

City of Coral Gables City Commission Meeting
Agenda Item L – Discussion Items
October 24, 2017
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Pat Keon
Commissioner Vince Lago
Commissioner Frank Quesada
Commissioner Michael Mena

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Public Works Director, Ed Santamaria
Assistant City Manager, Peter Iglesias
Planning and Zoning Director, Ramon Trias

Public Speaker(s)

Agenda Item: L – Discussion Items [2:51:44 p.m.]

Mayor Valdes-Fauli: I have one comment and during the election there was an election issue whether to lower the speed limit to 25 miles an hour and some people said you could lower it as much as you want, but unless you can enforce it then you are not going to get anywhere; and we've been talking about signs, the number of signs, the County came down to 530 to 120-something. Where are we on that and when are we going to get them installed?

City Manager Swanson-Rivenbark: We are happy to put Public Works if Public Works can answer now.

Mayor Valdes-Fauli: You really need to do that. I insist that we do it as soon as possible. I don't know if the Commission feels the same way.

Mr. Santamaria: Yes sir there is an RFP that's being developed right now, it should go out to the streets pretty soon.

Mayor Valdes-Fauli: Next week.

Mr. Santamaria: No, probably within the next 30 days, I would say.

Mayor Valdes-Fauli: Can we get them installed by December 31?

City Manager Swanson-Rivenbark: Unless you want to waive the Procurement Code.

Mayor Valdes-Fauli: This is not an emergency item, but it's been six months since the election and we are still talking about it.

City Manager Swanson-Rivenbark: I understand. We'll get you a timeline by tomorrow.

Mr. Santamaria: Yes, we can do that by tomorrow.

Mayor Valdes-Fauli: Please. Please note my sense of frustration.

Commissioner Lago: I agree and that's one of my items on my list that I sent out.

Mayor Valdes-Fauli: Go ahead.

Vice Mayor Keon: No, I just have two appointees I'd like to make when you are done.

Mayor Valdes-Fauli: Go ahead. I'm not done but go ahead.

Vice Mayor Keon: I'd like to appoint to the Youth Advisory Board Walter, Erica Rose Austin, and to the Pinewood Cemetery Board, Mary Lynch, and I'll provide you with their information.

City Attorney Leen: Any other appointments? There should be a motion at this time.

Commissioner Lago: So moved.

Vice Mayor Keon: Seconded.

Mayor Valdes-Fauli: All those in favor say aye.

All: Aye.

Mayor Valdes-Fauli: Opposed.

Vice Mayor Keon: They are both residents.

Mayor Valdes-Fauli: Alright, anything else?

Commissioner Lago: I have three quick items. I had a resident that came to me; I imagine that he came to you also, to talk about bus stops. I started thinking about it. You know when you drive through our neighborhoods you have a lot of individuals that work in our neighborhoods that raise our children, that are intimately involved in our day-to-day operations or households and sometimes when you think about it, not only is it for inclement weather, but just the unbearable heat and sun out there and we don't have any bus stops. I just wanted to know what people's opinions were in regards to that, the Commission, staff. I'm not saying we have to do some massive bus stops, but maybe we could do something that's tastefully done that will meet the needs of the individuals who are in our homes every day, that's one thing I wanted to bring up. The second was and I know that Ramon was here before, my understanding is the Tesla Powerwall has been accepted in the State of Florida and that is the battery for the solar panels, but I think that we are having an issue here in the City in regards to placement with the BOA, I think it was, I'm not sure. I'd like to find out a little bit more information. I understand that the BOA should have a say in regards to the power wall is visible from the street, but there has to be maybe some exceptions made, because when you drive through the City, for example, you can see people's brand new water heaters that are visible from the street, you can see their air conditionings. This is a box that goes on the wall and it's very clean and flush and again....

City Attorney Leen: Commissioner, I don't mean to interrupt, but it's really more about the zoning code and so what I suggest...

Commissioner Lago: I think it was a mix in zoning, BOA and zoning.

City Attorney Leen: What I suggested was that you bring it up to the Commission; we could interpret the Zoning Code to allow it, because we allow solar panels and its part and parcel of having the solar panel.

Commissioner Lago: Let me tell you what I want to do, it's very simple, very quick. I would like for you if you possibly could, to meet with the Commissioners, show them what we are talking about, get their opinion, and then we'll talk about it in the next Commission meeting.

