

City of Coral Gables City Commission Meeting

Agenda Item C-1

February 12, 2008

City Commission Chambers

405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Slesnick Donald D. Slesnick, II

Vice Mayor William H. Kerdyk, Jr.

Commissioner Maria Anderson

Commissioner Rafael “Ralph” Cabrera, Jr.

Commissioner Wayne “Chip” Withers

City Staff

City Manager, David Brown

City Attorney, Elizabeth Hernandez

City Clerk, Walter J. Foeman

City Clerk Staff, Billy Urquia

Alberto Delgado, Public Works Director

Public Speaker(s)

George Freeland, President of Hammock Lakes Homeowners Association

Blackwell Stiglets, Coral Gables Resident (8820 School House Road)

Jeff Bartel, Coral Gables Resident (Hammock Lakes Drive)

Philip Brawner, Coral Gables Resident (9100 School House Road)

C-1 [Start: 9:18:31 a.m.]

Resolution approving creation of a Special Taxing District by Miami-Dade County for Hammock Lakes, Coral Gables, Florida, for purpose of providing for twenty-four hours stationary security guard service subject to compliance with applicable Miami-Dade County requirements, approving construction of a guard house facility, a road closure with an emergency access gate, operation of traffic control devices, and requiring execution of Interlocal Agreement between City of Coral Gables and Miami-Dade County.

Mayor Slesnick: Mr. Manager, this has been pulled from the Consent Agenda, do you have a presentation, or do we have a representative of the Home Owners Association with us, or both?

City Manager Brown: Mr. Delgado can speak to the issue if you wish, or you can have the public speak first.

Mayor Slesnick: OK.

Mr. Delgado: Good morning. This is the beginning of a long process, which is a creation of a taxing district for a security guard house for that particular area. We have done that in the City,

about seven or eight different locations. For example, Gables by the Sea, Old Cutler Bay, Snapper Creek, Sunrise, and it's a long process which is handled through the County procedures; they have to go a couple of public hearings, and they have to go to also an election of the people affected in the district, which they have to go fifty plus one (50 + 1); fifty percent plus one. The area in question is the Hammock Lakes Subdivision, which is actually accessible two ways; one is Old School House Road, which is by Kendall Drive to the North, and also Hammock Lakes Drive through Old Cutler. In order for them to isolate the area and secure the area under this district, they are proposing the isolation of the guard house at the intersection of Old School House Road and Kendall Drive; they need to do a small modification of that intersection, which is like a four intersection; and also they have to install a gate which will be controlled by, in case of emergency, by the Fire Department and the Police Department, is a gate that will be installed at the location of Hammock Lakes Drive and Old Cutler Road, that will be the back entrance to the subdivision. They are going through the process, and I have the map here which shows the area in question; this is Hammock Lakes Drive, it doesn't have anything to do with Banyan Drive; Banyan Drive has an independent entrance; you see the one behind the [inaudible] is called school or church over there. This is the one that you can see is perpendicular, and this is School House Road, Hammock Lakes Drive, and the Hammock Lakes Drive to the east and to the west connecting to Old Cutler Road. You see that at the North entrance its going to be a twenty four (24) hour manned gate, and in the entrance at Old Cutler Road they are proposing an emergency access gate that will be operated with electricity and will be in operation and they are responsible to maintain that gate in operating conditions at all times. I have here...

Commissioner Withers: Alberto, to ask you a question – Hammock Lakes Drive, that used to be 92nd, was that what that was?

Mr. Delgado: Yes, used to be 92nd Street.

Commissioner Withers: It looks like at one point it went all the way through to Banyan Drive at the other end.

Mr. Delgado: No, it actually [inaudible – off mike].... Banyan Drive and Hammock Lake Drive.

Commissioner Withers: I understand; at one point it did – never ever?

Unknown: Never.

Commissioner Withers: Because the neighbors in that area think it did. Do we still own the right-of-way there, or does that to the property owners?

Mr. Delgado: This is the end and this is private property..... [inaudible – off mike].

Commissioner Withers: So it never ever went through; never platted to go through?

Mr. Delgado: No, it never platted. Probably used to be like [inaudible] a path that people used to take over there, now there is nothing, really over there. So that's why there is some range between the people in the Banyan Drive area is completely isolated....this one the entrance is to

Old School House Road. Here we have the President of the Association....so I know you want to step up to the podium.

