I don't know what should happen; I'm telling you what did happen.

Commissioner Cabrera: I believe you, I believe you; I'm one of those that...I happen to have a very strong opinion about those communities down south, you don't get, in my opinion, the appropriate amount of patrol time because (a) you don't have as much crime as other areas, and (b) a lot of your communities are gated. Having said that, you still pay taxes just like everyone else, and you should be getting the patrols just like everyone else gets them.

Ms. Fernandez: That's correct, and as a statement, I think that our community, in particular Hammock Lakes I and II and Banyan Drive, did not mind setting up a Special Taxing District way back before we were Coral Gables, when we were still Dade County, and there was no Police presence down there. So we set that up and I think it continued, and the neighbors don't mind, and they like it, and we like having the roving patrol, and if there is a problem we call the roving patrol.

Mayor Slesnick: We don't mind it either, and we think it's wonderful if citizens want to pay to have extra protection, that's their business; and we've never tried to interfere, but our Police Department is still at your call, and when you have people hired by you, whether they are our officers or not, they are for the everyday protection and hour by hour protection, but when you have a crime committed or a problem we should be responding. Here's the Chief now.

Chief Naue: Yes, we do; we respond to those calls...

Mayor Slesnick: Chief, take the mike.

Chief Naue: In an attempt to enhance the service level as you had, we hired the off-duty Officers to make that a more pleasant and a controlled environment because of some of the challenges from the outside, whether it be Matheson Hammock concerns or the busy street on Sunset. We are the primary, as in our patrol units are the primary responders to call for service; they are supplemented and augmented by that off-duty Officer in there. What we try to do is have a fair balance because just like you want to have that friendly face in there that knows all the ins and outs, and has the more intimate knowledge of the residents and some of the problems in there, you know, that enhances our ability to provide those services for you, so we are just not casting off our responsibilities in that particular area, and we are very mindful of making sure there is comprehensive patrolling efforts in that particular area.

Mayor Slesnick: I'm not sure you heard Ms. Fernandez comment; her comment was a crime is committed at her home, she calls the Department, and she gets the roving patrol, that's the response to her call to the Department.

Chief Naue: No, that's not correct.

Mayor Slesnick: Well, I mean, it shouldn't happen that way.

Chief Naue: One of the units that will be responding in there is that roving patrol adhering to his or her responsibilities to making sure that they are on top of what is going on in that particular neighborhood, but the main person who is following up, doing the reports for service and following up on the criminal activity is the zone officers or the area officers that are assigned to that particular area.

Mayor Slesnick: And that's what I would have thought. So I just want to make sure that we respond to her comments that, that hasn't happened.

Chief Naue: That's the same situation as many of the other gated communities that we have, is the same situation; Coco Plum is the same thing, they have roving patrols in there that are hired in the same situation, it's a Special Taxing District, but our area patrol units, they are the main people who do the reporting of the crimes and do the following up, so that secondary response, or the enhanced response is your officer that is assigned there through the off-duty capacity.

Mayor Slesnick: Would you do me a favor...

Ms. Fernandez: He's the first one, the off-duty officer, the roving patrol, is the first one that responds.

Chief Naue: Well we certainly hope that...

Mayor Slesnick: Well he might be the first one, the question was did someone else respond from the Department? Why don't you get the Chief's name and number before you leave, or one of his staff that is here with him so that if this happens again, and you see this happen, let them know so they can address it?

Ms. Fernandez: Right and I'd be happy to...

Mayor Slesnick: Because I wanted you to know that they are committed and we are committed to responding as a Police Department as well as your roving patrol, OK.

Ms. Fernandez: OK. Thank you. I just want to make one more comment on this whole issue, that basically, if you remove this restriction from this resolution, the path will be open to vandals in a few years time, remove the roving patrol, because basically this guardhouse carves up that community into two sections; and the guardhouse area would be much larger and have more homes than the Special Taxing District. So if everybody voted for and against in the two sections we'd lose, we'd lose just by the numbers. So I'd really like the Commission to consider finding a way to keep the roving patrol whether it's a two-tier, I don't know, I don't know what the answer is. Thank you.

Mayor Slesnick: Thank you very much. Cristina Brochin, I'm sorry, I can't read it, 9201 School House Road. You can correct my pronunciation.

Ms. Brochin: Good morning, 9201 School House Road, last name Brochin.

Mayor Slesnick: Brochin, OK Brochin.

