

City of Coral Gables

405 Biltmore Way
Coral Gables, FL 33134
www.coralgables.com



CORAL GABLES
THE CITY BEAUTIFUL

Meeting Minutes

Tuesday, April 28, 2015

9:00 AM

City Hall, Commission Chambers

City Commission

Mayor Jim Cason
Vice Mayor Frank C. Quesada
Commissioner Patricia Keon
Commissioner Vince Lago
Commissioner Jeannett Slesnick

Cathy Swanson-Rivenbark, City Manager
Craig E. Leen, City Attorney
Walter J. Foeman, City Clerk

ROLL CALL

Present: 5 - Mayor Cason, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Commissioner Slesnick

INVOCATION

Rev. Dr. Laurinda Hafner, Senior Pastor from Coral Gables United Church of Christ gave the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Slesnick led the Pledge of Allegiance.

LEGISLATIVE SUMMARY

The following minutes summary includes all presentations made, and actions taken which information is supplemented by the following exhibits on file in the Office of the City Clerk, and which are by reference made a part of the record herein: (a) Ordinance(s) adopted (Ordinance No. 2015-05); (b) Resolution(s) adopted (Resolution No. 2015-58 through Resolution No. 2015-74); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

A. PRESENTATIONS AND PROTOCOL ITEMS

- A.-1. 15-3904 Presentation of a Proclamation proclaiming April 28, 2015 as "Rev. Arnold Perry Day in Coral Gables."

[Note for the Record: Following the reading of the title to Agenda Item A-1 by Mayor Cason, Vice Mayor Quesada expressed to Reverend Perry the City's appreciation for his many years of serving on City Boards and to the community. Reverend Perry replied that this is a bittersweet moment, that it has been an honor to be a part of this community, and that it is not over yet.]

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

- A.-2. 15-3905 Presentation of a Proclamation declaring April 29, 2015 as the "90th Anniversary of the City of Coral Gables."

[Note for the Record: Following the reading of the title to Agenda Item A-2 by Mayor Cason, Mayor Cason announced there will be a cake-cutting ceremony, 11:00 a.m., to officially commemorate the City's 90th Anniversary, and that he hopes there will be 90 different initiatives to celebrate the 90th anniversary of this wonderful city. City Manager Swanson Rivenbark stated that when you look at places like the University of Miami, the Coral Gables Congregational Church, the Coral Gables Public Library, Mr. Merrick did a wonderful job in laying out his vision and that we, as residents, as employees and as a community, have an obligation to fulfill that vision. Mrs. Swanson Rivenbark further stated that there will be at least 90 events to commemorate this anniversary. Mrs. Swanson Rivenbark announced that the Economic Development Department has developed a beautiful indicia of what the City's 90th Anniversary is and the City Commission has 3,000 pins, and the first distribution was to the City employees because a part of that vision, and why it is reality is due to the 801 full-time employees and the 112 part-time employees that are really working hard to continue Merrick's dream.]

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

- A.-3. 15-3906 Presentation of a Proclamation declaring April 30, 2015 as "Sandra Thomas Day in Coral Gables."

[Note for the Record: Following the reading of the title to Agenda Items A-3 and A-4 by Mayor Cason, City Manager Swanson Rivenbark announced she had the pleasure of attending a wonderful ceremony where the beautiful family of Sandra Thomas also was present. Interim Police Chief Hudak stated that, truly, the unsung heroes of public safety are the communications operators and Sandra Thomas has been an exemplary employee in 2014; she is reliable, knowledgeable and supportive of her co-workers. Chief Hudak said it is his pleasure to present Sandra Thomas as the "Communications Operator of the Year." Ms. Thomas said that this is for all of the communications operators, a very select group of people, capable of performing under very stressful circumstances and thanked the City Commission and her family for their support.]

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

- A.-4. 15-3867 Congratulations to Communications Operator Sandra Thomas, recipient of the City of Coral Gables "Communications Operator of the Year Award for 2014."

Attachments: COMMISSION COVER MEMO - OPERATOR OF THE YEAR 2014.doc
NOMINATION - OPERATOR OF THE YEAR 2014.pdf

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 5

- A.-5. 15-3859 Congratulations to Sergeant Phillip Thomas, recipient of the City of Coral Gables "Officer of the Month Award," for the month of February 2015.

Attachments: COMMISSION COVER MEMO - OFFICER OF THE MONTH FEBRUARY 2015.pdf
NOMINATION - PHIL THOMAS - FEBRUARY 15.pdf

[Note for the Record: Following the reading of the title to Agenda Item A-5 by Mayor Cason, Interim Police Chief Hudak stated that on February 13, Sergeant Phillip Thomas and other officers from the squad responded to a domestic violence call which is one of the most dangerous calls that police officers throughout the country have to respond to. Interim Police Chief Hudak proceeded to describe the incident and added that it was because of the guidance of Sergeant Thomas, that the police officers were able to safely recover a two-year old child and effectively make an arrest. Interim Chief Hudak ended his remarks by stating that it is his pleasure to present Sergeant Thomas as the recipient of the "Officer of the Month Award" for February 2015.]

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 6

A.-6. 15-3881

Congratulations to Officer Steve St. Amand, recipient of the City of Coral Gables "Officer of the Month Award," for the month of March 2015.

Attachments: COMMISSION COVER MEMO - OFFICER OF THE MONTH MARCH 2015.pdf
NOMINATION - OFFICER OF THE MONTH MARCH 2015 .pdf

[Note for the Record: Following the reading of the title to Agenda Item A-6 by Mayor Cason, Interim Police Chief Hudak stated that on March 3, 2015, Officer St. Amand was assigned to the burglary task force, which this City Commission, through the City Manager's Office, established to help the Police Department combat burglaries throughout the City. After thoroughly describing one of the incidents in which Officer St. Amand was involved, Interim Chief Hudak said that because of Officer St. Amand's keen observation skills that led to the capture of three offenders and his consistent display of professionalism, positive attitude and investigative tenacity, made him a strong candidate that resulted in his being awarded the "Officer of the Month" for March 2015. Officer St. Amand said that it is an honor to serve the City of Coral Gables and its citizens, and that he loves catching the bad guys.]

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 7

A.-7. 15-3878

Congratulations to Firefighter Rick Legra, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of April 2015.

Attachments: Cover Memo - FF OF THE MONTH, April 2015
Notification Letter, April FF of Month, 2015

[Note for the Record: Following the reading of the title to Agenda Item A-7 by Mayor Cason, City Manager Swanson Rivenbark called upon Fire Chief Stolzenberg to present the item. Chief Stolzenberg stated that it was his pleasure to introduce Division Chief Gil Hernandez, who is Firefighter Rick Legra's recruit instructor. Chief Stolzenberg said Division Chief Hernandez always told him that Firefighter Legra was very special from the beginning of his recruit class, noting that he finished at the top of the class. Chief Stolzenberg added that Firefighter Legra has been selected as the April "Firefighter of the Month," for his outstanding display and individual initiatives, specially his "can do" attitude. Upon mentioning Firefighter Legra's many outstanding qualities as a firefighter, Chief Stolzenberg said that he congratulates him for being selected the "April 2015 Firefighter of the Month." Firefighter Legra said he would like to thank the City for this award, and that it is an honor to serve the City of Coral Gables.]

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 8

- A.-8. 15-3872 Congratulations to Lara Caro, Parking Department, recipient of the "Employee of the Month Award," for the month of April 2015.

Attachments: Employee of the month
Cover Memorandum - EOM April 2015

[Note for the Record: Following the reading of the title to Agenda Item A-8 by Mayor Cason, City Manager Swanson Rivenbark called upon the Human Resources Director and the Parking Director to present the award. Human Resources Director Jaramillo Velez announced that today they recognize Lara Caro, who started as a part-time employee in 2012 and in 2013, became a full-time parking enforcement specialist. Parking Director Kinney said it is very rare that he gets an email or a phone call thanking him for an officer issuing a ticket, but twice he has gotten emails saying Lara was so nice when issuing a parking ticket that they couldn't get mad, and that is the kind of parking enforcement the City likes to have. Ms. Caro said she does it with pleasure.]

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 9

- A.-9. 15-3916 Presentation of a Certificate of Appreciation to Carol Brock in recognition of her years of service on the Senior Citizens Advisory Board.

[Note for the Record: Following the reading of the title to Agenda Item A-9 by Mayor Cason, Ms. Brock articulated that for the many years she has served on City Boards, she was a Board appointee and for the past two years she was Vice Mayor Kerdyk's appointee. Ms. Brock stated that she has really appreciated the cooperation of the Parks and Recreation Department, especially Fred Couceyro and Letty Ellis. Ms. Brock said one of her proudest accomplishments was the appropriation of funds for the Adult Activity Center, and ended her remarks by saying it has been truly a pleasure to represent the senior citizens of Coral Gables].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 10

B. APPROVAL OF MINUTES

- B.-1. 15-3917 Regular City Commission Meeting of March 10, 2015.

Attachments: [Verbatim Transcript - Agenda Item H-1 - Reso accepting recommendation of CPO](#)
[Verbatim Transcript - Agenda Item H-2 - Reso accepting recommendation of PWI](#)
[Meeting Minutes.pdf](#)
[Verbatim Transcript - Agenda Item E-1 - Conditional Use Review - 20 Casuarina C](#)
[Verbatim Transcript - Agenda Item E-2 - Ordinance for Site Specific Zoning Regu](#)
[Verbatim Transcript - Agenda Item G-1 - Reso confirming John P. Fullerton to His](#)

A motion was made by Vice Mayor Quesada, seconded by Commissioner Lago, that this matter be approved. The motion passed by the following vote.

Yeas : 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 11

C. CONSENT AGENDA**Passed the Consent Agenda**

A motion was made by Vice Mayor Quesada, seconded by Commissioner Lago, to Adopt the Consent Agenda. The motion carried by the following vote:

Yeas : 5 - Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

RESOLUTION NO. 2015-58

- C.-3. 15-3868 A Resolution accepting the Urban Areas Security Initiative (UASI) Grant Program Memorandum of Agreement between the City of Miami and the City of Coral Gables; and authorizing an amendment to the Fiscal Year 2014-2015 Annual Budget to recognize the grant as revenue and to appropriate such funds to cover the grant expenditures.

Attachments: [RESOLUTION - 2014 UASI](#)
[UASI 2014 - CGables MOA](#)
[UASI 2014 - City of Miami Resolution](#)
[UASI 2014 - Sub Grant Agreement, Attach 1 \(executed\)](#)
[UASI 2014 - Budget - Attach 2](#)
[C-3 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE URBAN AREA SECURITY INITIATIVE (UASI) GRANT PROGRAM MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF MIAMI AND THE CITY OF CORAL GABLES; AND AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2014-2015 ANNUAL BUDGET TO RECOGNIZE THE GRANT AS REVENUE AND TO APPROPRIATE SUCH FUNDS TO COVER THE GRANT EXPENDITURES.

This Matter was adopted by Resolution Number 2015-58 on the Consent Agenda.

City Clerk Item No. 12

RESOLUTION NO. 2015-59**C.-4. 15-3879**

A Resolution authorizing the acceptance and execution of a grant from the 2015 Edward Byrne Memorial Justice Assistance Grant Program, to purchase and implement a video enhancement system for improved subject apprehension and courtroom testimony by the Police Department; and authorizing an amendment to the Fiscal Year 2014-2015 Annual Budget to recognize the grant funds as revenue and to appropriate such funds to cover the grant expenditures.

Attachments: Resolution-\$10,000-2015 Edward Byrne Memorial Justice Assistance Grant C-4 Signed Cover Memo

RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A GRANT FROM THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, TO PURCHASE AND IMPLEMENT A VIDEO ENHANCEMENT SYSTEM FOR IMPROVED SUBJECT APPREHENSION AND COURTROOM TESTIMONY BY THE POLICE DEPARTMENT; AND AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2014-2015 ANNUAL BUDGET, TO RECOGNIZE THE GRANT FUNDS AS REVENUE AND TO APPROPRIATE SUCH FUNDS TO COVER THE GRANT EXPENDITURES.

This Matter was adopted by Resolution Number 2015-59 on the Consent Agenda.

City Clerk Item No. 13

RESOLUTION NO. 2015-60**C.-5. 15-3880**

A Resolution authorizing expenditures in the amount of \$10,300 from Federal Forfeited Asset Fund (F.A.F.) monies for the acquisition of a law enforcement training video; a second training video through the "Autism Wallet Card Program" for utilization by the Coral Gables Police Department.

Attachments: Resolution-\$10,300-AutismWalletCard2ndTrainingVideo-04.15.2015 C-5 Signed Cover Memo

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$10,300 FROM FEDERAL FORFEITED ASSET FUND (F.A.F.) MONIES FOR THE ACQUISITION OF A LAW ENFORCEMENT TRAINING VIDEO; A SECOND TRAINING VIDEO THROUGH THE AUTISM WALLET CARD PROGRAM FOR UTILIZATION BY THE CORAL GABLES POLICE DEPARTMENT.

This Matter was adopted by Resolution Number 2015-60 on the Consent Agenda.

City Clerk Item No. 14

RESOLUTION NO. 2015-61**C.-6. 15-3882**

A Resolution authorizing expenditures in the amount of \$26,516 from Federal Forfeited Asset Fund (F.A.F.) monies for the acquisition of law enforcement equipment; the purchase of critical equipment for vehicles acquired in FY 2014/15 for utilization by the Coral Gables Police Department.

Attachments: Resolution-\$26,516-PoliceVehicleEquipmentFY15-04.15.2015
 C-6 Signed Cover Memo

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$26,516 FROM FEDERAL FORFEITED ASSET FUND (F.A.F.) MONIES FOR THE ACQUISITION OF LAW ENFORCEMENT EQUIPMENT; THE PURCHASE OF CRITICAL EQUIPMENT FOR VEHICLES ACQUIRED IN FY 2014/15 FOR UTILIZATION BY THE CORAL GABLES POLICE DEPARTMENT.