Mayor Slesnick: Step into the spotlight.

Vice Mayor Kerdyk: Whether you like it or not.

Mr. Freeland: Good morning Mr. Mayor and Commissioners. My name is George Freeland; I'm the President of Hammock Lakes One and Two. This is a very simple issue before you today. It really has to do with a group of homeowners that want to have a gate; the vast overwhelming majority of the homeowners have voted in favor of a gate, and the reason is for safety; and we have before you a number of people that are in attendance that would be more than happy to give you their stories, but rather not take your morning up with. A couple of months ago we circulated a petition among all the homeowners; there are sixty-eight homes in the taxing district; fifty-two of the homes voted in favor of it, six voted against it. So I'm not aware of almost any other issue before us where ninety percent of the homeowners weren't in agreement as to what they wanted to do.

Mayor Slesnick: I ask that all phones be turned off please.

Mr. Freeland: So from our perspective it's a simple issue of the residents seeking to have a gate, and we'd very much appreciate your help in that matter.

Mayor Slesnick: So would you repeat for us just to make sure; the vote was...?

Mr. Freeland: There were fifty-two homes that voted and signed a petition in favor of the gate, and there were six that signed petition against it.

Mayor Slesnick: OK. Thank you. I know that we have at least one person who has called and asked for time, Mr. Stiglets represents one of the homes, I think, that oppose the gate.

Mr. Stiglets: Mr. Delgado, can I have that map? Mayor, Commissioners...

Mayor Slesnick: It would be better if you go to one of these mikes and put it right towards your mouth....there you go.

Mr. Stiglets: Mr. Mayor and Commissioners, thank you for offering me an opportunity to speak to you this morning about this proposition.

Mayor Slesnick: Just make sure you put your name and address on the record.

Mr. Stiglets: My name is Stiglets, Blackwell Stiglets; I'm a homeowner in the neighborhood, I will point out on this diagram where I actually live, but I appreciate the opportunity to speak with you. This proposition has a long history. There has been agitation in the neighborhood for some years in this regard, is that it precedes the annexation of this neighborhood in Coral Gables, hereto it has not had sufficient – it has not had success and indeed in its last foray, just recently

before the Traffic Advisory Board it was turned down. That was in a context in which I believe that Coral Gables has gone on record with the proposition that it did not want to close for the throughways through the Gables inasmuch as it resulted in isolation of those neighborhoods from the rest of Coral Gables, and really was counter productive in terms of fostering neighborhood spirit. But be that as it may, the County came up with the procedure and these proponents seized upon it, in which they could undertake a special taxing district to support their efforts; and as they went forward with that they came up with a proposal that includes a guard house at North Kendall Drive and School House Road, south of North Kendall Drive; that guard house has at various times been located in scaled drawings and non-scaled drawings to be positioned in front of my house, and you can understand that I kind of have a visceral opposition to that, but my opposition is not based solely on that, it is on the fact that this undertaking is going to cost – the guard house is going to be four hundred thousand dollars (\$400,000) or thereabouts; and as we all know from public projects those figures seem to grow before they actually reach construction; and we are concerned about that – the six that Mr. Freeland has talked about. I know that my neighbors across the street who have the same concern that I do about this being in front of our homes, have opposed it. It seems to me that at the outset it must be the City of Coral Gables Commissioners must grasp what their role in this process is. The County has a role that says if you want to do something, and you want to set up a special taxing district, we will do the traffic cost and we will tell you what the procedure is, but in the evolution of that process the County came to see that there needed to be a policy role, and that policy role, was they said that these proposals like street closures, and neighborhood closures need to come back to the municipalities if the real estate was in a municipality, for the municipality to rule whether or not this was in the best interest of its citizens and in keeping with the ongoing policies of Coral Gables with respect to street closures, etc. I think that is paramount to a consideration of this proposition that the Board of Commissioners understand what its role is; it's not just a rubber stamp if all or sum super majority of the neighborhood votes that they wanted; I mean they could vote that they wanted to put whatever in the middle of the neighborhood. But it's for the Commission to decide whether what you want to do and support that special taxing district that the County just said you may have if you want it, if it meets with the overall objectives of the City of Coral Gables. That's what I ask you to do; I ask you today to address that issue as the Traffic Advisory Board did initially, and as the Gables have been on record for four years now, I think it followed on all those road closures that came down Red Road, that we don't want any more road closures, and what you've got here as the statement Mr. Delgado has represented to you, you don't have a cul-de-sac that you can draw the string on the mouth of the bag and isolate this community with a gate. You have a historic – I say historic, I don't mean to tell you that Monticello is located in our neighborhood, but I need to tell you that there is roadway that runs from Old Cutler to North Kendall Drive through our neighborhood that has been there forever; and in response to the question about that has 92nd ever connected, I don't think you can build on that; I think there is an easement through there, and there has been a pathway through there for years, but I don't think that that's, with all due respect Commissioner Withers, that that's really relevant what I'm talking about. I'm talking about the fact that this roadway is the only means of ingress and egress from Old Cutler Road and North Kendall Drive, to Gables residents from where Old Cutler Road abuts Red Road to North Kendall Drive, and what you do by closing it at Hammock Lakes Drive and Old Cutler Road, is you convince residents who for one reason or another need that access way from coming through there. What you do is to close it off now and forever and prevent that taking place. I can tell you that in recent memory there was repeated closures of Old Cutler Road

