

City of Coral Gables City Commission Meeting
Agenda Item G-1
July 25, 2022
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 Clerk, Billy Urquia

City Attorney, Miriam Ramos

Senior Transportation Engineer, Melissa DeZayas

Public Works Director, Hermes Diaz

Public Speaker(s)

Agenda Item G-1 [1:51 p.m.]

An update from staff on the design for sidewalks on Pisano.
(Sponsored by Mayor Lago)

Mayor Lago: G-1.

City Manager Iglesias: Mayor, I can help you with G-1. We are getting a topographical survey of that whole street, which is actually not a street, its an easement from University of Miami, so we can proceed with the design, and then of course, work it so that its assessed back to Doctor's Hospital.

Mayor Lago: Okay. So, we already started the process.

City Manager Iglesias: We started the process on the topographic survey.

Mayor Lago: I need, Mr. Clerk, for the next Commission, I need on the record, and I need an update from our Public Works Director with the Manager. Oh, he gave it to me now. We got Pisano
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already. I need to know where we stand right now on the following sidewalks: University Drive, hi, how are you? Sorry about that. So, I need to know where we stand on the following sidewalks, ready; University Drive, how are we looking?

Ms. DeZayas: I know that we just submitted some final comments so that those final plans can be finalized. They submitted the final plans, we had a few more additional comments, they are being finalized right now.

Mayor Lago: For Pisano – when do you think we can break ground?

Public Works Director Diaz: On which one?

Mayor Lago: University.

Ms. DeZayas: We'll start this year.

Mayor Lago: And the connector, Blue Road to the two bridges, how are we looking with that? You know what I'm talking about, right.

Public Works Director: That's probably a next year project.

Mayor Lago: That's fine, but I need to know that we are working on it. Are we working on it?

Ms. DeZayas: Yes. So, for Blue Road the survey is completed.

Mayor Lago: Good.

Ms. DeZayas: We went out in the field last week. We identified some locations. I already talked to him about some of the issues that I saw out there. So, we will be finalizing that and submitting to the county soon.

City Manager Iglesias: That is a county road.

Public Works Director Diaz: Correct.

Mayor Lago: Tell me what you need so we can get in contact now with Mr. Josenrique Cueto at RER, so that we can really get this moving forward so there are no delays.

Public Works Director Diaz: Once we submit to the county, I think that's when we'll be reaching out.

Mayor Lago: When are we planning on submitting to the county?

Ms. DeZayas: So, we finish the field really last week. Within a couple of weeks, I'll finish the design plans, we'll submit to the county. I would say next month.

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Mayor Lago: Okay. Mr. Clerk, I need University, these are the following things I need an update on, on the next Commission meeting: I need University sidewalk, I need Blue Road sidewalk. I had a meeting this week with Ms. Cabrera and her team, Douglas, Doug, excuse me, in regard to Riviera Country Club, they are ready to go. They are just going back to the county for some final paver modifications to their plans, their plans are approved. I actually have a text message from Mr. Cueto from the county today, telling me they are ready to move forward. They can start moving forward. We are just waiting; they are just trying to get everything taken care of. I need to have that on the Commission. This is one item from me, so its University, its Blue Road, and it's also Riviera Country Club, make sure they are aware that it will be on the agenda. They are supposed to start by the next Commission meeting which is at the end of August. So please make sure that it will be a progress check. Two more sidewalks. The sidewalk that we talked about which was an area that I forgot it was more north Gables, it's a very thin street, there was a tree in the middle. You know what I'm talking about?

Ms. DeZayas: Venetia Terrace.

Mayor Lago: Yes.

Ms. DeZayas: The sidewalk project?

Mayor Lago: Yes.

Ms. DeZayas: Okay. So that one we had the survey. The purchase order was executed, the surveyor was going to send us a schedule, they were going to start working on the survey already for that, so we can get...

Mayor Lago: What Street is that again?

Ms. DeZayas: Venetia Terrace.

Mayor Lago: Can you add Venetia Terrace also to the update for next month. And the last one...

City Manager Iglesias: That one Mayor, is a touchy one, because it's so tight.

Mayor Lago: Yes, very tight, but we need to move some trees there and we need to do it, because there has to be a sidewalk.

Public Works Director Diaz: I just want as a reminder that according to the way the code is written right now; the residents pay for half.

Mayor Lago: I understand, but that's a little difficult. So, we'll find the money, okay. We'll figure it out, okay. We'll figure it out. Just come back to me. Get me to the point where I can bring it to the Commission.

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Public Works Director Diaz: Okay.

Mayor Lago: Get me to the permit point and use me for the county. I'm here to help you, whatever you need. I will go.

Public Works Director Diaz: That one doesn't need county.

Mayor Lago: Okay. Whatever concurrency, whatever you need, let me help you.

Public Works Director Diaz: Got you.

Mayor Lago: What's up with Alhambra?

Ms. DeZayas: Alhambra Circle – We went out with Greenspace Management to take a look at the tree roots. We are definitely going to have to put in a curb.

Mayor Lago: That's perfectly fine.

Ms. DeZayas: Because the tree roots are just too significant and there is no way to put in that sidewalk without...

Mayor Lago: Residents would prefer a curb anyway.

City Manager Iglesias: Two blocks with a curb.

Ms. DeZayas: So, we need to reach out to the residents and explain to them about the concurrency requirements and funding of the sidewalk.

Mayor Lago: Here we go. Not next week, but the following, schedule time with my staff and I will go and walk the site with you home by home. I think its like five or six homes.

Public Works Director Diaz: Two blocks, right.