This Matter was adopted by Resolution Number 2015-61 on the Consent Agenda.

City Clerk Item No. 15

RESOLUTION NO. 2015-62**C.-7. 15-3883**

A Resolution authorizing expenditures in the amount of \$51,697 from Federal Forfeited Asset Fund (F.A.F.) monies for the acquisition of law enforcement equipment; the purchase of the "StressVest System" and associated equipment for utilization by the Coral Gables Police Department.

Attachments: Resolution-\$51,697-StressVestSystem-04.15.2015
 C-7 Signed Cover Memo

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$51,697 FROM FEDERAL FORFEITED ASSET FUND (F.A.F.) MONIES FOR THE ACQUISITION OF LAW ENFORCEMENT EQUIPMENT; THE PURCHASE OF THE STRESSVEST SYSTEM AND ASSOCIATED EQUIPMENT FOR UTILIZATION BY THE CORAL GABLES POLICE DEPARTMENT.

This Matter was adopted by Resolution Number 2015-62 on the Consent Agenda.

City Clerk Item No. 16

RESOLUTION NO. 2015-63**C.-8. 15-3886**

A Resolution authorizing the donation of Coral Gables War Memorial Youth Center Summer Camp Scholarships to the Coral Gables War Memorial Youth Center Association for its annual scholarship program.

Attachments: Resolution Coral Gables War Memorial Youth Center Summer Camp Scholarship;
C-8 Signed Cover Memo

A RESOLUTION AUTHORIZING THE DONATION OF CORAL GABLES WAR MEMORIAL YOUTH CENTER SUMMER CAMP SCHOLARSHIPS TO THE CORAL GABLES WAR MEMORIAL YOUTH CENTER ASSOCIATION, FOR ITS ANNUAL SCHOLARSHIP PROGRAM.

This Matter was adopted by Resolution Number 2015-63 on the Consent Agenda.

City Clerk Item No. 17

RESOLUTION NO. 2015-64**C.-9. 15-3887**

A Resolution authorizing the donation of swim lessons to the Venetian Aquatic Club for its annual scholarship program.

Attachments: Venetian Aquatic Club Scholarship Resolution
C-9 Signed Cover Memo

A RESOLUTION AUTHORIZING THE DONATION OF SWIM LESSONS TO THE VENETIAN AQUATIC CLUB FOR ITS ANNUAL SCHOLARSHIP PROGRAM.

This Matter was adopted by Resolution Number 2015-64 on the Consent Agenda.

City Clerk Item No. 18

RESOLUTION NO. 2015-65**C.-10. 15-3902**

A Resolution naming the triangular park at 4600 San Amaro Drive, Coral Gables, Florida in memory of Enrique "Henry" Cepero.

Attachments: Cepero Resolution
Application in Support of Cepero Park Naming
C-10 Signed Cover Memo

A RESOLUTION NAMING THE TRIANGULAR PARK AT 4600 SAN AMARO DRIVE CORAL GABLES, FLORIDA IN MEMORY OF ENRIQUE "HENRY" CEPERO.

This Matter was adopted by Resolution Number 2015-65 on the Consent Agenda.

City Clerk Item No. 19

RESOLUTION NO. 2015-66C.-11. 15-3903

A Resolution naming the passive park at the corner of Alhambra Circle and Mendavia Avenue in honor of Betsy Adams and the Coral Gables Garden Club.

Attachments: Betsy Adams park resolution
Betsy Adams Application in Support of Park Naming
C-11 Signed Cover Memo

A RESOLUTION NAMING THE PASSIVE PARK AT THE CORNER OF ALHAMBRA CIRCLE AND MENDAVIA AVENUE IN HONOR OF BETSY ADAMS AND THE CORAL GABLES GARDEN CLUB.

This Matter was adopted by Resolution Number 2015-66 on the Consent Agenda.

City Clerk Item No. 20

RESOLUTION NO. 2015-67C.-12. 15-3890

A Resolution accepting the recommendation of the Chief Procurement Officer to award the Granada Golf Course Renovation Project contract to Jed L. Taylor Contractors, Inc. pursuant to Invitation For Bids (IFB) 2015.02.27, and Section 2-828 of the Procurement Code entitled "Contract Award".

Attachments: Draft Agenda Reso Granada
Jed Taylor- Bid Response
Consultant Recommendation
Tabulation Sheet
C-12 Signed Cover Memo

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD THE CONTRACT FOR THE GRANADA GOLF COURSE RENOVATION TO JED L. TAYLOR CONTRACTORS, INC. PURSUANT TO INVITATION FOR BIDS (IFB) 2015.02.27, AND SECTION 2-828 OF THE PROCUREMENT CODE ENTITLED "CONTRACT AWARD".

This Matter was adopted by Resolution Number 2015-67 on the Consent Agenda.

City Clerk Item No. 21

RESOLUTION NO. 2015-68**C.-13. 15-3889**

A Resolution accepting the recommendation of the Chief Procurement Officer to award the Pump Station D Force Main Replacement contract to RP Utility & Excavation Corp., pursuant to Invitation For Bids (IFB) 2015.03.05, and Section 2-828 of the Procurement Code entitled "Contract Award"; and authorizing an amendment to the Fiscal Year 2014-2015 Annual Budget to recognize as revenue a transfer from Sanitary Sewer fund balance and appropriating such funds to cover the cost of the project.

Attachments: Tabulation Sheet
RP Utilities - Bid Response
Consultant Recommendation - Pump Station D
Draft Agenda Reso Pump Station
C-13 Signed Cover Memo

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD THE CONTRACT FOR THE PUMP STATION D FORCE MAIN REPLACEMENT TO RP UTILITY & EXCAVATION CORP., PURSUANT TO INVITATION FOR BIDS (IFB) 2015.03.05, AND SECTION 2-828 OF THE PROCUREMENT CODE ENTITLED "CONTRACT AWARD"; AND AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2014-2015 ANNUAL BUDGET TO RECOGNIZE AS REVENUE A TRANSFER FROM SANITARY SEWER FUND BALANCE AND APPROPRIATING SUCH FUNDS TO COVER THE COST OF THE PROJECT.

This Matter was adopted by Resolution Number 2015-68 on the Consent Agenda.

City Clerk Item No. 22

RESOLUTION NO. 2015-69**C.-14. 15-3888**

A Resolution approving the placement of temporary banners on light poles along Biltmore Way, west of LeJeune Road, through April 2016 in recognition of the City's 90th Anniversary.

Attachments: Resolution - 4.28.15 (Light Pole Banners for 90th Anniversary)
Proposed Banners 4.28.15
C-14 Signed Cover Memo

A RESOLUTION APPROVING THE PLACEMENT OF TEMPORARY BANNERS ON LIGHT POLES ALONG BILTMORE WAY, WEST OF LEJEUNE ROAD, THROUGH APRIL 2016 IN RECOGNITION OF THE CITY'S 90TH ANNIVERSARY.

This Matter was adopted by Resolution Number 2015-69 on the Consent Agenda.

City Clerk Item No. 23

RESOLUTION NO. 2015-70

- C.-15. 15-3866** A Resolution authorizing the execution of a Memorandum of Understanding between the Center for Independent Living of South Florida and the City of Coral Gables for shared office space use at the Youth Center.

Attachments: CILSF MOU 2015
MOU -RESOL 2015 CENTER FOR INDEPENDENT LIVING
C-15 Signed Cover Memo

A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CENTER FOR INDEPENDENT LIVING OF SOUTH FLORIDA AND THE CITY OF CORAL GABLES FOR SHARED OFFICE SPACE USE AT THE YOUTH CENTER.

This Matter was adopted by Resolution Number 2015-70 on the Consent Agenda.

City Clerk Item No. 24

1. Presentation of Boards and/or Committees minutes requesting no action from the City Commission:

- 1.-1. 15-3808** Property Advisory Board Meeting of January 21, 2015

Attachments: PAB 3-25-15 Commission cover
1-21-15 PAB minutes

This Matter was approved on the Consent Agenda.

City Clerk Item No. 25

- 1.-2. 15-3832** International Affairs Coordinating Council Meeting of February 17, 2015

Attachments: Microsoft Word - IACC-Minutes February 17 2015 (2)
Microsoft Word - cover letter 02-17-2015

This Matter was approved on the Consent Agenda.

City Clerk Item No. 26

- 1.-3. 15-3848** Arts Advisory Panel Meeting of February 17, 2015

Attachments: AAP Commission cover 4-28-15
AAP Minutes February 17 2015

This Matter was approved on the Consent Agenda.

City Clerk Item No. 27

- 1.-4. 15-3860 Budget/Audit Advisory Board Meeting of February 25, 2015
- Attachments:** Agenda - Budget Audit Board meeting of February 25, 2015
Agenda - Budget Audit Board meeting of February 25, 2015
Budget Audit Minutes - February 25 2015
Meeting Minutes of February 25, 2015
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 28
- 1.-5. 15-3861 Coral Gables Merrick House Governing Board Meeting of March 9, 2015
- Attachments:** 03.09.15MinutesforCC04.28.15
Merrick House Minutes March 9 2015
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 29
- 1.-6. 15-3864 Landscape Beautification Advisory Board Meeting of March 5, 2015
- Attachments:** 42815-Cover Memo CC Minutes30515
Minutes BC 3-5-15 SIGNED
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 30
- 1.-7. 15-3870 Retirement Board Meeting of March 12, 2015
- Attachments:** CC.04-28-2015.March 12, 2015
Minutes.03-12-2015
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 31
- 1.-8. 15-3871 International Affairs Coordinating Council Meeting of March 4, 2015
- Attachments:** IACC-Minutes of Special March 4 2015
Microsoft Word - cover letter 03-04-15
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 32

- 1.-9. 15-3875 Property Advisory Board Meeting of March 3, 2015
- Attachments:** PAB 4-28-15 Commission cover
3-3-15 PAB minutes
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 33
- 1.-10. 15-3898 Traffic Advisory Board Meeting of February 17, 2015
- Attachments:** TAB 2-17-15 meeting minutes COVER
TAB 2-17-15 meeting MINUTES
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 34
- 1.-11. 15-3876 Communications Committee Meeting February 19, 2015
- Attachments:** CC. 4.28.15 Commission cover
CC Minutes 2-19-15
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 35
- 1.-12. 15-3869 City of Coral Gables/University of Miami Community Relations Committee Meeting of March 2, 2015
- Attachments:** Community Relations Comm minutes - March 2 2015 - Final COVER MEMO
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 36
- 1.-13. 15-3873 Insurance Advisory Committee Meeting of March 27, 2015
- Attachments:** August 27, 2015 Final Mins.
CoverMemo IACMtg_03272015
IAC Mtg. DRAFT Minutes_03272015
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 37

Pulled from Consent Agenda**RESOLUTION NO. 2015-71 (As Amended)****C.-1. 15-3815**

A Resolution authorizing Gables Hispanic Cultural Foundation, Inc. to sell alcoholic beverages on Saturday, October 24, 2015, from noon until 10:00 p.m. and on Sunday, October 25, 2015 from 10:00 a.m. until 8:00 p.m. on Biltmore Way between LeJeune Road and Hernando Street, during the "Gables Hispanic Cultural Festival," subject to Florida Department of Professional Regulation requirements.

Attachments: Gables Hispanic Cultural Festival - Special Event Application
Resolution
C-1 Signed Cover Memo

A motion was made by Vice Mayor Quesada, seconded by Commissioner Keon, that this matter be adopted as amended by Resolution Number 2015-71. The motion passed by the following vote.

Yeas : 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon,
Commissioner Lago and Mayor Cason

City Clerk Item No. 38

RESOLUTION NO. 2015-72 (As Amended)**C.-2. 15-3855**

A Resolution authorizing Unlimited Sales Group, Inc. to sell alcoholic beverages on Giralda Avenue East of LeJeune Road and West of Ponce de Leon Boulevard from 10:00 a.m. to 6:00 p.m. on Saturday, January 23, 2016 and from 10:00 a.m. to 6:00 p.m. on Sunday, January 24, 2016 as part of the "Coral Gables Festival of the Arts," subject to Florida Department of Professional Regulation requirements.

Attachments: C-2 Signed Cover Memo
Unlimited Sales Group Resolution
Special Event Application

A motion was made by Vice Mayor Quesada, seconded by Commissioner Keon, that this matter be adopted as amended by Resolution Number 2015-72. The motion passed by the following vote.

Yeas : 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon,
Commissioner Lago and Mayor Cason

City Clerk Item No. 39

D. PERSONAL APPEARANCES

None

City Clerk Item No. 40

E. PUBLIC HEARINGS**ORDINANCE ON SECOND READING****ORDINANCE NO. 2015-05**

- E.-1. 15-3856 An Ordinance amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," amending Section 50-26, Compulsory Participation; and providing for repealer, codification, and an effective date. (This election pertains only to the Deputy City Attorney and Assistant City Manager positions.) (Passed on First Reading March 25, 2015)

Attachments: E-9 Signed Cover Memo 3-25-15
Amendment to Pension Ordinance
E-1 Signed Cover Memo 4-28-15

AN ORDINANCE AMENDING CHAPTER 50 OF THE "CODE OF THE CITY OF CORAL GABLES," ENTITLED "PENSIONS," AMENDING SECTION 50-26, COMPULSORY PARTICIPATION; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

A motion was made by Commissioner Lago, seconded by Commissioner Keon, that this matter be adopted by Ordinance Number 2015-05. The motion passed by the following vote.