at North Kendall Drive, sewer failures and water main failures which resulted in the closure of Old Cutler Road, and traffic was routed through our neighborhood in order to provide ease of access; that traffic doesn't normally come through there. So what these people are asking for is to close this road which is a needed throughway, if you will, albeit maybe on an emergency basis, or on an alternative basis, and to prevent forever its utilization under any circumstances except health and safety. You have a tepid comment after the last Traffic Advisory Board meeting in which the Fire Department is on record as saying that there is not any question – there is not any question that it will represent an impediment, albeit one can engage in a whole lot of, you know, if its five minutes or ten minutes, or whatever, but it could be an impediment to health and safety.

Mayor Slesnick: Thank you; you have to....

Mr. Stiglets: I'll try to – I'll shorten it. But the thing is these people have failed on every ground safety, crime, everything else, and there is legal authority, and I realize you are not a court, but there is legal authority for the proposition that these people....

Mayor Slesnick: Blacky, what I'd ask you to do then is give that to our City Attorney for her to review while we are discussing this.

Mr. Stiglets: I will, that these people cannot by majority vote legally close this road to which the six who oppose it have an equal access of their own; I will give that legal authority to you, and I will also give you the letters of two; one from a widow in the neighborhood who has written a letter complaining about the burden of the cost of this will represent, and from another neighbor...

Commissioner Cabrera: The Clerk's office.

Mayor Slesnick: Well, if you just give everything to the City Attorney, she'll pass down, she's right here. Thank you.

Mr. Stiglets: I ask you today, at the very least, it's not perfunctory or routine, or something that's subject to a consent agenda, it is serious, there is opposition, its legal authority opposing it, and I suggest at the very least it needs more study, but must be turned down. Commissioners, here is School House Road and I live right here, and the gate house is supposed to be here; we all know [inaudible]....

Mayor Slesnick: Thank you.

City Attorney Hernandez: Sir, could you please state your address for the record.

Mr. Stiglets: 8820 School House Road.

City Attorney Hernandez: Thank you.

Mayor Slesnick: Blacky, thank you, and you always know that when you mention Monticello you obviously got my attention. I have a card here from one of the other homeowners speaking on behalf, I guess, of the Association, Jeff Bartel, and we are going to, and Bill are you....

Mr. Bartel: I'll take two minutes, Mr. Mayor, I promise you.

Mayor Slesnick: OK. That would be great, and maybe if you would introduce or have someone introduce the other members of the Association that are here who agree with Mr. Freeland's comments.