Mayor Lago: Two blocks. I will go personally with you or whoever you designate, whoever the Manager designates, and I will go with you to explain to them and sit down and explain to them. This is not something you mail; you have to explain to them. I think we already have interest and buy-in from most of the homeowners. We've just got to sit down and explain to them. Okay.

Public Works Director Diaz: Alright.

Mayor Lago: Let's schedule that for not next week, but the following.

Public Works Director Diaz: We'll reach out to Chelsea.

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Mayor Lago: Yes. That's on the agenda, please put that also as an update, Mr. Clerk, Alhambra. And the last one, Mr. Clerk, Mr. Manager, and my colleagues on the Commission, when a resident pulls a permit to underground a line with FPL, like we all do. I've done it at my house, I've undergrounded the line in the rear of the house, and you cut through a sidewalk and that sidewalk now becomes unpassable for 31 days going on today. You and I have been working on this for the last two or three weeks, okay.

Public Works Director Diaz: Yes.

Mayor Lago: And we've been meeting with FPL, and we've been trying to get to the bottom of this. We need to take measures into our own hands. We need to do what we do in the construction industry and that is, if they are incapable of abiding by the law, then you fix the flag, one flag and you back-charge the resident. Tell me what vehicle you need me to legislate so you can do this. What tax burden, what can we do to put it on the tax roll, because it is, in my opinion, its just not Coral Gables standard that somebody cuts a sidewalk and leaves that sidewalk missing and then doesn't repair it for months at a time.

Public Works Director Diaz: So, based on, in other instances where something somewhat similar has happened, and I guess that's a question for the City Attorney's office, we have to put this person on notice, give them a deadline to completion, and then if they don't complete it. So, what's the shortest amount of time that we can give them.

City Attorney Ramos: This is a sidewalk that's adjacent to a residential property?

Mayor Lago: Yes. And they cut it and they haven't repaired it in 31 days.

Public Works Director Diaz: Correct.

City Attorney Ramos: Have they been noticed?

Public Works Director Diaz: I don't believe so yet.

City Attorney Ramos: That would be the first step.

Public Works Director Diaz: How long of a notice do we have to give them?

City Attorney Ramos: That's open – we have discretion there.

Public Works Director Diaz: So, we can give them a couple of weeks to fix it.

Mayor Lago: We've given them already 31 days.

Public Works Director Diaz: Right, but we haven't put them on notice.

City Attorney Ramos: What I have to look at is assessing.
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City Manager Iglesias: There is an electrical contractor who took a permit for that, it's part of restoration.

Vice Mayor Mena: How did they get permission to do that in the first place?

Public Works Director Diaz: So, what happened was that for some reason that electrical permit somehow Public Works didn't get involved, and what made it a little bit difficult was that it just so happened that FPL has a permit at that location. So, our first thought was, its got to be FPL.

Mayor Lago: You and I were talking on e-mail with FPL representatives who's responsible, when are you going to fix this.

Public Works Director Diaz: It just so happens that there was literally an FPL project that is going to be working on that location through some kind of boring project at that location, so our first assumption was, FPL probably, the contractor got ahead of himself. Unfortunately, FPL is now planning to mobilize for like two to three months. We eventually found out it was unrelated. Those are the things that when we are fully...

City Manager Iglesias: There is another issue here that most of the time those poles are in the Merrick easement.

Public Works Director Diaz: Correct.

City Manager Iglesias: This pole happens to be across the actual sidewalk, so its an unusual condition. Most of the time that work stays within private property when that property is easement. So, this is a very unusual, that you had the pole on the other side of the sidewalk, so they had to cross it underneath and then you also had the unusual aspect of the fact that there was an FPL permit involved there, so its very, very unusual condition in a number of respects.

Public Works Director Diaz: And I think once we are fully integrated with 427 next-door, the permitting goes completely into InterGov, I think a lot of things will be a lot easier to sort out.

City Manager Iglesias: But a number of unusual things happened in this particular permit, Mayor, and FPL was actually working there, and so the pole being and the Merrick easement, it was outside within the right-of-way.

Mayor Lago: I need through the City Attorney and through the Manager, I need to put this resident, this contractor on notice. Madam City Attorney, can you work on legislation with the Manager and the Public Works team on how we can back charge subcontractors, contractors, or owners in our community that leave properties in this state, where we compromise the ADA and the accessibility for everyone in this community by just cutting a sidewalk, ripping it out, leaving it a mess, and then walking away for 31 days. You know that when we are in the process of having to come back, in a construction project we put a steel plate down, we'll put asphalt down, we'll do a litany of things that are required to ensure that we come back, and you can traverse that area and

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its just not a landmine from one moment to the next. They haven't done any of that. So, I need some assistance on this, because it's been brought to my attention on a daily basis, and we've been working on it for over two weeks. Its time to put them on notice, its time to hit them with a back charge, and tell them if they don't go out there and fix that with the asphalt tomorrow, we'll go fix it for them and at the end of the day we'll charge them for it. That's perfectly fine.

Commissioner Anderson: I'd like to add to that, because there are properties where we've cited them, okay, they are either not fixing it, or haven't fixed it, or they were doing work where they were putting in windows, doors, etc., and we are talking 60, 90-plus days, that its an impassable area for anybody with a disability, because it's a whole bunch of landmines, completely busted up. We need to do better. Let's get it fixed. Let's charge them for the fixing. Its going to cost the same either way, pouring cement is pouring cement.

Mayor Lago: Can I have that at the next Commission meeting. I need an update on that legislation on how we are going to address that moving forward, because if I'm going to wait on the contractor for anybody to address the issue, it just continues to remain a hazard for people who want to walk in those areas. Okay.

City Clerk Urquia: Yes sir.

Mayor Lago: Thank you. I appreciate all your hard work. Thank you, thank you, thank you.