Ms. Brochin: Thank you for indulging me this morning. I was not planning on speaking, but I have to say my house, I also had an issue, and the SWAT Team was there in five minutes, and I do want to thank the Police Force; it was two seconds they were there; everything was resolved; they got back to me; they told me what they thought had happened, this was just six months to a year ago, and I thought they did excellent work. And the roving patrol is not there twenty-four hours a day; it's only there at certain times, so we do rely on the Coral Gables Police Department. The only thing that we are asking of you is that we be permitted to put a second layer, which is the guardhouse, and all we want is additional security. Nobody is intending to take away the roving patrol; and if there is some random person in the neighborhood who is circulating a petition, you know, there is always people that don't want to pay extra taxes or extra things and they have a right to send letters to all of us, but that's one random person in a neighborhood of one hundred and forty (140) homes; and what we are asking for, and I can understand the legalities of why one municipality can't tie special taxing districts together; and I'm not certain about the Special Taxing District, but I don't think they expire, and at any moment in time a neighborhood can get together to pass a petition to get something lifted that is existing. So even if you try to condition it, in the future the neighborhood can get together and say we don't want this other Special Taxing District. So it makes no sense to have conditions attached to different districts; and what we are wanting is just an extra layer, there is no devious intent here in getting the guardhouse to then remove the Special Taxing District; and I think it is important that all of you understand that, because some other remarks have been said which is really not been accurate nor representation. So thank you.

Mayor Slesnick: Thank you, appreciate it. Mr. Steve Halegua, and Mr. Halegua is 5520 Oakwood Lane.

Dr. Halegua: Hi, I'm Dr. Steve Halegua, I've been a physician in Coral Gables for thirty-one years and a resident for thirty-one years, and we were just here in April, and you guys voted on having the guardhouse built and keeping the roving guard. I live in the other neighborhood that relies on the roving guard, and I can tell you I hear a lot of stories in practice and you hear a lot of stories here. When they get that guardhouse they will be voting eventually to get rid of the roving guard; there is no sense in paying for two securities, and that leaves our neighborhood empty. We do not have enough people to support any kind of security, there is only fifty-five (55) homes in Banyan Drive, so once they get the guardhouse and they just get rid of the roving guard, we are going to be stuck without any security. So by you guys doing what you did in April by putting the roving guard as part of the guardhouse kind of secures our neighborhood, that we will have some sort of security, and I think that was good what you did. So I want you to just keep up what you did and not let that go, but I'm not in approval of you closing that street on Old Cutler. I think medically it's a mistake; I said that in the beginning, it's a mistake. You are going to have one day where you have a jam on Old Cutler and Kendall, which happens all the time; I've lived there for thirty years, and you can't get through, and if you have that road closed, you have to make a "U" turn, and turn around with a hundred cars, its going to be a disaster, and

if there is a medical emergency you are going to have a disaster. I do not approve of you closing that street, I think it's a big mistake. Thank you.

Mayor Slesnick: Darryl Robinson, 4900 Hammock Park Drive.

Mr. Robinson: Thank you. Darryl Robinson, 4900 Hammock Park Drive. Thank you for allowing me the opportunity to speak today. I am Vice President of the Homeowners Association for Hammock Lakes and Banyan Drive that is responsible for the roving patrol, and disseminating information for the roving patrol; and in the spirit of time, I just want to make a point that we have no intent in dismantling the roving patrol, that is not our initiative. We maintain the roving patrol, we disseminate information as it relates to the roving patrol, we develop the budget for the roving patrol, we work with Mike Revol and his team, which I might add, do an exceptional job. I would welcome the individual that feels that we are going to take the roving patrol away, to reach out to the roving patrol and reach out to Mike Revol and realize that the service that the roving patrol provides for us is just a step above anything; and I can assure you that with my travel schedule and my family being home along the way, I reach out to the roving patrol and they circulate in the area, and they watch over our area. So, I can speak for my friends that have young children in the community, and new families are coming into the community, and we want the roving patrol, it is not our intent to remove the roving patrol. Thank you.

Mr. Stieglitz: Mr. Mayor, a point of personal privilege. This gentleman, using the word in the broadest sense, called me on the telephone personally and spoke to me in the interest of getting rid of the roving patrol. For him to come here and speak to you and make these representations is outrageous.

Mr. Robinson: Excuse me, but I don't even have Mr. Stieglitz' phone number; I've never made a phone call to him; I find that offensive and I retract that.

Mayor Slesnick: Well, Mr. Nichols (sic Robinson) said he never called you; well Mr. Stieglitz really...we are closing the public hearing, and I'm sorry for any allegations that were made here today that may or may not be true, that wasn't the point of the hearing and I apologize for that. Commission, we have already discussed what we would like to do and that is have the staff and the City Attorney and I think both Commissioner Cabrera and Vice Mayor Kerdyk have said either openly or leaned over and said that one of the things Maria, that they would like to do is get you down to the County or to get one of your staff, whomever is appropriate, to really work out with the County what it is they object to, why they object to it, and how we can frame it in their opinion in a way in which they are accepted, and Madam City Attorney if you'll look into the whole issue. Our goal is to make sure the roving patrol stays as best we can, and move on with the project as we approved. That is what I believe the majority of the Commission still feels. So with that in mind, you'll do that?

Interim City Manager Jimenez: Absolutely sir.

Mayor Slesnick: We'll hear back from you in December?

Interim City Manager Jimenez: Yes sir.

Mayor Slesnick: Thank you all very much.

[End: 11:49:17 a.m.]