Mr. Bartel: Mr. Mayor, members of the Commission, my name is Jeff Bartel, 4995 Hammock Lake Drive, also 6909 Nudelo Street in Coral Gables. I'm here representing myself, not being paid to do so. We are here – there are a number of neighbors who are in favor of the project who are here today including the President of the Association, who you already heard from, George Freeland, we have Mr. Manny Cadre, Mr. Bill Ogden, among others; we also have among ourselves Paula and Bob Brockway; Don Carlin, among others, Bud and Mary Clark, who sold her house, Doug Galligher, Michael Hanton, Brian Part, Eric Levin, Jay Masserman, Eric Smith, Rudy Tousay, and Randy Whitman, among others. Very quickly Commissioners and Mayor, the matter before you is actually very simple; you have a political decision to make today, and we recognize that you cannot always have neighbors agree with one another. You have an overwhelming majority of neighbors, ninety percent (90%) of neighbors who voted; voted in favor of this. I dare say that any of us on this Commission could get, let alone myself, get a vote to approve our Happy Birthday of ninety percent, let alone being able to get a vote of neighbors. All of your technical departments at the City, and the County have either recommended approval or have no objection to this application. I have already submitted to the Clerk and a copy to the City Attorney. In December of last year, the Police Department of the City of Coral Gables, and this is all a record that Mr. Foeman and Ms. Hernandez has, said quote, the Police Department does not object to the installation of an unmanned security gate. You have a letter from the Public Works Department that has no objection of any kind; you have letter from the Special Taxing District of Miami-Dade County saying they have no objection; you have a letter from the Traffic Engineering Division of Miami-Dade County saying there are no traffic issues of any kind; you have a memorandum from Miami-Dade County Planning and Zoning Department expressly indicating they have no objection, and say there will be no traffic or other impediment to the approval; you have a valid petition that was verified and validated by Miami-Dade County expressly indicating that a petition that was submitted by the neighbors and validated by the County is in fact correct; and then you finally have a letter from the County verifying the number of individuals who have voted approval of the project. Lastly, on January 15th of this year, the Traffic Advisory Board on this matter met and by unanimous vote without any objection by any member of that Traffic Advisory Board voted to recommend approval of this project before you. With no disrespect to Mr. Stiglets or Mr. Brawner, who I believe wish to speak, it would be wonderful if we could have a hundred percent (100%) approval of everything. The very fact that we have ninety percent (90%) of eligible neighbors who wish to vote for this matter who has expressed approval is in of itself an expression of a mandate from this Commission, from this City. You have before you precedent Sunrise, Snapper Creek, Gables Estates, Gables by the Sea, all of which this Commission has either validated or approved, and most importantly you want a City that's safe. We've had a number of instances of crime or instances in this neighborhood, at least six within the last three years that have been reported; that's six and there are only sixty-

eight homes that tells you that we do wish to combat crime and make sure we have a safer neighborhood as possible. Every shred of evidence before you recommends approval or no objection to this matter, and we would ask for your approval today without delay. Thank you very much Mr. Mayor.

Commissioner Withers: Can I ask you?

Mr. Bartel: Yes sir.

Commissioner Withers: Did you all very discuss two guard houses?

Mr. Bartel: The answer is no; what was submitted and what we suggested was one guard house at the School House Road and the second is access for emergency vehicles.

Commissioner Withers: I know the proposal. Would you ever consider two guard houses?

Mr. Bartel: I think the reality is you are dealing with a cost for that point in time for sixty-eight homes that makes it absolutely prohibitive. Your own engineers, your own traffic engineers...

Commissioner Withers: So its cost?

Mr. Bartel: Its both cost and quite frankly what incremental benefit would there be at that point in time, Commissioner? Again, you have an overwhelming majority of this neighborhood that's expressed their will to you and would ask for your vote today. We have tried to placate the six individuals who have expressed their opposition, we've been unable to do so; effectively, I will tell you right now to have a deferral to go back and try to talk to the neighbors about another idea will not...

Commissioner Withers: I'm reaching out to that other group along Banyan Drive who has expressed opposition to me because the additional traffic that they now will be forced onto Kendall Drive in rush hour.

Mr. Bartel: No sir. With all due respect, Banyan Drive is a dead-end of sorts; there is going to be no, not a single car that would not traverse through Banyan Drive.

Commissioner Withers: No, no, on Kendall – coming from Old Cutler onto Kendall...

Mr. Bartel: Yes sir.