Yeas : 5 - Commissioner Slesnick, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Mayor Cason

City Clerk Item No. 41

ORDINANCE ON FIRST READING

ORDINANCE NO. 2015-32**E.-2. 15-3656**

Conditional Use Review for a Building Site Determination. An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, "Development Review", Section 3-206, "Building Site Determination" to create two (2) separate single-family building sites on property zoned Single-Family Residential (SFR) District; one (1) building site on Lot 30 and one (1) building site consisting of Lot 31 on the property legally described as Lots 30 and 31, Block A, Gables Estates No. 2 (20 Casuarina Concourse), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, codification, and providing for an effective date. (PZB Vote 3-2, No Recommendation). (First Reading continued from the March 10, 2015 meeting, passed on First Reading at the April 28, 2015 meeting)

Attachments: [02 10 15 Exhibit A - Draft Ordinance - Conditional Use Review for a Building Site I](#)
[02 10 15 Exhibit B - 01.14.15 Planning Division Staff report and recommendation \](#)
[02 10 15 Exhibit C - 01 14 15 Excerpts of Planning and Zoning Board Meeting Mir](#)
[02 10 15 Exhibit D - PowerPoint Presentation for 20 Casuarina Concourse](#)
[E-2 Signed Cover Memo 2-10-15](#)
[03 10 15 CC Cover Memo - 20 Casuarina Concourse 1st reading](#)
[03 10 15 Exhibit A - Draft Ordinance - Conditional Use Review for a Building Site I](#)
[03 10 15 Exhibit B - 01.14.15 Planning Division Staff report and recommendation \](#)
[03 10 15 Exhibit C - 01 14 15 Excerpts of Planning and Zoning Board Meeting Mir](#)
[03 10 15 Exhibit D - PowerPoint Presentation for 20 Casuarina Concourse](#)
[04 28 15 Exhibit A - Draft Ordinance - Conditional Use Review for a Building Site I](#)
[04 28 15 Exhibit B - 01.14.15 Planning Division Staff report and recommendation \](#)
[04 28 15 Exhibit C - 01 14 15 Excerpts of Planning and Zoning Board Meeting Mir](#)
[04 28 15 Exhibit D - PowerPoint Presentation for 20 Casuarina Concourse](#)
[04 28 15 CC Cover Memo - 20 Casuarina Concourse 1st reading](#)
[E-2 Signed Cover Memo 4-28-15](#)
[05 12 15 CC Cover Memo re 20 Casuarina Concourse 2nd reading](#)
[05 12 15 Exhibit A - Ordinance Conditional Use Review](#)
[E-1 Signed Cover Memo 5-12-15](#)

[Note for the Record: The verbatim transcript for Agenda Item E-2 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Vice Mayor Quesada, seconded by Commissioner Lago, that this matter be approved as an Ordinance on First Reading. The motion passed by the following vote.

Yeas : 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 42

RESOLUTION

RESOLUTION NO. 2015-73E.-3. **15-3862**

A Resolution confirming the assessment roll for Local Improvement District designated as CGH-01; imposing the assessments; providing that the assessments shall constitute a lien equal in rank and dignity with the lien of state, county, and municipal taxes; providing for the collection of the assessments and notice thereof; and providing an effective date. (This Resolution finalizes the assessment roll for the Cocoplum Guardhouse improvements).

Attachments: Notice to Property Owners for Cocoplum Guardhouse Assessment - FINAL
Notice to Property Owners for Cocoplum Guardhouse Assessment - FINAL
NOTICE OF PUBLIC HEARING FOR COCOPLUM FINAL
NOTICE OF PUBLIC HEARING FOR COCOPLUM FINAL
2008-22
2008-66
2008-149
2009-212
2009-289
2009-325
2012-114
Cocoplum Final Assessment Roll Resolution #2 4-28-15
Cocoplum Final Assessment Roll Resolution #2 4-28-15
E-3 Signed Cover Memo

A RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENT DISTRICT DESIGNATED AS CGH-01; IMPOSING THE ASSESSMENTS; PROVIDING THAT THE ASSESSMENTS SHALL CONSTITUTE A LIEN EQUAL IN RANK AND DIGNITY WITH THE LIEN OF STATE, COUNTY, AND MUNICIPAL TAXES; PROVIDING FOR THE COLLECTION OF THE ASSESSMENTS AND NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

[Note for the Record (Agenda Item E-3): The verbatim transcript for Agenda Item E-3 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Lago, seconded by Vice Mayor Quesada, that this matter be adopted by Resolution Number 2015-73. The motion passed by the following vote.

Yeas : 5 - Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

City Clerk Item No. 44

F. CITY COMMISSION ITEMS

- F.-1. 15-3894** Consideration of Convening a Charter Review Committee.
Commissioner Lago

[Note for the Record: The verbatim transcript for Agenda Item F-1 is available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed and Filed

City Clerk Item No. 45

- F.-2. 15-3907** Update on Controlled Choice process with Miami Dade Public Schools.
Commissioner Keon

[Note for the Record: The verbatim transcript for Agenda Item F-2 is available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed and Filed

City Clerk Item No. 46

- F.-3. 15-3914** Update on North Gables Planning Study.
Commissioner Keon

[Note for the Record: The verbatim transcript for Agenda Item F-3 is available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed and Filed

City Clerk Item No. 47

- F.-4. 15-3915** Update on U. S. 1 and Sunset Corridor.
Commissioner Keon

This Agenda Item was Discussed and Filed

City Clerk Item No. 48

- F.-5. 15-3918** A Resolution of the City Commission appointing Frank C. Quesada as Vice-Mayor of the City of Coral Gables, Florida.

Attachments: [R-2015- Appointment of Frank C. Quesada as Vice-Mayor.docx](#)
[F-5 signed cover memo](#)

This Resolution was Withdrawn

City Clerk Item No. 1

G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 49

H. CITY MANAGER ITEMS

- H.-1. 15-3885 Presentation of Quarterly Financial Report for the six months ended March 31, 2015.

Attachments: Quarterly Financial Report 3-31-2015
H-1 Signed Cover Memo

[Note for the Record: The verbatim transcript for Agenda Item H-1 is available for public inspection in the Office of the City Clerk and in Legistar].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 51

- H.-2. 15-3892 Update of the Sustainability Planning Process.

Attachments: Project Schedule
Sustainability Plan Memo
Presentation
H-2 Signed Cover Memo

[Note for the Record: The verbatim transcript for Agenda Item H-2 is available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed and Filed

City Clerk Item No. 43

- H.-3. 15-3893 Update of the Comprehensive Multimodal Transportation Plan scope.

Attachments: Comprehensive Transportation Plan Update - COVER
Scope Draft
H-3 Signed Cover Memo

[Note for the Record: The verbatim transcript for Agenda Item H-3 is available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed and Filed

City Clerk Item No. 52

RESOLUTION NO. 2015-74

- H.-4. **15-3874** Resolution authorizing the renewal of the property and casualty insurance program which includes, but is not limited to, property, general liability, automobile liability, public officials errors & omissions, workers compensation, other ancillary lines of insurance coverage and insurance broker fees through Arthur J. Gallagher Risk Management Services, Inc., in the amount of \$ 2,174,013.35 for the policy period of May 1, 2015 to May 1, 2016.

Attachments: 2015-2016 Property Insurance RESOLUTION
AJG Executive Summary pg 8 revised
Siver Revised Recommendation
H-4 Signed Cover Memo

RESOLUTION AUTHORIZING THE RENEWAL OF THE PROPERTY AND CASUALTY INSURANCE PROGRAM WHICH INCLUDES, BUT IS NOT LIMITED TO, PROPERTY, GENERAL LIABILITY, AUTOMOBILE LIABILITY, PUBLIC OFFICIALS ERRORS & OMISSIONS, WORKERS COMPENSATION, OTHER ANCILLARY LINES OF INSURANCE COVERAGE AND INSURANCE BROKER FEES THROUGH ARTHUR J. GALLAGHER RISK MANAGEMENT SERVICES, INC., IN THE AMOUNT OF \$ 2,174,013.35 FOR THE POLICY PERIOD OF MAY 1, 2015 TO MAY 1, 2016.

[Note for the Record: The verbatim transcript for Agenda Item H-4 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Lago, seconded by Vice Mayor Quesada, that this matter be adopted by Resolution Number 2015-74. The motion passed by the following vote.

Yeas : 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon, Commissioner Lago and Mayor Cason

City Clerk Item No. 50

I. CITY ATTORNEY ITEMS

- I.-1. **15-3884** Status report regarding legal research and potential legislation relating to workforce housing for teachers.

Attachments: I-1 Memo

[Note for the Record: The verbatim transcript for Agenda Item I-1 is available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed and Filed

City Clerk Item No. 53

J. CITY CLERK ITEMS

None

City Clerk Item No. 54

K. DISCUSSION ITEMS

Mayor Cason: Alright, do we have any discussion items?- Commissioner Lago had to leave and we have an Executive Session.

Commissioner Keon: I have one item I'd like to bring up. A resident called me and I've heard this is the third or fourth person who has sort of made this complaint, but this particular resident called me...

Vice Mayor Quesada: I'm sorry, stop you for one second. Don't we have a City Attorney Item?

City Attorney Leen: Item I-1.

Mayor Cason: We have I-1 here.

Commissioner Keon: It's just with regard to valet, that the valets are continuing - they use the adjacent parking spaces that they are not paying for as valet, for valet and I know this particular resident called me and told me that just a couple of weeks ago, he was parking in the meters where Brick Tops has their valet, and he pulled into the spot, paid his meter, or went to pay his meter and the valet came over and told him that he couldn't park there, they needed that spot for storage, and he told them it's not bagged, it's a City meter, and certainly I can park there. And he got into an argument with the valet over whether or not he could park there, and he could park there and he said to them, you know you have the other car that was parked in back of him, the valet was also used, and he said you know you are going to have to move that car, because you are whatever. They got into a discussion. He ended up calling the police, and so I know there is a police report on the incident, but the valets are an issue in parking downtown and not restricting themselves to just the meters that they pay for, and they park cars in metered spaces in the vicinity when they are open.

Mayor Cason: And they get away with it.

Commissioner Keon: And they get away with it.

City Manager Swanson-Rivenbark: So Commissioner, I know Commissioner Lago also raised this issue. We went to the Business Improvement District, we spoke to them about it, and it is from the studies that we can see it is not the centralized valet parking...

Commissioner Keon: No, no, no. It's the other valets.

City Manager Swanson-Rivenbark: It's the individual restaurants that have valet contracts and so one of those strategies that we've advised both through the Parking Department and also through the valet companies is, we will move to recommend to the City Commission a downtown centralized valet parking program that we can control if you all don't begin following this process, and we will yank your right to park on this street for the drop-offs, pick-ups, so that message is going to the valet companies. In addition to the centralized valet parking, just so that everybody continues to follow the rule. Kevin is issuing those directions to the private restaurants that have their own individual contracts.

Commissioner Keon: How long has that been going on?

City Manager Swanson-Rivenbark: We just started that really about three weeks ago.

Commissioner Keon: Well this happened about two weeks ago, so somebody is not hearing. There is a police report on the issue.

City Manager Swanson-Rivenbark: We have the right to pull their right from having valet parking at all, and so we've stepped up the volume in our discussions.

Commissioner Keon: OK. I know this wasn't with Brick Tops valet.

Mayor Cason: Discussion Items?

Vice Mayor Quesada: Yes - Streetscape. We went out there immediately after the last meeting, I don't know if the rest of the Commission had a chance to take a look at the sidewalk. I'll be honest with you. I thought it was going to be wider. I thought there was going to be more space for pedestrians. And this is not a secret to anyone up here that I always wanted to have bike lanes in the project as well. A question to Glenn

Kephart through the City Manager, if that's OK with you Madam Manager?

City Manager Swanson-Rivenbark: It depends on what the question is.

[Laughter]

Vice Mayor Quesada: A question that you will disapprove of. Has the steering committee addressed or looked at or our consultants looked at making Miracle Mile one lane in each direction? Now again, I'm very sensitive to the traffic issue, but at the same I just think that - I'm sorry?

Commissioner Keon: It would function like Sunset Drive, through their Business District where it's one lane in each direction.

Vice Mayor Quesada: I don't know if that's an "apples to apples" comparison. I understand its pretty close.

Commissioner Keon: You're right, but similar.

Vice Mayor Quesada: Because we have more office than they do.

Commissioner Keon: A lot of it is people going through the City.

Vice Mayor Quesada: So I guess the question is, have we looked at that?- I guess what I would like to see is at least an analysis of what the traffic impact would be?- what the benefits would be if we were to take away one lane from each direction of Miracle Mile, add a bike lane and widen the sidewalk even more? Is that completely out there from the facial expressions that I'm reading from everyone in the crowd, it seems like it's completely out there, but if there is a time to look at everything and discuss everything its right now.

Mayor Cason: With one lane though, if you are going to parallel park, somebody is trying to back in, backing up traffic everywhere trying to get into the parking.

Vice Mayor Quesada: The idea we are investing \$14 million on Miracle Mile, \$3 million on Giralda, the idea is to create the ideal pedestrian experience, so that every landlord is happy, every tenant is happy, every resident is happy when they visit Miracle Mile, we are making a significant investment. If we don't feel the sidewalks are

wide enough and they are going to provide that experience that we are all going for, I just really think that something that we should at least look at.

Commissioner Slesnick: We don't own Coral Way though, it's a county road.

Vice Mayor Quesada: County road.

Commissioner Keon: It's a County road, but it was turned over...

City Manager Swanson-Rivenbark: But we maintain it when they did the median, when the palms went in the medians and they created those turn lanes, then we had to take over maintenance responsibility for Coral Way, but it is a high volume, significant number of cars, where do those cars go if you narrow and reduce it to one lane?- but Glenn, if you want to come forward. This is a conversation where we are today with the streetscape has had a lot of community input, after they study it, we bring it back, you look at the findings and you decide it's worth it, then my suggestion to you is we go back to the public and we provide the conversation, because we have not had that with the merchants, the other players to date.

Commissioner Keon: The other alternative maybe you can address is to take all the parking off Miracle Mile entirely. You can widen out the sidewalks, you can put in bicycle lanes and you have no interference and no parking on Miracle Mile. The best way that you are going to achieve that rather than - they can both look at it. If you want to achieve that, I think you should look at and weigh both of those.