City Attorney Leen: Certainly.

City Manager Swanson-Rivenbark: This is the first time I'm hearing about it, I'm sure it is solvable. If it's the preference of the Commission that the power, true, first time I'm hearing it, but if that power piece should not be considered as a part of aesthetics in the front view, we can create that.

Commissioner Lago: That's not what I'm saying. What I'm saying is, again, you can install a power wall let's say in a garage, that's where I'm going to be installing mine when I get mine or near the meter where sometimes its required, it's in the back of the house, again but in certain instances for some reason it would be installed within plain view of the street and it's a very small...

City Manager Swanson-Rivenbark: And, is that because of the orientation of the sun?

Commissioner Lago: No.

Commissioner Quesada: It's just a battery.

Commissioner Lago: It's the battery. This is what stores the electricity. I would like for Craig and for Ramon, if possible, just to meet with the Commissioners and just send them a little bit of information, so that we can come to a decision. If a person who is in a predicament and they cannot install a power wall away from the visibility of the street, can we move forward in the direction to allow that?

Commissioner Quesada: Well hold on a second. And, you guys have a meeting with the Tesla representative coming up, so make sure to make it a point to bring up that topic with him.

City Attorney Leen: The main point that I made was that to me this is a policy decision and it's something really that's an interpretation of our zoning code, so I don't believe it needs to go through a full – we could do a code amendment, I don't believe it needs to, but what I'm saying is – I will talk to each of you individually, but I just want to explain my view of the law here.

Commissioner Lago: But realize just to show you, I'm not talking about, if for example, I know there was a similar issue about solar panels and the placement where the sun hits the solar panels and this person had to put the solar panels to be effective in the front of the house, but that was extremely visible from the street. I'm not talking about that. I'm not in favor of that, I'm not in favor of that. I think that we should respect our code and the aesthetics here in the City, but when you are talking about a box that goes on a wall and again, you see air conditioning units that are

in front of homes that are visible, so I think that we need to just give a little bit of consideration and just explain to them, to the Commission and see what their opinion is.

City Attorney Leen: Commissioner before Mr. Iglesias speaks. I just want to make it clear what my opinion is though and finish it, which is that it can go in the front or wherever the Commission deems it's appropriate, but you need to take action, you would need to provide an interpretation, and then you would need to give direction to the Board of Architects and the Planning and Zoning Department how to handle that.

Commissioner Lago: But you have to understand, I can't have this conversation with my colleagues except for here, unless I have a Sunshine meeting. But, what I'm asking for is for staff, for yourself, to educate them based on all the issues at hand, so that they can make a decision. If they come back and say, listen Vince, you don't have support for it, then we don't have support for it. That person can have solar panels, but he or she cannot have the Powerwall because the location is unacceptable, it's OK. Just like that person who came before, who wanted to install solar panels, but again, it wasn't accepted because the solar panels were directly in front visible from the street.

City Attorney Leen: But, what I'm saying is that I can only give my opinion to the Commission together like this as well, so I'm just telling you I want you to know that this is something that can be handled by the Commission, it's perfectly appropriate, it doesn't require a zoning code change, but it does require an interpretation of the Commission, because to me it's a policy decision – Mr. Iglesias.

Assistant City Manager Iglesias: The Tesla power wall is fairly benign; Commissioner, I think it can be handled in the site setback quite easily and I think it can be handled by the Board of Architects. I don't really see too much of an issue there.

Commissioner Lago: There is a hiccup there; there is a hiccup there, the process...

Assistant City Manager Iglesias: It's very benign, that's the appropriate word, very benign.

Commissioner Lago: It's very benign...

Assistant City Manager Iglesias: And, it's not like having solar panels in the front of the house, and on the side you wouldn't even see it, so I think we can take care of it through the Board of Architects.

Commissioner Lago: People will probably confuse it from one of those new advanced water heaters that go on the wall on the exterior.

Vice Mayor Keon: I don't even know what it looks like. So just show us a picture.