Commissioner Withers: Those people used to cut through the back way to get into where they used to get to; they did not have to come down Kendall Drive, so the concern is now they are going to be pushed onto Kendall at five in the afternoon when the traffic backs up to Red Road and all the way pass School House Road. So now instead of being able to go to the back way through the neighborhood, they are going to have to now....

Vice Mayor Kerdyk: That's a collector now.

Mr. Bartel: I would ask with respect to the anecdotal evidence that some of those neighbors may have brought before you, they may not in theory like the idea of a gate, its not going to be serving their neighborhood; what I would suggest to you with all respect, your own experts, your own Public Works Director and the County that has looked at this specific issue of the collection roads, the arterial roads, and feeder roads issue, has no objection to this issue from a traffic perspective. So I would submit to you that they have no objections, and I believe the experts have spoken.

Commissioner Withers: I sat through the road closings of the early nineties, and it was terrible; it was neighbor against neighbor. It put your traffic onto someone else's road; my concern is the City has looked at this as a guard house taxing district and not as closing a street; and I don't know what Albert has done as far as looking at the criteria that we have for street closings, and that's one thing I'm going to request the City look at, that's my biggest concern.

Mr. Bartel: Well, the memorandum that you have a copy of, its been part of the record, expressly states that the County looked at this issue, and in fact looked at the issue of traffic along Old Cutler and Kendall Drive, and expressed from a Planning and Zoning perspective as well as from a traffic engineering perspective, they as the experts have no objections of any kind. So I would respectfully submit to you that we have both a political and engineering evidence in our favor.

Commissioner Withers: You know the County, not that I do not respect their judgment, but I would rather feel that our residents have a little more say-so than what the County tells us.

Mr. Bartel: Absolutely, and I think with that say-so you do have ninety percent of the neighbors.

Commissioner Withers: No doubt your group wants it; I'm not trying to be argumentative, I'm just expressing to you that you might want to reach out to that group on the other side and sit down with them, because they have concerns about traffic. I don't know if you've done that, if you've tried to meet with them and what their feelings were, but I think that's where most of your resistance is, it's not going to come within the group, because the numbers are staggering – ninety percent; I think a lot of your resistance is going to come – I'm just trying to help you along here. I think a lot of your resistance is going to come from your neighbors behind St. Thomas, they are now going to be put out on Kendall Drive; I'm just telling I think that's where its going to come.

Mr. Bartel: And absolutely Commissioner, I think the fact that we are trying to make sure have neighbor not pitted against neighbor is important. Bare in mind that we were very pleased at a Master Association that took place about three months ago that included both Hammock I, Hammock II, and Banyan Drive, not only did the Master Association ultimately say that they had no objection to this guard gate, but the vast majority of the neighbors including those who live along Banyan Drive did not object it. So you may be hearing from a small minority. Thank you for your time.

Commissioner Cabrera: I'm somewhat confused. I went on my new fancy lap top and looked up the minutes of the meeting when this item was discussed, and I saw that there was spirited discussion led by the Chairman, but I don't see a vote here; I don't see a vote; was a vote ever

taken by the....I'm with you as far as the input from our citizens, but I also want to get input from our Traffic Advisory Board, and I read the minutes and I see that Mr. Delgado in the minutes, by the way the minutes are dated November 20, 2007. So in these minutes there is lively discussion regarding this, there is lively discussion about road closures, but at the end there is no vote. So I'm just wondering was there a vote, did I miss something? Was there a subsequent set of minutes that I don't have?

Mr. Delgado: The meeting that we had for this item was in January.

Commissioner Cabrera: OK, so this is obviously subsequent to this meeting.

Mr. Delgado: That's right, yes. There was a meeting in January and in that meeting the complete Traffic Advisory Board had a separate meeting after the meeting in our regular location; we moved to the theater of the Youth Center, and we met with the residents over there; it was a large crowd of people that came to that meeting; and in that meeting they took a vote, and they voted unanimously to approve this proposal.

Commissioner Cabrera: By the Board? By the Board?

Mr. Delgado: By the Board.

Commissioner Cabrera: How come those minutes are not reflected in...

Mr. Delgado: They are still in draft...so close that we have not produced those minutes.

Commissioner Cabrera: I understand. OK.

Mayor Slesnick: It would have helped if we had a note in the file.

Commissioner Cabrera: It would have, because that's why I went to the computer.