Vice Mayor Quesada: I don't think we are moving all the parking on Miracle Mile, something that our residents are willing to stomach at this point. I understand your concern.

Commissioner Keon: But you just said you wanted to think out of the box. I'm telling you this is out of the box.

[Laughter]

Commissioner Keon: That's out of the box. I think it's something that you really need to look at. The problem with the bicycle lanes is the high volume of traffic and car doors opening and closing among them, all those things. You eliminate that issue when you take parking off of the Mile.

Vice Mayor Quesada: Well the point is we are not experts. We don't have that experience.

Commissioner Keon: I would ask that if you are going to look at that, that you also look at that...

Commissioner Slesnick: Can we have the bike lanes on the sidewalk where they are extending it?

Mayor Cason: That is so damn dangerous. The original Mile plan had the bike lane between the cars and where you are sitting. You get up at 11 o'clock at night, after you've had your two Martini's and go to your car and some guy is whipping down on a bike - doors open.

Vice Mayor Quesada: Well hold on a second, let me stop you there. There are cities that do it. If you've been to Stockholm, if you've been to Paris, if you've been to New York, if you've been to Chicago, there are places that do it successfully, so I mean again, we have never designed bike lanes. One thought and I was looking at some e-mails, some input from residents - is it possible to get our bike master plan consultant that we use, so we don't have to go through our P-process. They did our plan, they know it better than we do, they know our City better than we do when it comes to biking implementation. Get them involved in the conversation as well. I'm sorry Glenn; there are many questions that are coming your way.

Mr. Kephart: There are many questions. I welcome the opportunity to do my best to address it. Your first question was, did the steering committee discuss possibly one lane? We discussed everything. In the visioning from completely closing the street to having no parking to reducing it to one lane, back and forth, and we spent some time on that, and what the overall width of the sidewalk needed to be, could be, should be, and we settled on the 23 feet, and there is a couple reasons and it could be different things, but one was, that's a project that this community has moved forward after decades and I can tell you it has broad base support that I haven't seen at this level for a project of this magnitude before. It's pretty significant. So I think could it be one lane?- possibly. The thing is it hasn't been studied and it needs to be studied and we need to understand how much traffic would that reduce on the Mile?- where does it go to?- could it be one lane?- the capacity predominantly comes from your intersections. So if you keep your intersections the width that they are it's not impossible, but I think

the important thing is...the number of cars you get through the intersection is what really determines the capacity of a street, not how long it takes you to get from intersection to intersection. So if you maintain all of your lanes in an intersection, you can reduce capacity between those intersections and not significantly affect the capacity of the street. That gets into some complex traffic engineering and that is an example of something that needs to be studied and then how much is the capacity reduced and where does that traffic go as we were talking about our comprehensive transportation plan. We have not gone forward with that study and we need to understand that, I think the community would have a right to know that, so. If we were to undertake that, that would take some time and we would probably say a pause, until we had that answer because we don't want to continue with final design with something that's going to change, but I will also say that, if we went with one lane and we've been proceeding, one of the things is that whatever we do now could expand or contract into the future. We have a curb line at 23 feet and then we have about 10 feet of parking and then two 11-foot lanes and a bike lane, and how could you get a bike lane in there? So if you were to reduce a lane of traffic, an 11-foot lane would probably become a 16-foot lane, so that as the Mayor said, if somebody is backing into a parking space, other people still need to be able to get around. So you have a single lane that's about 16 feet and you add your bike lane, your curb line doesn't change very much, your sidewalk is going to remain pretty close to the 23 feet. You might be able to pick up a couple feet to 25 feet or so. We would need to pause and we would need to study those issues and then I believe, see if there is community support for them. And I'll tell you, you have community support for what you are doing now; the bike lane keeps coming up - couple issues on it. I don't think we necessarily need to bring in specialty consultants to consider how we design the bike lane. We know that. I spent a great deal of my career adding bike lanes to a City and understanding the options. The option for a protected bike lane takes away about 7 feet, and even if we had that 7 feet, I wouldn't recommend it because of your conflicts. You don't have - it's not really protected. What you do is you move the bikes on the inside of the cars and now the cars provide a visual barrier so that every time you come to a quarter block or every eighth of a mile you are coming to a conflict point, there is a visibility issue there. The bikes may not stop even though the signal says pedestrians have the right-of-way, there are too many conflicts and you can keep the bikes...my professional opinion, if you are adding bikes you keep them out on the roadway, on the roadway side of the car. There are people, who argue with me on that, but I have talked to the county about it and their bicycle coordinator agrees with my opinion on that. So how do you get, as you had mentioned, how do you get space for the bicycles?- you either take it away from the pedestrian area or you take it away

from the lane of traffic. If you take it away from the lane of traffic, as the City Manager had said, not saying that's the right thing or wrong thing, but we would need to pause and determine whether that's the new direction for this project because it's something a little bit different than we've designed to this point.

Mayor Cason: So now the bikes could go on the next street over, Andalusia, for example, Aragon.

Mr. Kephart: The bikes could go and I think it's one of the things that we need to continue to study and also the bikes would, under the current proposal, the lane next to the parking would be a sharrow, almost the identical cross-section to what FDOT (Florida Department of Transportation) striped on Coral Way east of Douglas, if you look at that. That was recently striped within the last month or so.

Vice Mayor Quesada: I guess our staff member; the most experience in this has got to be Jessica Keller, right?

Mr. Kephart: Jessica and I both have a lot of experience in this area, the internship is in charge of transportation and it's her ownership at this point.

Vice Mayor Quesada: No, I know, but considering her recent experience with the City of Baltimore and the implementation of bike lanes there, that was a significant project...It's one thing that I've discussed with her many, many times, and again, I think we are all up here caught in a catch-22, because I think if we all had the space we would all want the bike lanes and we all have different opinions on it going through. We all want that space, we all realize that we need that width, that comfort that we want and after what we saw on Friday from Cooper Robertson and the trees and almost making it a downtown park is spectacular. I think we all loved it, but at the same time we want bike lanes, so it's a very difficult area to navigate for lack of a better way to put it. So I'm just trying to find a better way to make everything work.

City Manager Swanson-Rivenbark: Its interesting though because Glenn and I drove down Coral Way and we watched two lanes; the second lane being a sharrow was a little bit wider in order to accommodate it from, not southwest third, but a significant part of Coral Way and so if we talk about connectability, I'm not sure why the bike enthusiasts and I know they are putting an incredible amount of pressure on all of you, I'm not sure why they immediately discarded the concept of the sharrow.

Vice Mayor Quesada: Sharrows don't work. It's been proven all over the world that sharrows don't work. Sharrows create situations where the cyclists hate a driver and the driver hates the cyclist and that's where injuries happen in sharrows.

Mr. Kephart: The only thing though for Miracle Mile because when it's congested -- when it's not congested bikes can fit on there; when it is congested bikes can travel at the same rate the speed is as the automobile and to creating whether you stripe a bike lane, whether you add a couple feet and stripe a bike lane or not, it's a street given the number of people, the number of cars, the activity, the distractions that you want to be an experienced bike rider on, so.

Vice Mayor Quesada: What would it take to analyze these two ideas that Commissioner Keon and myself have brought up? Will it slow the process down to do an analysis to take a look at it at this point?- what can we do? That's the end game here.

Mr. Kephart: I think that we would want to take a little bit of a pause before we are getting close to being ready to move into see these final design documents based on the concepts that you've seen. I wouldn't recommend that we do that and if we are going to do this study and potentially add a lane, I mean take away a lane. Taking away a lane doesn't have to be a huge design issue, but we've got to pause and know whether we are doing that because we would do some things differently.

Vice Mayor Quesada: How much time would you need or would we need if we were to take a pause?

Mr. Kephart: We can do the study probably fairly quickly, but then I think we have to have probably an additional community meeting to explain to the public that we've modified the concept that we showed before giving my recommendation. I'm hesitant to give you an off the cuff...

City Manager Swanson-Rivenbark: Glenn don't give a timetable we can't meet.

Mr. Kephart: Yes and I would like some time to discuss it with staff and the Manager.

Mayor Cason: And discuss it with the BID and the Chamber and a lot of people.

Commissioner Keon: I mean I don't feel that there is a lot of pressure to put bike lanes

on Miracle Mile. I don't feel like I would succumb to that pressure. I really think that it's - this is creating and redoing this because we are creating this to support the retail community within our City and to put retail on Miracle Mile as we work to develop Ponce for retail too. So we have that intersection between those two streets. So the primary purpose of doing this is safety and drainage and infrastructure, but it is to support the retail community and to create that downtown. People can still get to the Mile by bike without having to ride on the Mile.

Mayor Cason: You might want to check with the BID right off to get their impression.

Commissioner Keon: So I'm not saying that it's not that I am suggesting that you take the parking off Miracle Mile. All I'm saying to you is it becomes a decision of this Commission, or whatever that bikeways have to be placed on Miracle Mile. I think the only way you are going to do it is if you reduce the number of lanes of traffic, or you take off the parking. Somehow you've got to create space.

Vice Mayor Quesada: That's one of the considerations why I brought it up. It wasn't just the bike lanes, but also is the sidewalk wide enough?- and again, that really jumped out at me when I went out and actually looked at it. I think it's great. I think it's a great start, but when I think about the money we are investing I try to think of how wide it needs to be...

Commissioner Keon: It could be wider.

Vice Mayor Quesada:...and again, when you go to Lincoln Road and you have that experience, again we don't want to be Lincoln Road, but the width is the comfort that creates the nice family atmosphere that we all love. You can walk down with your family and not feel like you are going to get run over by a car or run into a car, that width is what's very comfortable and creates a great outdoor dining and park space really.

Mr. Kephart: If the Commission would so desire, we have another steering committee next week, May 7th?- I'm not sure exactly...

Commissioner Keon: May 8th I think because I think I have an invitation to go to it.

Mr. Kephart: May 8th - anyway we have another steering committee and what we could do is we could talk about this discussion. In between now and then we could

work with our design team to talk about what would the pause be?- what are the things we need to do to fully vet this?- lay out a timeline. We could talk to the steering committee about it, get their opinion on it and then through the City Manager come back to you and say, here's what the steering committee said this issue.

Vice Mayor Quesada: The first question, the threshold question really that needs to be looked at even before then is, what is the impact on traffic?- that it for both of the proposals we've just discussed, because if the impact on traffic of moving to one lane is horrible then the conversation ends right there.

Mr. Kephart: It will take longer to get that information then, I guess my question will be to the steering committee, if it could be managed from a traffic impact standpoint do they think it's a good thing to the project, understanding that it would cause a project delay, and so if we were to do that then we will move my recommendation is have that discussion first, come back to you on the 12th to report what the steering committee and the community what the BID has to say about that and then make a decision if we are going to enter into a traffic study to evaluate this, since it's going to take some time, because they have to collect data, they have to put counters out there, they have to analyze the data.

City Manager Swanson-Rivenbark: Carmen is also a member of the steering committee.

Ms. Olazabal: I'm not sure what you are proposing. You are proposing taking it back to the steering committee so that they can weigh in on the preferences and whether we download it or not; and the issue is if we take it to the step two, the set two requires the traffic study and it will affect the time. There is something that we should discuss process-wise because the design process, while we are kind of going through the design process we are evaluating a lot of options, and we are coming back to the Commission with those decisions, or with those options and presenting to you, but once we make those decisions it's hard to reopen them and reopen them without affecting the timeline of that project permanently. So it's something we really have to start discussing if we want to reopen this, we can, but it will affect the timeline and at some point we have to make decisions so that we can move the design forward.

Commissioner Keon: I think the real threshold question is whether or not bike lanes belong on Miracle Mile?- I think that's a decision that we need to make. We need to say to all of the biking community, we will accommodate your opportunity to be able

to access the Mile, but you can't put bike lanes on the Mile or you say, design with bike lanes on the Mile. We have to know that.

City Manager Swanson-Rivenbark: I'm going to be the bad guy. I believe the steering committee considered whether or not bike lanes were critical in the equation. I believe the concept of going to the Mile but not through the Mile was discussed and how can we do a better job at creating bike depots or sharrows and those kinds of bike-friendly improvements that are necessary. I recall an earlier vote with respect prior to Commissioner Slesnick joining where there was a motion made on the issue of bike lanes on Miracle Mile, considering what the steering committee had said, and the Commission at the time failed to have a second. And so, we can study, but if at the end the sentiment of the Commission is going to determine which direction we go, to think that one-laning will not have a significant impact on traffic. I'm not a traffic engineer, but I can already tell you, it's going to have a significant impact on traffic. So it would be helpful to us and I'm sorry that Commissioner Lago is not here right now, it would be helpful for us to get direction from the Commission because we see the e-mails coming through, but we know the steering committee had considered those. We know the steering committee has said, it's better to go to not through, because it's not an endless amount of right-of-way that we have to work with. We are not suggesting remove the palms, which is another way that you can widen it all, and so it would be helpful to us to have at this point in time what the Commission's direction is regarding bike lanes in terms of priority as we design the Mile. We are almost there. You all have identified how to pay for it. You have hired a national designer who has such great public skills that the community has come, weighed in, and has been excited. Business Improvement District is a part of that steering committee and they've also briefed their public. We are almost done. So the question is, is this the time that you all want to say, pause, we want to revisit the bike lanes or is this the time to say, we love cyclists, we want to encourage cycling in our community, but we are going to do it on the side areas or the two areas, the Underline and all those other components rather than Miracle Mile itself, as the signature dining and shopping. I know that's not a popular discussion, but I think it's time that you all have it.

Mayor Cason: I don't think the biking community has made the case for Miracle Mile. I know they want it there, but they haven't made the case why not on the side streets, and I've looked at Miracle Mile for the business owners there to increase their business, walkability, outdoor cafes, but I don't see why the bikes can't go on the side streets. We have all the other things that they want in terms of storage and there is a lot more room there, but I don't want to slow the process down to reopen this discussion

again that's been discussed before.