Commissioner Lago: I want to show staff what it looks like, because this person is caught in the crossroads. My final issue. I sent a memo yesterday recapping my request for a full breakdown by Commissioner of what we would like to see, not only attached to the agenda, but also discuss at a pre-agenda and I want to put it online, we voted on that issue. So, I think the best thing to do, for example like you mentioned right now about why haven't we addressed the issue of the street signs that was my ordinance six months ago. We brought it forward, we worked on that. I would like to see this provided every two weeks and it's memorialized. I couldn't get the meeting minutes yet because our City Clerk told me he would have it for me, but I gave you a clip from when we discussed it, we voted and we said we would like it online, so it's visible to the public. We would like a copy of it with the agenda and we would like it broken down by Commissioner. For example, Commissioner Mena and myself are working on the dog park issue; multiple Commissioners can carry items and I'd like to see those updates.

Commissioner Mena: I have a question for you on that. Just the aspect of listing it by Commissioner, as I was thinking about it, obviously for anything to go forward we have to vote on it and whatever, and day after tomorrow somebody is not here any longer and we don't want those issues, which have been approved and our projects that have been voted on sort of fall by the wayside. I guess my question is what do you see as the purpose of having it sort of attributed to whoever sponsored the item or is that part necessary? I'm 100 percent in support of everything you are saying.

Commissioner Lago: It's not necessary, but I'll tell you, the word of the Manager provided the list, this past time it was like 15 pages, and I'm searching for ordinances through there. I'd like to see a more consolidated, I don't know. I'm looking for an opportunity that it simplifies the actual list where, if I'm looking at ordinances that I'm going to be reviewing at my pre-agenda or I know that they are six months out or they've been six months out, I can just go to me and say, OK, where are we right now in regards to street signs?- like the Mayor was saying, where are we?- that was my ordinance, I brought it, I made it come to the table, what's happening with that? For example, SMART parking; for example the ordinance that we are bringing to downtown that we should be bringing any week now, the downtown ordinance, which Frank brought up five years ago. We've morphed the ordinance now, but he brought up the topic like he said about five years ago.

Commissioner Mena: It might be helpful to have it...

Commissioner Lago: But I'm open...

Commissioner Mena: I'm just brainstorming here. It might be helpful to have it listed, I'm thinking in my head sort of how we look...

Commissioner Lago: Alphabetically?

Commissioner Mena: No how we look at like our accounts receivable, for example, like our law firm, the older stuff, the newer stuff, you know what I mean, where...

Commissioner Lago: But, that's the way it is done.

Commissioner Mena: Right – but maybe not just pure chronologically, but almost categorize, like here's stuff that's over two years old, here's stuff that's over a year old. Otherwise you are looking at it and you are saying, why is this still...why isn't anything happening?- why hasn't this one been completed and it's in this category?

Commissioner Lago: And, if it is completed move it from the list. It should be only pending items.

Mayor Valdes-Fauli: I think we are there with the list that the City Manager provided us, let's take the completed items out and it's very easy to categorize when it started. I think we have the beginning of that list.

Commissioner Lago: But, I want to be clear. We voted to have it online and attached to the agenda. It doesn't have to be reviewed at the Commission meeting, but again, the options are there that if you'd like to review it at your pre-agenda, you can review them, and if you'd like to review them online, it's open for transparency and for the public.

Commissioner Mena: Yes. I agree.

Vice Mayor Keon: Can I ask one question, this is a follow-up? When we were speaking earlier about the artificial grass issue that Commissioner Quesada brought up, when will we get the follow-up on that?- could you tell me that again?

Commissioner Lago: You could put that up on the list.

Vice Mayor Keon: Yes. I want to know when that is going to come back to us.

Planning Director Trias: I have worked on it during the break, so we have some draft language that I'm going to show it to the committee tomorrow.

Vice Mayor Keon: OK.

Planning Director Trias: Hopefully the last meeting on the single family committee and if they find it appropriate then we will forward it to you as soon as we can.

Vice Mayor Keon: Have we moved forward with who is going to work on the residential zoning code?

City Manager Swanson-Rivenbark: That will be on the next agenda.

Vice Mayor Keon: It's on the next agenda. OK. Thank you.

Mayor Valdes-Fauli: Alright – anything else Vice Mayor?- Commissioner Lago?- Commissioner Quesada – no, Commissioner – no. OK. Meeting adjourned.

[End: 3:05:00 p.m.]