Mayor Slesnick: Mr. Brawner.

Commissioner Cabrera: Interesting.

Mr. Brawner: My name is Philip Brawner; I live at 9100 School House Road. I did not sign the petition yes, or in opposition, because at the time it was circulating, as far as I can tell still now, I was the President of the Hammock Lakes Banyan Drive Property Owners Association, and I do not have authority to speak for that association, that's why I didn't go either way. I want to just – I am s to closing road; I use this road and if I want to go south it's the best way from my house to go south. I suggest the two things that should be considered; in recent times we've had major block-outs at Old Cutler Road and North Kendall Drive where there is a stop light, wonderful ordinance – were this road to be closed, there are no other east/west ways to get off of Old Cutler Road, if you go all the way down to Red Road, quite a long distance. I also suggest that we should consider the fact that the park, which lies right across from my house has a road that runs all the way through the park from the other side right up to School House Road, and therefore

will never be really closed off, particularly at night, the next one north of the gate into the park. So whatever the benefits of closing it off, I don't think I will share. One of my main concerns is the North Kendall Drive additional traffic, those people will have and did have no vote in the past on this issue, but they are greatly impacted by it because they are, particularly St. Thomas School, a fairly large school, and a good deal of traffic backs up on North Kendall Drive. My opinion will impede that traffic and driving everybody down to the stop light at North Kendall and Old Cutler Road will make a greater traffic problem than we have this date. Thank you so much.

Mayor Slesnick: Thank you. We are going to close any more comments and ask the Commission if there is a motion to consider.

Vice Mayor Kerdyk: I'll make a motion to approve the ordinance as presented.

Mayor Slesnick: OK. Mr. Kerdyk moves the ordinance; do I have a second? Well, I'll pass the gavel and second it.

Commissioner Cabrera: You have to pass it to him.

Mayor Slesnick: Yes, I pass it to him.

Vice Mayor Kerdyk: I accept it.

Mayor Slesnick: I can second here.

Commissioner Anderson: I have some questions.

Mayor Slesnick: Moved and seconded, motion on the floor, Mrs. Anderson.

Commissioner Anderson: I need more – I share some of the same concerns that Commissioner Withers and Commissioner Cabrera stated. I'd like more information; this guard house is different from other guard houses that have gone up in our City; the other communities are closed communities that have no access, just one access in and out. I'd like to basically not say anything and defer it and have a fuller presentation to us, because I really don't have all the information I need to make the right decision whether to go for that or against it, but I don't have the meetings from the Traffic Advisory Board, I don't have the issues of how this will impact itself on the other streets; I need more information in order to make a better decision, whether yea or nay in the end.

Commissioner Cabrera: It's interesting because I agree with you, and it's interesting from a standpoint that this is a consent item, and this seems to be a fairly important decision that we have to make today. So, I just want staff to be aware of the fact that this probably needed to be a regular agenda item rather than a consent item.

Mayor Slesnick: I think one of the things that bothers me in arguing against it is, and I understand Mr. Stiglets' concern about the placement of the guard gate. But I am bothered by the

fact, and you know, I like many of you, not because I live down that way, and I don't go there as often as some people, but I have been on Kendall Drive heading toward Red Road several times to either speak to scouts at St. Thomas, or to do something down there, or to move on down to Gables by the Sea, or something and it goes back-up, but I would hate to think that we were going to use as a reason not to put a guard gate in so that we could use this neighborhood as a cut-through for traffic, that to me has the opposite of closing streets, that we are going to leave a street open so that we would encourage cut-through traffic between Old Cutler Road and North Kendall Drive, that is asking too much of a neighborhood to say that their's is a through-way; I don't even think the people in opposition to the gate would want that. So, yes, I realize that Kendall is a traffic nightmare, but I certainly wouldn't want to promote opening our neighborhoods for cut-through traffic to avoid collector roads being backed-up.

Commissioner Cabrera: That's an excellent point, and what I would suggest is that we provide some sort of traffic studies to show us if in fact we have cut-through traffic or whether its neighborhood traffic itself – no, we are not going to hear anymore testimony.

Mayor Slesnick: We have a motion and a second.

Commissioner Withers: Can I just ask Albert to bring that map up here again, please.