Commissioner Keon: Did we make a motion? What happened the last time Cathy?- was it a motion made on the issue?

City Manager Swanson-Rivenbark: A motion was made and there wasn't a second.

Commissioner Keon: Oh - OK.

City Attorney Leen: Normally when there is a motion made and it doesn't lead to anything, in order to bring it back up one of the parties that was against the motion would bring it up.

Mayor Cason: The prevailing party.

City Attorney Leen: The prevailing party. So like it failed, the motion failed...

Commissioner Keon: Did it fail?

City Attorney Leen: Well it was not seconded.

Vice Mayor Quesada: The only Commissioner that can bring up the issue of bike lanes again is yourself and the Mayor, because the third one was Vice Mayor Kerdyk who is no longer here. So to reconsider adding bike lanes or not, there are only two people that can bring it up. I can't bring it up nor can Commissioner Slesnick because she wasn't on the dais, and Commissioner Lago was not there that day, if you guys recall.

City Attorney Leen: It's a very strict, very strict application of procedural rules. The only reason why you may want to do that there, do that here, Mr. Mayor, is because already a lot of reliance has been done on that vote, pardon me, non-vote, so I think that you should, you have the authority to determine whether it's an order or not.

Mayor Cason: I'm not willing to bring it up.

Commissioner Keon: OK. Thank you. No, I don't either.

Mayor Cason: There is your guidance.

City Attorney Leen: Thank you.

Mayor Cason: Any other discussion items?

Vice Mayor Quesada: Well, I would still like to have the steering committee discuss the parking issue as well as the one lane, at least have a discussion.

Commissioner Slesnick: I wanted to ask a question too. I'm pro-bicycle and I think with more restaurants and so forth on Miracle Mile people riding bicycles up there to the Mile. Is it possible to make a bike lane on like Salzedo, since there is no parking on Salzedo, is it Salzedo?

All: Galiano.

Commissioner Slesnick: Galiano. What's the one right up here?- Salzedo. Is it possible to have a bike lane on Salzedo so that people can access get closer to Miracle Mile and then have bicycle racks there?

Mr. Kephart: Actually Salzedo is identified as a bicycle route in the master plan as part of the Mediterranean Village project, we are making them honor that through their portion of it, so that is part of the vision.

Commissioner Slesnick: So they can get from like the Metro Rail over to downtown Miracle Mile without having to go through...

Commissioner Keon: Well that's what we said, was that there had to be a dedicated...for people to go from the Mile to the Metro Rail to the Underline, because there are bike paths there and that's really the transportation route, because there isn't a safe transportation route down Coral Way anyway.

Commissioner Slesnick: Do you think if we one-laned Coral Way, Miracle Mile though traffic coming back in the late afternoons would divert at Douglas and either go on Alhambra, which is already a very busy street?- or over to not Andalusia, Valencia?- which would greatly impact the neighbors in those neighborhoods.

Mr. Kephart: That's what needs to be studied and understood, so that we don't surprise anybody. I don't want to belabor it, I need a clarification though, because I understood the direction and thank you and Commissioner Quesada you had said then

that you will still like to have the steering committee evaluate the no-parking and the single lane.

Commissioner Keon: But if for no other reason than to just increase the size of the sidewalk.

Mr. Kephart: Right - but if we do that both of those issues are going to require significant study and community involvement to move forward. It's a pretty significant project change, so I...

Commissioner Keon: I think it's more of a matter of just having a discussion with the steering committee.

Mr. Kephart: They may say they like it and if they say they like it, then we've got to come back and change the scope of our project, and we've changed the budget of our project too, because if you significantly widen the sidewalk, we've already widened it a couple feet, working through the budget constraints, but it has a cost, not that that should be a deciding factor necessarily, but...

Ms. Olazabal: And the timeline and public process.

Mr. Kephart: The timeline is a big one because the steering committee, if we say you know the Commission asked us to look at maybe not putting parking on the Mile, let's talk about that, there may be consensus on the steering committee to rethink the project. Just need to make it clear that we are changing the project when we ask those questions potentially, so and I'm not sure as I stand here whether this direction to ask that question or to move forward.

Mayor Cason: Well we went through discussing on the side streets what's going to be done for bikes there, and how we are going to connect with the other bike lanes because you can do a lot more on the side streets and that discussion hasn't been widely disseminated.

Vice Mayor Quesada: How about we do this preliminary study?- I'm sorry to interrupt you Mayor. Yes, absolutely what the Mayor said, right now, we previously discussed it with Cooper Robertson, and we told them there is going to be phenomenal parking amenities for cyclists within the parking garages or whatever. There's got to be a relative ease to get into Miracle Mile if you are on a bike, if you are parking right off,

whatever it is, and I know Cooper Robertson has that direction. As far as what we are discussing now, so that slow down the process maybe preliminarily we go back to the steering committee is, how can we squeeze a few more feet out of it, if it is even possible to discuss with Cooper Robertson?- or have we maximized everything already?- maybe you know that answer.

Mr. Kephart: I do know that answer...

Vice Mayor Quesada: And the answer is yes.

Mr. Kephart: We have maximized. We started with 21 feet, 20 and-a-half (20 ½) on the concept and we squeezed it to 23, we are there. If we are going to get any additional width in the sidewalk that is going to affect parking or travel lanes. We are there.

Mayor Cason: And does the County have a say in this in terms of...?

Mr. Kephart: The County absolutely would have a say in it. They've had a say so far and we've been talking to them, we've met with them twice already because when we go through permits we want to have their buy-in, and we are headed in a direction that I think they can support at this point.

Commissioner Keon: Our piece for the garages - where are we with those?

City Manager Swanson-Rivenbark: We are bringing them to you next month on how we've revised them and then here accept the revisions, then we'll go ahead and publish the addendum.

Commissioner Keon: OK. Because that's an opportunity to require to have, the on

Commissioner Keon: OK. Because that's an opportunity to require to have, the one that the City is going to maintain to be able to have....

City Manager Swanson-Rivenbark: Showers and bike lockers. You have 250 bike lockers already planned in Agave, depending on what direction you take. We can look at different bike pods that allow the sharrow piece to it in a way that only those that are cyclists have access to the sharrows. We can figure it out, but how we make

Miracle Mile wider, we can't. We have physical limitations.

Mr. Kephart: Fifty-five (55) feet between the median and the right-of-way line and that 55 feet is divided up into 23 feet for sidewalk, 32 feet for transportation purposes at this point.

Commissioner Keon: That's why I think to make it wider or to create a bicycle lane, you give up parking, and so that's kind of a decision that needs to be made, I'm thinking will probably get a strong push-back on giving up parking.

Mayor Cason: I think a very strong push-back because that's one of the reasons this never moved forward for decades was this whole discussion of parallel and losing 91 or whatever the number was.

Commissioner Keon: Yes - pushback on that, but we still can talk about it.

Vice Mayor Quesada: Alright, if we can't squeeze anymore out it, then there is no direction at this time.

Mayor Cason: Go to the side streets.

Vice Mayor Quesada: At least from me, I don't know if anyone else has any additional thoughts.

Commissioner Keon: No. I think you are right.

Mr. Kephart: Thank you.

Vice Mayor Quesada: Make some killer bicycle amenities all-surrounding.

Mr. Kephart: That's our goal.

Mayor Cason: And extra...Jeannett any discussion items?

Commissioner Slesnick: You all received a memo last night about the comparison of the Planning and Zoning Board with other Boards in the City, particularly the Historic Preservation Board, did you receive it?

Mayor Cason: Yes.

Commissioner Slesnick: I'm concerned, the Planning and Zoning Board is the most powerful Board we have in the City, and really is going to be who serves on the Planning and Zoning Board for the next four years, that the impact that it's going to have on our future development in the City. In the Historic Preservation Board there are different positions that are delegated, one to a historian, one to an attorney, one to - you are passing this out, thank you - so that there is a sampling of people on the Historic Preservation Board that reflect a little bit of the community. Right now the Planning and Zoning Board is perceived as having seven members of which six are geared for the development end of the situation, with Maria Jimenez being one of the residents that really is not into development. Either they are architects and we do need to have qualified people serving on the Planning and Zoning Board, but architects or planners or developers or engineers or contractors, so it seems to be again perception in a community that is heavily geared toward developers. In the past 15-20-25 years, the Planning and Zoning Board has had more attorneys on it than anybody else. I know Pat served on it and other people in the community, insurance people, a doctor, again heavily toward - Tom Herald was the Chairman, our Supreme Court, Raul Cantero chaired the Board, so anyway it had a diversity of people, and right now I don't feel that the Planning and Zoning Board is as diverse as it could be, nor does it reflect some of the people from the community who have no building or contracting experience. I would really like to have either some guidelines presented on which people can be appointed to the Planning and Zoning Board, so that it is not weighed totally toward developers and contractors or that we might be able to get together some time before we appoint. This is kind of important since we appoint at the end of May for June positions, that we might have an opportunity to get together and discuss our appointees beforehand if that's permissible.

Mayor Cason: Is that possible?

Vice Mayor Quesada: We can discuss our appointments in a Commission meeting and not outside.

City Attorney Leen: Yes.

Commissioner Slesnick: Before we actually give the names.

City Manager Swanson-Rivenbark: I think what Vice Mayor Quesada is saying is at

one of your May meetings, first meeting in May, if you wanted to discuss it then second meeting - Walter when do you make the appointments?- is it June?- or is it May?

City Clerk Foeman: June.

City Manager Swanson-Rivenbark: So you have the whole month of May to be discussing this before you actually are obligated to appoint.

City Attorney Leen: The tradition in the City is that each Commissioner, essentially although you are nominating and it is approved by the Commission, the discretion is always been given to the Commissioner to choose who they wish and the Commission basically approves it. The Commission also has the authority to remove anyone from any Board, according to our Code. I haven't seen that used since I was here. Now technically, it's the Commission that appoints and also removes. So you could talk about it if you wish, but the tradition has been that the nominating Commissioner brings the name up and it's approved by the Commission.

Mayor Cason: You have a breakdown of the occupations of the current?

Vice Mayor Quesada: I was actually just writing it down right now. So currently we have Jess Lanigan, who is an attorney, we have...

Commissioner Keon:...he has another year and-a-half.

Vice Mayor Quesada: We have our former City Manager, Assistant City Manager Maria, who is there; we have an architect, Marshall Bellin, what is Eibi Aizenstat do?

Commissioner Keon: Eibi is going off, is termed out anyway.

Vice Mayor Quesada: Well what was he?- what is his profession?- does anyone know?

City Manager Swanson-Riyenbark: Oh, he's a banker.

Vice Mayor Quesada: Banker - Mr. Mayor who is your appointment?

Mayor Cason: Julio Grabiell who is an architect.

Vice Mayor Quesada: Julio - architect.

Mayor Cason: That's five.

Vice Mayor Quesada: My representative is Albert Perez who is property manager and does some development as well. Who else is left?- who am I missing? Oh yes, Tony Bello and what does he do?

Commissioner Keon: Tony works for - he is a businessman.

Vice Mayor Quesada: In real estate or outside of real estate.

Commissioner Keon: He works for a major company. At one time he worked for Comcast.

Vice Mayor Quesada: So right now...

Commissioner Keon: He is a longtime resident and is in private business.

Commissioner Slesnick: Right now it just seems that there are people on the Planning and Zoning Board that have other projects coming up this year that they are voting on, they are asking their fellow members to vote on.

Mayor Cason: Well that's a recusal issue.

Vice Mayor Quesada: At least....

Commissioner Slesnick: I know. I know. I know.

Mayor Cason: So you have a businessman, you have a banker; you have an ex-City Manager and a lawyer, so I don't see a majority of developers.

Commissioner Keon: I think that maybe what is a concern is when there is any architect or any developer that sits on that Board, or even an attorney that actually represents clients before the City Commission, even though they may recuse themselves from the vote it becomes a collegiality among Board members that they may be moved to support because of that collegiality. I had heard that said before. I

don't really know. I know when I sat on the Board, Robert Behar was on the Board and so was Javier Salman who both work in things in the City and yet I didn't - as a Board member I never felt that pressure and there is - granted it doesn't have to be the architect that does so many projects within the City that could be on that Board, but having architects - each one of those people they really do bring a different perspective.

Vice Mayor Quesada: Anytime you have an architect, it's going to happen. The last thing we want is an architect who doesn't do work in the City who doesn't understand what we have in the City. But hold on a second, by saying we shouldn't have those people because of collegiality, it's basically saying none of the individuals can be impartial, none of the individuals can make a decision based on the facts that have been presented to them.

Commissioner Keon: That's the perception, but it was my experience that, that wasn't the case.

Mayor Cason: They can recuse themselves when you were there.

Commissioner Slesnick: And you can recuse yourself and we do need knowledgeable people because this is a very detailed oriented Board, but I do think we maybe need a couple of lay people on the Planning and Zoning Board, like a banker or an attorney, or a realtor just like we have them for the Historic Preservation Board.

Vice Mayor Quesada: I don't disagree with that...

Commissioner Slesnick: We are coming up with all new appointments.

Vice Mayor Quesada: But currently right now we have three that are not in the industry. Is Jess Lanigan, does he do real estate law?

Commissioner Keon: He does land use.

Vice Mayor Quesada: He does land use.

Commissioner Keon: Mostly in the County.

Vice Mayor Quesada: But he doesn't do anything in the City. I've never seen him

come before us.

Mayor Cason: We have four already that are not. If you read what the membership is supposed to be it says, they should be from a diverse economic, social and professional, include members qualified and experienced in the field of architecture, planning, landscape architecture, engineering, construction, planning, and land use law and real estate. So those are....

Vice Mayor Quesada: Here's the thing though. I don't disagree with what Commissioner Slesnick is saying, I have no problem creating it, so that we at least hit some minimum requirements of the types of individuals we have on there, like we have, did you say it was the Landscape Advisory Board?

Commissioner Slesnick: No, Historic Preservation Board.

Vice Mayor Quesada: Historic Preservation - I don't have a problem setting it up that way in the future.

Commissioner Keon: A lot of times what I had seen often with the Boards that they elect, you know where they elect a member of the Board, they recommend and elect a member of the Board - oftentimes that person is a community person; Tony Bello is there for that reason, it tends to balance it out with that.

Vice Mayor Quesada: What we can do is, and Madam City Manager tell me if this is a bad idea, maybe we can do a Commission As-A-Whole selection, so we all select a member of the general population that as a community member it has no sense of involvement in anything real estate related or anything in this field, just a resident that's involved and create one more position, and then we have the Board itself select another member, if we want to make the Board that much bigger. I will tell you the current individuals we have on here, when we have, for example, today's issue on the lot split, I read through the minutes of their meeting, and I think they are great, they are great, because they really put effort into it. You can tell that they are prepared, they get it, they understand. And you know something, I've never really looked at the makeup, and the makeup actually makes sense because they are all in different fields, which I had never realized that.

Commissioner Keon: I mean only know from having served eight years on that Board. It was really a great Board to serve on, a really great Board.

Mayor Cason: Cathy, the person on the Board now that's chosen by the Board, is it termed out or is that person going to continue on?

Commissioner Keon: I think he's only been on for three years.

City Manager Swanson-Rivenbark: I have to research it, I'm not sure.

Commissioner Keon: Tony Bello, I think he's just - I think it's only two years.

Mayor Cason: So there are two opportunities. Commissioner Slesnick you had a chance to put somebody like that on and then the Board when it meets could put another person who is not...

Commissioner Keon: But they may reappoint him.

Mayor Cason: Two plus the ones that are left it gives basically people who are not in the field the majority.

Commissioner Slesnick: I just feel we need somebody that is not in the field and it could be my appointment that tends to have a broader perspective.

Commissioner Keon: I know I was appointed as...

Commissioner Slesnick: I think you had a broader perspective.

Commissioner Keon: What?

Commissioner Slesnick: I think you were the one that had the broader perspective.

Commissioner Keon: Yes. I think I was appointed because I was just - I was appointed as the Board's appointment As-A-Whole.

Commissioner Slesnick: I just wanted to bring that up because we are coming up with appointments in June.

Commissioner Keon: And I think that's what I saw with Tony Bello, I mean that's why the Board themselves seems to have done the right thing.

Vice Mayor Quesada: Like you said, it's actually broken up pretty nicely right now as far as a good mix of people. You know what I'd like to hear?- I'd like to hear what the Board itself has to say about this; obviously they are the ones dealing with each other. My only concern if there is an individual that is not in the industry is, there are some very complex issues that are discussed that Commissioner Keon when you first started on the Board, I don't know if you had any experience in any of these kinds of issues. Was there a long time for you to really catch up?

Commissioner Keon: No, but you know....

Vice Mayor Quesada: You thought you caught up pretty quickly.

Commissioner Keon: Yes, but I have a Master's in Public Administration too, but I don't know if they need that, but having lived here for a long time it didn't take long to catch up and Sal was really good. So, I mean I think anyone that you appoint that has lived in the community...

Vice Mayor Quesada: Will be able to figure it out pretty quickly.

Commissioner Keon: Yes, you'll pick up the nuances pretty quickly.

Vice Mayor Quesada: I think what we should do maybe here is have the City Manager think about it a little bit more, see what she comes up with and maybe we can discuss it again in a future meeting.

Mayor Cason: And keep that in mind when we make our appointments and reappointments.

Commissioner Keon: Yes.

Mayor Cason: OK. I think that's it for the discussion. We take a recess to go into Executive Session.

City Attorney Leen: We are going to have an Executive Session. I did want to just elaborate briefly on the procedural ruling earlier regarding the motion for reconsideration. I've already received an e-mail regarding it. I want to be clear for the record. I always believe the Commission has authority to act in almost any way. The

issue here was, there was a motion related to this matter which was part of a Commission decision as to how to proceed and I said it was a very strict application of the rule. The Mayor determined it was out of order and to reconsider it at this time, that's consistent with our law. I want to make that clear. Mr. Mayor or the Commission, if they wanted to overrule the Mayor could retake up the issue, but there was an actual hearing, there was a motion, and whether there was a following motion or there was just unanimous consent to proceed, in my view that the Commission's...decision regarding that issue. So a lot of stuff rely, pardon me, that's not the right word, a lot of subsequent actions rely on that Commission decision, including agreements that we reach, design scopes that are done, steering committees that act, and so to reconsider that decision is a more substantial thing that could just be done on something coming up at a hearing and the Mayor ultimately ruled it out of order. I believe that, that was legally sufficient, that's my opinion. I just want to be clear.

Mayor Cason: Alright, let's go into recess. Do you want to take a 5 to 10 minute break? I'm sure some others do.

[Note for the Record: After recess the Commission went into an Executive Session]

[4:12:35 p.m.]

City Attorney Leen: We are back from the Executive Session, the matter is now closed. Mr. Mayor you can adjourn if you wish.

Mayor Cason: Alright. Inasmuch as there is no other City business, this meeting is adjourned.

City Clerk Item No. 55

L. EXECUTIVE SESSION

- L.-1. 15-3913 Attorney-Client executive session, closed to the public pursuant to section 286.011(8) of the Florida Statutes, for purposes of discussing settlement negotiations and strategy relating to litigation expenditures in the matter pending in the Eleventh Judicial Circuit entitled Murhee et al. v. City of Coral Gables, Case No. 13-20731 CA (Fla. 11th Jud. Cir.) This session may be attended by the following individuals: Mayor Jim Cason, Commissioner Patricia Keon, Vice Mayor Frank C. Quesada, Commissioner Vince Lago, Jeannett Slesnick, Acting City Manager Carmen Olazabal, City Attorney Craig Leen, Deputy City Attorney Miriam Ramos, Assistant City Attorney Yaneris Figueroa, Special Counsel Raoul Cantero, Special Counsel Neal McAliley, and Special Counsel Jim Linn. A certified Court Reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-stated litigation. At the conclusion of the Attorney-Client session, the City

Commission meeting will be reopened and the person chairing the Commission meeting will announce the termination of the Attorney-Client session.

ADJOURNMENT

[Note for the Record: There being no further business on the Regular City Commission Meeting Agenda. The Commission of the City of Coral Gables adjourned its meeting at 4:12 p.m. The next regular meeting of the City Commission has been scheduled for May 12, 2015, beginning 9 a.m.]

JIM CASON
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

City of Coral Gables City Commission Meeting
Agenda Item E-2
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Commissioner Pat Keon

Commissioner Vince Lago

Vice Mayor Frank Quesada

Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Assistant Director Development Services, Charles Wu

Public Speaker(s)

Melissa Tapanes-Liahues, Representing the Applicant

Zeke Guilford, Co-Counsel for the Applicant

Agenda Item E-2 [10:15:00 a.m.]

Conditional Use Review for a Building Site Determination. An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, "Development Review," Section 3-206, "Building Site Determination" to create two (2) separate single-family building sites on property zoned Single-Family Residential (SFR) District; one (1) building site on Lot 30 and one (1) building site consisting of Lot 31 on the property legally described as Lots 30 and 31, Block A, Gables Estates No. 2 (20 Casuarina Concourse), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, codification and providing for an effective date (PZB) Vote 3-2, No Recommendation). (First Reading Continued from the March 10, 2015 Meeting).

Mayor Cason: Agenda Item E-2 is also an Ordinance on First Reading. It's an Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, "Development Review," Section 3-206, "Building Site Determination." Madam City Manager.

City Manager Swanson-Rivenbark: And we'll ask staff to come forward for this presentation, Charles Wu from Development Services.

City Attorney Leen: Madam City Manager, I will read it on your behalf into the record. It's a conditional use review for a building site determination An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, "Development Review," Section 3-206, "Building Site Determination" to create two (2) separate single-family building sites on property zoned Single-Family Residential (SFR) District; one (1) building site on Lot 30 and one (1) building site consisting of Lot 31 on the property legally described as Lots 30 and 31, Block A, Gables Estates No. 2 (20 Casuarina Concourse), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, codification and providing for an effective date. The Planning and Zoning Board voted 3-2, which because the Planning and Zoning Board requires four votes to pass any motion; it comes to you with no recommendation. The First Reading was continued from the March 10, 2015 Meeting. I believe it was continued twice actually to come here today. And with that I will turn it over to staff. I do have two items to put into the record. The first item is – staff was asked for a list of the approved lot splits from 2008 to 2015 and to provide a history of lot splits by Commissioner Slesnick. I'm putting in the record a list of those lot splits that have been approved. I know that Charles Wu is prepared to speak on these matters; and then secondly, I have a letter or an e-mail that was provided to me from the applicant's counsel. It actually comes from Tony Argiz, the Chairman and CEO of NBAF, and he is also a resident of Gables Estates, and he is on the Board, and what he says, I'll just read it into the record to the City Commission: "As a resident of Gables Estate, I have reviewed Benjamin Leon's petition for a lot split located at 20 Casuarina Concourse. I understand this petition is to revert back to the developer's original plan. I fully support it and encourage the Commission to approve it. My residence is located at 395 Casuarina Concourse and I can be contacted at 305-373-5500 for any further comment." And with that I'll put that in the record.

Mr. Wu: Thank you Madam Manager. For the record, Charles Wu, Assistant Development Services Director. If you can pull up the slides, thank you. We have a handful of slides to introduce the project to you. This is the general location of where the property is. For the public's information, this is a building site separation and a conditional use site plan review for 20 Casuarina Concourse. On the slide highlighted in yellow is where the property is, it's at the terminus of the Casuarina Concourse cul-de-sac. This is a more detailed area of the property, its

highlighted in yellow as you can see, it's clear as of today, and what the applicant would like to propose is to separate this entire parcel in yellow into two platted lots. Lots 30, which is the northern lot, it supposed to be 1.2 acres, with a 200 foot street frontage, as well as 200 foot water frontage. The southern lot will be Lot 31, it's going to be a separate building site, proposed at 1.39 acres, with 176 feet street frontage and 310 waterfront frontage; and from Commissioner Slesnick's information, last year when we entertained a similar lot waterfront lot split, the Commission requested not only street frontage analysis, but also waterfront frontage analysis as well. So we'll give that reference for you. In the past years we have only used the street front frontage analysis and based on the Granada case, we are not providing the waterfront analysis for your information. A brief history on the project. In 2007, the Historic Preservation Board declined to designate the property at the time called the Wackenhut Castle to be historic. Since it's not historic, it was allowed to be demolished. September last year, the Development Review Committee reviewed the application and the applicant's satisfactory...met, the technical requirements of the application. Regarding the zoning, the property is generally single family, as you can see in yellow surrounding it, the....single family estate homes, as well as the land use also single family. This is a survey of the property – again lot 30 is the northern parcel, lot 31 is the southern parcel, there is wooden deck that exist today along the waterfront, as well as a concrete deck, at one point it was for a dock. Those encroaches play into one of the criterion for the site determination, while you cannot have any encroachments existing on the lots. The property has been cleared of the structure, as I mentioned to you. There are some seagrape trees on the waterfront side and some mahogany trees existing on the street front side within the property and it doesn't appear to exist any significant specimen trees other than the seagrape trees today. For your information, as is required by the Code the applicant is required to submit conceptual plans as how if this were separated how the plans, how the process can be developed. Again, considering the other parcel has a home and the southern parcel has a new home. The Sunset...is required to be 50 feet, as well as rear setback that is the site specific requirement, which would be as state homes, sizes of waterfront configuration, and the side setback is required to be 30 feet. And this layout generally meets the Code requirements today. Again, this is for reference purposes only. It is not a proposal to develop a project at this time.

Commissioner Lago: Charles can you go back one second.

Mr. Wu: Yes sir.

Commissioner Lago: In reference to the properties, can you give me an idea what the proposed conceptual square footage of each of those properties is?

Mr. Wu: Square footage of the parcel or the homes?

Commissioner Lago: The homes. And while you are at it too, if you can give me an idea of what the previous square footage was of the Wackenhut Castle?

Mr. Wu: I do not have that information today, but for these homes...

Commissioner Lago: Does the applicant have that information?

Melissa Tapanes-Liahues: The City's microfilm record show that the Wackenhut Castle was approximately 18,362 square feet, divided in four structures with each structure having...

City Clerk Foeman: Excuse me, could you put your name into the record please.

Melissa Tapanes-Liahues: Yes. My name is Melissa Tapanes-Liahues; I represent the applicant, with the law firm of Bercow Radell and Fernandez.

Commissioner Lago: Do you have the square footage of the two properties right now.

Mr. Wu: Yes – and we do have a slide coming up actually, two slides after this. This is the lot configuration, today the building site frontage is 376 feet, upon separation the northern lot will have 200-foot building site, and 176 foot waterfront site. I'm sorry, 200 foot – for Lot 30, it will have 200 foot on the street side and 200 foot on the waterfront side. For Lot 31, it will have 176 feet on the street side, and 310 feet on the waterfront side; and obviously because of the pie shape situation on the cul-de-sac, they have a smaller street front and a larger waterfront configuration.

Commissioner Lago: Charles let's talk about water frontage. Give me an example of the adjacent properties in reference to what their water frontage was. I remember this was an issue that Vice Mayor Kerdyk had brought up at one point, probably about six months ago, which is in reference to the lot split on Granada. I just want to get an idea of what are the comparables for the other properties adjacent to this proposed?- you said about 200 and 310, which obviously equals 510, but what are we looking at for the other adjacent pieces?

Mr. Wu: We do have that slide coming up.

Commissioner Lago: I'm getting ahead of myself, sorry.