City Attorney Hernandez: Did you make a motion to defer it?

Commissioner Anderson: I'm really not ready to....I'm going to make a motion to defer.

Mayor Slesnick: Mrs. Anderson moves to defer.

Commissioner Cabrera: I'll second.

Mayor Slesnick: It's been seconded. Till when?

Commissioner Cabrera: I think till staff comes back and makes a comprehensive presentation to us on this item.

Mr. Delgado: ...In the other two taxing districts that we have, Gables by the Sea, and also Snapper Creek, requires the closure of one street in particular. For example, in Snapper Creek we had to close one on one, because it was like a street that was not really the main entrance, and people were using that street as a cut-through...

Commissioner Anderson: Mr. Delgado, that's the kind of stuff, the information I would like in a fuller presentation.

Mr. Delgado: The same thing happened in Gables by the Sea; we had to do a closure by Gulliver Academy in order to only control the entrance to the division through 120... [inaudible] ... which is [inaudible]. In this one the street that is proposed to be gated is a very narrow street, which is Hammock Lake Drive; it's a very narrow street. The traffic calming that was performed on that street indicates that there is a very minimum volume of cars going through there, mostly

other traffic; only people take that street when there is a problem in another street like Old Cutler, but that street – the configuration of that street the linear nature of that street doesn't call for people to go to that street; its very narrow, it has a lot of landscaping that is almost encroaching into the right-of-way and it is not a street for people to go there. The proposed realignment that they are proposing at School House Road will make it easier that intersection, because right now it's aligned to the north, they are going to not align that, so the traffic is not going to be coming through; it's going to be making a turn on Kendall Drive. So the realignment is also another thing. We must review by engineers, by our Traffic Consultant in engineering, by the County Traffic Consultant, and all of them concur that this is a good traffic measure to be done.

Vice Mayor Kerdyk: That's why I'm supporting it because just basically what you just outlined, Mr. Delgado, in addition to that our Traffic Advisory Board voted unanimously in favor of this, so with all those people that have looked at this, that understand that Kendall is a collector have agreed upon it, that's why I honestly believe that this is the right thing to do and close this street and move forward.

Commissioner Anderson: And you know, after I get more information I may decide the same; I'm not saying that I'm for or against it, I just need more information to make sure that I'm making the right decision, because some of those subdivisions that we talked about, Gables Estates, are different communities; I'd like to make those individually.

Commissioner Withers: Can I speak to the motion on deferment? Maria, I'm generally in favor of this, but I will respect your motion to defer for further information, but I just want to let you know that voting for your deferment doesn't mean that I'm opposed to this.

Commissioner Anderson: No, no, I'm not asking you to because I'm not ready, but I may in the end vote yes.

Mayor Slesnick: Mr. Clerk

Commissioner Withers: Yes

Commissioner Anderson: Yes

Commissioner Cabrera: Yes

Vice Mayor Kerdyk: No

Mayor Slesnick: No

(Vote: 3-2)

Mayor Slesnick: It passes, it's been deferred. David, if you'd get together a package and some briefings and reschedule it.

City Manager Brown: We'll have a full blown presentation next meeting.

Commissioner Withers: David, can I also ask that the residents of the entire Hammock Lakes Association, all three groups, come with a statement on how they feel; it was represented by one of the speakers that the entire all three groups signed off on it; I just want to validate that.

City Manager Brown: I'll do that, Commissioner.

Mayor Slesnick: We'll see everyone next time and if you'd please work with our administration and we'll see if we can make sure that we come to a final determination on this in as quick a manner as possible so that everyone can start to proceed forward with whatever we decide, or make whatever challenges they wish to make in the courts.

Mr. Stiglets: [Inaudible – off mike]

Mayor Slesnick: David, you'll notice the Homeowners Association, certainly since you've made an appearance we'll notice you, Mr. Stiglets.

City Manager Brown: You'll be noticed and all those people who have an interested party will also be noticed.

Mr. Stiglets: My suggestion was that you can see the interest on both sides is not only of the affected area, which is [inaudible – off mike]...but it involves people on Old Cutler and Banyan Drive, and they had no notice of this, nor traffic...[inaudible].

Mayor Slesnick: Thank you.

[End: 9:57:24 a.m.]