Mr. Wu: This is the day that you requested – so the total site is 112,000 square foot plus, for Lot 30, upon separation will be 52,502 square feet of property, and Lot 31 will be 60,245 square feet, and that corresponds to the maximum allowable of building site allows for the house. For Lot 30

with that separation it will be 16,901 square feet and for Lot 31, it will be 19,224 square feet. However, if the home, if it were one parcel as the Wackenhut parcel, it will be allowed only 34,974 square feet. This is important information because as you may recall in the Granada case, upon your approval you did include a condition that a combination of both lots upon development cannot exceed the square footage of the lot if it were not separated.

Mayor Cason: So if they were to build on the one lot they could build up to 34,900 square feet?

Mr. Wu: Correct.

Mayor Cason: And the previous building was 18,362.

Mr. Wu: According to the applicant. For your information...

Commissioner Lago: Can I ask you a quick question in regards to that. Was there a change in the Code that was just in preference to the owner?- what was the reasoning behind it being 18,000, when you can basically build almost double that?

Mr. Wu: Repeat the question again.

Commissioner Lago: OK. The previous existing building which was demolished was 18,362 square feet.

Mr. Wu: Yes.

Commissioner Lago: When you have close to a three-acre parcel of land was that as of the choice of the owner?- was that due to an existing Code?- what was the reasoning behind them basically building half of what their potential was?

Mr. Wu: I can't explain because – typically in large lots you do have estate homes, older estate homes have a smaller footprint generally. Today what we are seeing as a pattern is these larger estate homes are coming in to be subdivided and having as well as large estate homes coming onto the property, we've seen that throughout the City. The teardowns – we have teardowns of smaller homes coming in with larger homes and you do need the setback requirements. So that's part of the redevelopment trend.

City Manager Swanson-Rivenbark: Commissioner Lago, recalling what the Wackenhut Castle looked like previously, they also had a large series of tennis courts, and so that could possibly be why the square footage was not maximized.

Commissioner Lago: And I also remember, correct me if I'm wrong, it's been some time, I was a little younger back then, but it was a one-story structure, correct?- one or two?

City Manager Swanson-Rivenbark: I'm just going by memory, I believe it was two-story. It was a Tudor design, it was an unusual design, but a large amount of the property was actually tennis courts.

Mayor Cason: Why was it demolished?- was it required to be demolished?- did they decide they wanted to demolish?

Mr. Wu: It's my understanding there were some Code issues and they decided to demolish it and it remained vacant. It was demolished in '07 and it remained vacant ever since.

City Manager Swanson-Rivenbark: And it could be more what I was hearing, but I believe it was very difficult to sell the property given its unusual design, and so the applicant may have more information.

Mr. Zeke Guilford: Madam City Manager, Mr. Mayor, Commissioners, for the record, my name is Zeke Guilford; I'm co-counsel on this with Melissa Tapanes, representing the owner of the property, Mr. Leon. The reason it was torn down, it was sold to a gentleman which we may remember his name, Allan Stanford. Mr. Stanford wanted to build basically a huge mansion with other people's money, and he lost his property and is now sitting in the "Big House," as they say, so that's the reason it got demolished. It was bought and he was going to build an extremely large house on the property.

Commissioner Lago: Thank you for your insight as always.

Mr. Wu: Moving on to the PowerPoint. At this time, I'd like to explain some of the criteria required for your consideration for a building site determination, Section 3-206 (F) of the City Zoning Code required that you have to meet four of the six criteria listed below upon your consideration, to approve a building site determination. Again, at least four of the following six criteria. The first one is whether there are exceptional or unusual circumstances exist?- and generally the Code does provide some guidance. What does that mean?- whether the property crosses multiple zoning districts, multiple land use designations, whether it is a true block, meaning there are streets on the front and the back, whether multiple frontages impose a hardship, generally something unique to the property that is not common elsewhere in the City. We find there are no exceptional circumstances for the property; the site configuration is very typical of waterfront lots, particularly on cul-de-sacs, it does have two fully platted lots, we

understand that; and the entire property is in single-family residential zoning, single-family land use. Staff concludes the application does not satisfy this criteria. Second criteria, whether the building sites create are equal to a larger than the majority of the building sites within a 1,000 foot radius?- and this warrants some detailed discussion. Again, going back to the criteria of why we explain, we have used street frontage as part of the analysis, so let's focus on that first. Lot 30 street frontage will become 400 foot, and based on our analysis that exceeds 65 percent of the lots within 1,000 feet for the entire area. Lot 31, due to its unique being on a cul-de-sac, has the smaller street frontage, only 176 feet. However, only meets 30 percent of the area lots within 1,000 feet. For your information, and we do have the waterfront analysis as well, as Commissioner Lago had requested. Lot 31 again is, will propose to have 200 foot waterfront access and that will only meet 37.5 percent of the area lots within 1,000 feet. Lot 31, because of its pie shaped configuration has a larger waterfront frontage, is proposed at 310 foot water frontage, and exceeds 70 percent of the area. So it became reverse from the street front analysis, the waterfront analysis. And if you want to drill down deeper, we do have a separate analysis to show only interior lots 1,000 foot and only cul-de-sac lots within 1,000 feet. So we do have that for your information. If you request it, it's at the very end of the PowerPoint, but we thought it was information overload, since you've asked building site determination, we had the Granada case, requesting only street front, but also waterfront, we have that information before you today. So our conclusion is the application does not satisfy this criteria, because of the street frontage side and one lot reset the other lot does not, and even the waterfront analysis, it's the reverse. Any questions on this? I know it's a lot of data to talk about.

Commissioner Quesada:...Last time we asked the Granada item, as Commissioner Lago mentioned earlier. I thought we had asked at that time we made a motion to incorporate it into this analysis, so that there would be six criteria. I don't see that this time around. Now, I guess I will defer to the City Clerk and the City Attorney, if we incorporated that into the Code, I think the answer is no, because I don't see it as part of this analysis. I know you've told us it, but again, it's not in the actual Code as it should have been revised. I guess Zoning Code Section 3-206 (F) should have been revised so that there are now seven criteria rather than six.

Mr. Wu: We have a draft proposal for consideration goes through the public hearing process; it's coming up in the next couple of months.

Commissioner Quesada: Got it.

City Attorney Leen: Mr. Vice Mayor, it does take some time to come through because it needs to go through Planning and Zoning and then the Commission, but the instructions that have been given based on this Commission's direction is that it's a factor, that in considering that factor

you can also consider the waterfront in the direction of how the Commission will interpret that and it's been included.

Commissioner Quesada: I just want to make sure that our vote is being carried out.

City Attorney Leen: Yes sir.

Mr. Wu: The third criterion is whether the lot separation resulted in any existing or previously demolished structure becoming non-conforming? As I mentioned to you, the property was – the structure was demolished in 2007, and the Code does say just because you demolished it earlier doesn't make it that you meet this criteria. Also the existing concrete dock and wooden deck on the property, which crosses both properties that does become a non-conforming situation if the lots were split because it crosses both properties as an encroachment situation. So staff concludes this applicant does not satisfy these criteria.

Mayor Cason: Can I ask you on that. Was the intent of that item that somebody demolished a house and then come back and asked for?

Mr. Wu: Correct.

Mayor Cason: What if it was demolished on that lot in 1930 and 60 years later somebody comes?

Mr. Wu: The Code does not give us that judgment call.

Mayor Cason: There is no discretion?

Mr. Wu: Mr. Mayor, it just means you do not meet these criteria, you can meet other criteria, that's all, you have to meet four out of the six.

City Attorney Leen: Mr. Mayor, I just want to give you my view of that. I do think that the Commission can look at that. Remember staff is acting from a directive that has existed for many years that this Commission has generally...disfavorable for lot splits, so the policy has been interpreted narrowly. I've always given the opinion though that on that particular issue the Commission can look at it and determine whether that's a voluntary demolition to get around the requirements of the lot split ordinance or not. For example, you have testimony in the record, a statement from the counsel that it was not that when it was demolished, the prior house, it was not in order to do a lot split and create two different houses. You can consider that and in my opinion you could grant relief under that provision.

Commissioner Quesada: I'm here to tell you, this item, this criteria I think it's inapplicable to the current proposal, but I'll let you finish, I guess I'll bring that up with the applicant.

Mayor Cason: I missed your point.

Commissioner Quesada: I just think it's inapplicable for this situation, but I'll let you finish your presentation.

Mr. Wu...is whether there are any restrictive covenants exist for the property as well as encroachments, easements that would prevent a separation of the parcel. We talked about there was a home that was demolished across both properties, we talked about the wooden deck, so there does exist a restrictive covenant that the applicant will raise to your attention that does exist that tie the properties as one, and that was recorded in October of 2007, around the time when the property was – when the structure was demolished. So staff concludes the applicant does not satisfy this criterion. Number five – staff does believe the application reached this criterion is whether the proposed building site maintains or preserves open space. Our analysis is based on conceptual site plan provided to you that it doesn't meet the Code requirements in terms of setbacks and open space, even though it's provided for reference only. And the last criteria is...prior to September 17, 1977, and this part...2010, so it does not satisfy this criterion. Recommendation: We did receive a letter of support from the Gables Estate Club, dated October 14, 2013. We did get someone who showed up at the P&Z (Planning and Zoning) meeting from 11 Casuarina, which is directly across the street, expressing his support. As well as the e-mail received from 395 Casuarina, of two residences letters of support. Staff recommends denial since it does not meet – since it only meets one of the six and the Code requires you to find at least four out of the six criteria; and as the City Attorney mentioned at his January meeting, the P&Z motion to approve failed on the 3-2 vote. However, if so chose to approve this application, we do suggest five conditions as part of your approval. Number one, and this is very typical for you site determinations in the past that both buildings meet the Zoning Code requirement and there shall be no variances requested. Number two, a tree disposition plan, I'm asking a plan be submitted and approved by staff prior to the Board of Architects submittal. Number three, within 30 days to release the current restrictive covenant. Number four, within 60 days of approval to remove the concrete dock and double deck, and any other encroachments exist on the property. Number five, to carry forward on the Granada case, that the total square footage of both residences shall not exceed 34,974 square feet, which is the square footage maximum allowed if it were developed on the one building site. That concludes staff's presentation and I'm here to see if you would like the further analysis on the...lots and the cul-de-sac lots.

Mayor Cason: The applicant.

City Manager Swanson-Rivenbark: Mr. Mayor, as the applicant comes forward, Charles can you clarify Planning and Zoning Board vote was 3-2, which showed no recommendation.

Mr. Wu: Correct.

City Manager Swanson-Rivenbark: Can you help us understand what that meant?

Mr. Wu: The Code requires that you need an affirmative vote of 4 votes to carry the motion, so they were not able to obtain a 4-vote on the motion to approve, so it came before you without a recommendation.

City Manager Swanson-Rivenbark: Thank you.

Melissa Tapanes-Liahues: Good morning again, for the record, my name is Melissa Tapanes-Liahues, offices at 200 South Biscayne Boulevard, Miami. I'm here and I have the pleasure to represent Ben Leon as Trustee and the owner of Lot 30 and Lot 31, located at 20 Casuarina Concourse in the Gables Estate Club. I'm joined here by the applicant, Ben Leon, my co-counsel Zeke Guilford, and also joining are members of the Leon family, Albert Murray, as well as our colleague Michael Schelig. The applicant is here requesting a conditional use approval to permit the re-establishment of these two platted parcels. We are here respectfully requesting your approval consistent with the motion that was considered by the Planning and Zoning Board, it was not a full Board and we were not able to achieve the four votes necessary, but those conditions were that we satisfy conditions one, two, three, and five of the City Code, and on the condition that the dock be modified to conform with the City Code as well as the FAR (Floor Area Ratio) for each individual lots will not exceed the FAR if there was one lot, the square footage mentioned before, 34,974 square feet. As mentioned by Mr. Wu, we have the full support of the Gables Estates Club that acts as our homeowners association. We received the unanimous approval from their Board of Architects as well, and I'd like to submit those letters for the record.

Commissioner Quesada: Quick question for you, don't mean to interrupt your presentation, but I guess I will anyways. Let's talk about frontage, street frontage; one of the sites is on a cul-de-sac.

Melissa Tapanes-Liahues: I'm sorry?

Commissioner Quesada: One of the sites, the frontage sort of eats into a cul-de-sac.

Melissa Tapanes-Liahues: Correct.

Commissioner Quesada: How was that calculation done?

Commissioner Keon: Is it a straight line or does it follow the cul-de-sac?

Melissa Tapanes-Liahues: It follows the curvature of the cul-de-sac, so that is what leads to the 176 feet and leads to the pie condition of the significant waterfront frontage. I'll mention that in your Code it provides for building site frontage, which has a little bit of leeway that's why you've also considered in the past waterfront. I'll mention the one analysis that is in the last page, the second to last page of the City's presentation to you, provides that the Lot 31 with the 176 feet of street frontage is equal or larger than 50 percent of all the cul-de-sac lots within the 1,000 feet. So if you are comparing "apples to apples," this is very much consistent with how Gables Estates was master planned, how it was platted and what the residents of the neighborhoods have expected through their purchases there for decades.

Commissioner Quesada: I thought I read somewhere there were four units at one point there, is that correct?- or four homes prior to the Wackenhut Castle, am I correct?

Melissa Tapanes-Liahues: No, actually the Wackenhut Castle back in 1968 and I have the variance approved by the City Commission at that time to submit into the record.

City Attorney Leen: For everything in the record, Mr. Mayor, I assume that it's permitted; you are OK with everything going into the record?

Mayor Cason: Yes.

Melissa Tapanes-Liahues: And I made copies for all. Back in 1968, the City Commission approved variances to allow the Wackenhut Castle and it was a compilation of four different structures that each had their own individual kitchens. So what we mentioned in the Planning and Zoning Board presentation is that this would be equivalent to a four-family multi-family residential in today's Code.

Mayor Cason: Were those buildings connected in any way?- or were they actually separate?

Melissa Tapanes-Liahues: My understanding, the microfilm records, which are submitted as part of our application are old, obviously. It appears that they were connected by walkways and such.

Commissioner Quesada: But they were four independent buildings, like a compound style of development, correct?

Melissa Tapanes-Liahues: That's what it appears to be.

Mayor Cason: ...walkways or anything just pathways going to them, but separate.

Commissioner Keon: I think they were covered.

Mr. Guilford: Zeke Guilford again. There were actually open covers, so they had the roof over it, but they were open and that was actually the purpose of the variances because in order to connect it as one house the walkway had to be enclosed. This was also used on this compound, actually they had security and workers staff there 24/7 living there, so not only were they living there, staff was living there.

Mayor Cason: So four kitchens in like four dwellings.

Melissa Tapanes-Liahues: Correct. That possibility definitely does exist. Mr. Leon purchased the property back in 2007, I'm sorry in 2010 after the 2007 unity of title was recorded. What's important and strange in the record is that there is only one witness to that declaration of restrictions that forms the unity of title. You can imagine the end of rush to get the demolition permit and how that was done, but that is part of the record as well. The City Code criteria that you are evaluating this application came into effect back in 1989, so the building was constructed, the variance approved in 1968, the Code criteria came into effect in 1989, and again Mr. Leon purchased the property in 2010. Since the property was demolished in 2007, it has been vacant and unimproved, but well-kept and maintained. So again, what we are here to request is for each of the lots to be developed as single building sites, as they were originally intended, with one single family residence with full compliance with the City of Coral Gables Code; Lot 30 will consist of over 1.2 acres and Lot 31 will consist of over 1.6 acres, which is what is consistent and compatible with the area of Gables Estates. Again, I should mention and I want to submit into the record copies of the letters from the Gables Estates Club where they again after a publicly noticed board meeting, they unanimously approved this before you and submitted and prepared this letter for you.

Mayor Cason: Do you know of any other cases where the Gables Estates has approved something like this?- is this unusual?- is this normal thing?

Melissa Tapanes-Liahues: They do review; their Board of Architects reviews all development that occurs in Gables Estates. I've not heard of this unanimous approval for development, that is something that is required by Gables Estates; and again, the Board of Architects did review this as well and gave their unanimous approval as well. I should also mention that at the Planning and Zoning Board, Mr. Allan Potamkin who is our neighbor on Casuarina Concourse also attended

and spoke in favor of the application. His testimony is in the record. We tried to have him here again. He's been away on business and rather than defer once again, we decided to move forward, but he is available and again, his testimony is in the record. So I'd like to discuss the criteria of Section 3-206 (F). The Planning and Zoning Board, the majority of the Board present did believe that we met four of the six criteria. The first criteria is that exceptional and unusual circumstances exist, that are site specific, and site specific I think is important. Exceptional and unusual site specific circumstances are in this case. Again, the original unification of Lots 30 and 31 was to construct the Wackenhut Castle in the late 1960's. This was a very unique residence; it was one that the Commission and the Historic Preservation Board back in 2007 reviewed heavily prior to deeming it not historically significant. Many folks believe that it was an eyesore to the community, so its demolition was something that was welcomed by many and today what we are hoping to do is just re-establish the originally platted and master planned lots, and we would submit to you that that is in fact unique and unusual to have these sets of circumstances along with residents that one, it was demolished was for all intents and purposes a multi-family residential configuration within these two very large lots. The second condition is that we believe that we met is that the building sites created would be equal to or larger than the majority of the existing building site frontages. So if discussed by staff because of the cul-de-sac scenario in Lot 31, it is inversed with one another, so we do meet for Lot 30 over 50 percent of – and actually it's over 65 percent of the lots within 1,000 foot radius, we satisfy that street frontage, and for Lot 31 we comply with 70 percent on the water frontage as well. So when looked at “apples to apples,” and in your presentation Lot 31 does meet for over 50 percent of all other cul-de-sac properties within Gables Estates. So we believe that we do satisfy that criteria. The third criteria that we believe we comply with is that the building site separated or established would not result in any existing structures becoming non-conforming as it relates to setbacks, law area, etc. I think it's very important what the City Attorney mentioned; this is not a situation where the owner has demolished the structures to somehow circumvent the Code, this was – the narrative is one of history, which the City has been a participant back in 2007, in 2010 with the unity of title. We believe that the City Commission wanted us to appear before you with a type of proposal like the one we have today for your approval. So the goal would be to again make the property the one issue that is non-conforming would be the dock area, our goal would be to modify it and that is what is consistent with the Planning Board's, the majority's opinion that we just modified that dock to make it conform rather than demolish it altogether, and that is something that we would like to do and we would ask for your consideration in that condition. The fifth criteria is that the building sites maintains or preserves open space, promotes neighborhood compatibility, preserves historic character, and maintains property values and enhances visual attractiveness. We wholeheartedly agree with the City's position on this point, we believe that it would be an improvement to the appearance of the neighborhood by constructing residences that are consistent with their neighboring residences. We believe that we will maintain and preserve the

open space as well as make the size and style consistent with Gables Estates. I'd like to close and invite Zeke to conclude. Thank you.

Mr. Guilford: I think really a lot of you have already touched on it. What I'd like to. What I'd like to do is just kind of put this in a little perspective of a couple of criteria number one and criteria number two, as it related to discussions we've had with the Granada case. The depth of this lot between 31 and 32 is 275 feet, that is wider than a city block, and when we have the discussion – a city block is either 200 or 220, depending on whether it has an alley or not. When we did the Granada case and they came up that basically a waterway is very similar to a street, people go up and down it, so it should be treated as such. So as to condition number one, that would make it a through block property. Doing so we then meet criteria one, to say otherwise then I would have to ask, then who is our rear neighbor?- there isn't one. So we are going wider than a block and we do have a means of transportation, the waterway that is behind us. I would also like to talk about the frontages, and I think Melissa did an excellent job with this, but I think it's important to pull Gables Estates by itself. This was not platted, this was not platted by Mr. Merrick, this was platted in 1956, some 31 years after the founding of the City of Coral Gables. These are the largest lots in the City; the ones on Old Cutler are four acres in size, the ones inside the main gate are mostly, if not all over an acre. In this case we have 1.2 and 1.3 acres for these two lots. What's interesting is what they say with the frontage of the smaller lot, it's actually the bigger lot in size. It was intended with Gables Estates in the plat because they were an acre, that you would build a house on each lot, and this is...letter to you all, there are only six double lots in Gables Estates, that's right about five percent of the lot. So this is not something that happens. It was intended to build a house on each lot. All we are asking today is to allow us to go back the way the property was originally intended and originally platted. Now let me talk to you again Gables Estates and neighbors; Gables Estates is probably the most affluent neighborhood in our City. We have been approved by the association and there was only one neighbor that showed up at the Planning and Zoning Board and that was Mr. Potamkin. He is the most directly affected neighbor, his front door faces this property and he supported this application. Now I would believe that with the affluent neighborhood, if people were opposed to this application, they would be here or their representatives would be here. No one came to the meeting except those who were in favor, and I believe your record will show that nobody has objected to this application. For that being said, Mr. Mayor, Commissioners we have the recommendation of the homeowners association, we have the approval of the most directly affected neighbor, we actually have the majority of those present at the Planning and Zoning Board, and we also have an alternative recommendation from staff that we would accept and we would ask that you please grant this building site separation. Thank you.

Commissioner Lago: Thank you Zeke.

Mayor Cason: Madam City Manager do we have a time certain at 11:00?

City Manager Swanson-Rivenbark: It is the cake-cutting, so if you wish to....

Mayor Cason: Do we have public comment?

City Clerk Foeman: No Mr. Mayor.

Mayor Cason: If not, we'll close the public hearing part then.

Commissioner Quesada: I have a few thoughts.

Commissioner Lago: You want to have it after 11?- or do you...

Commissioner Quesada: We have some time, see if we can work it out.

Mayor Cason: Five minutes of thoughts.

Commissioner Quesada: I don't know. Do you have any thoughts?

Commissioner Keon: I want to hear what you have to say – yes.

Commissioner Quesada: Thank you Commissioner. So, I'm going through the different criteria and obviously number six doesn't satisfy, there is no question as to that. Number five, I think staff had said they do satisfy. I'm jumping around here, so number six – the building site has created an approach as a separate building by the current owner prior to 1977. So no, clearly do not satisfy. Number five is that the proposed building site maintains and preserves open space, promotes neighborhood compatibility, preserves historic character, maintains property values, enhances visual attractiveness of the area, and our staff has said that, that is satisfied. Let me jump around in my thoughts and what I've read, what I've heard, where I'm leaning. Let me jump to number two, I think is an easier one. I'm looking at the Planning and Zoning Board minutes hearing what the applicant had to say, their representatives. One of the lots, which I believe is Lot 30, which has 65 percent of lot frontage than the others. When you look at Lot 31, the cul-de-sac for me is a big determining factor, as counsel said; it's an "apples to apples" comparison. So when I look at it from that regard I think it satisfies, so from my eyes it's a yes on number two, a yes on number five. When you look at number three and four, the building site separated or established would not result in any existing structures becoming non-conforming as it relates to setbacks --- and number four, that no restrictive covenants, encroachments, or easements or the like exist, which would prevent the separation of the site. Now the reason earlier I said I thought that was inapplicable, I don't think we should base our decision based on a deck, a dock. In my eyes that's....I think that these provisions were created when there were

major restrictive covenants and encroachments or major existing structures. Maybe if the Wackenhut Castle was still there, I think it would be applicable in such a circumstance, but we are talking about a dock. I mean a dock I think – maybe I’m speaking out of line here, I think a dock is relatively easy to correct, an item that can easily be overcome. So that’s where I’m leaning, so when you look at it, in my eyes I think two, three, four and five are in compliance and then the last one – number one, the exceptional or unusual circumstances haven’t made up my mind on that one yet. So I wanted to hear a little bit more from you guys, but that’s where I’m leaning as far as the six criteria.

Commissioner Keon: I think the dock is a significant element in there, because I think traditionally we have held that even a fence, a wall, anything that unifies these parcels is significant, so it’s not that you may meet other ones, but I wouldn’t discredit the fact that there is something built that stretches across the two lots. I’m sure maybe when the purchaser, Mr. Stanford, purchased it I’m sure he intended to build one house on that parcel and probably didn’t affect the dock because he was going to use it in some way or whatever, but I think for the interpretation of our Code and the provision about elements that unify lots, I think are really important, so I think it probably meets four of the criteria, but that one is – that’s not one I would...

Commissioner Quesada: So you are saying number – what I’m understanding is, you are saying number one or number three?

Commissioner Keon: Well, I think the neighborhood compatibility one is fine.

Commissioner Quesada: Because of the dock. You know something, I think there is a distinction when you look at a dock compared to a wall or a fence that’s separating two lots, because again, I think as Mr. Guilford put it, there is no backdoor neighbor, that’s the water, as the previous Vice Mayor mentioned and it’s an important consideration. I just think it’s a little bit different here just because the dock is such a changing piece of a property. Every owner that comes in is going to rearrange the dock depending on what their activities are, whether it’s kayaking or whether its big boats or small boats, so it’s something that every owner – it’s a very changeable item.

Melissa Tapanes-Liahues: If I may Vice Mayor, today because there is no principle use of the property the dock is non-conforming, simply.

Commissioner Quesada: Yes. That’s true, that’s a good point as well.

Melissa Tapanes-Liahues: It’s a non-conforming use.

Commissioner Quesada: As opposed to a fence or a wall separating two properties which would be, because its separating is a property line, so it makes it a little bit different.

Commissioner Lago: I think we've pretty much summed up the finer points. My concern was more what Commissioner Keon mentioned in reference to the dock and also obviously the issue of 1977, they are never going to be able to conform to that.

Commissioner Quesada: You know something and this was a major consideration for us in the Granada lot split. The original plat, 1960 here, I believe...

Commissioner Lago: Separate properties.

Commissioner Quesada: Yes. The original plot in the Granada property, I think it was 6901 Granada was the address we were dealing with, I think the original plat we were looking at was 1954 that actually created a marina in that area, which we didn't go back to that, but it had separate units. The biggest consideration that we always discuss here is how is it going to affect the neighbors?- how is it going to affect the community?- and that fact that we have all the neighbors and the association, which is notorious for being incredibly difficult, I mean in the best possible way, preserving the neighborhood. They do a great job in preserving the neighborhood.

Mayor Cason: My assumption is that the reason that the neighbors wanted to support this because they don't want to have a huge 34,000 house that may or may not look like the Wackenhut Castle, but they would prefer to have two smaller homes.

Commissioner Keon: I think that's an assumption that we can't make, because if you look at the homes that are on the waterway that are on the bay front opposite them on Arvida Drive and also along Casaurina Concourse, those are huge lots, I mean those are very big lots with very big homes on them.

Mayor Cason: Do you have any information as to why they made that decision?- what was the thinking?

Melissa Tapanes-Liahues: I believe that that decision was made back in 2007 when the neighbors were all considering the fate of the Wackenhut Castle. So that was something that was at the Commission level, so we believed that once that took place they wanted it to go back to how it was originally master planned.

Commissioner Keon: Well, I think that's an assumption. I don't know that they wanted it to go back to the way it was originally. I mean I do think that they probably wanted a structure that didn't resemble the Wackenhut Castle, or that type of building on that lot. I'm not going to assume that nobody wanted...

Melissa Tapanes-Liahues: Well, I can tell you what Mr. Potamkin said on the record, which is...

Commissioner Keon: Whether it was one lot, two lots or whatever, as long as it's a beautiful home, I don't think they would have moved it that way. Is the letter that you have that's in your packet from the association is dated 2013, do you have updated letters from them?

Melissa Tapanes-Liahues: We have Mr. Argiz on behalf of the Board, he e-mailed yesterday.

City Attorney Leen: It's read in the record, its right at the beginning. Who is it from?

Melissa Tapanes-Liahues: From Tony Argiz.

City Attorney Leen: Yes.

Melissa Tapanes-Liahues: He is the treasurer of the association.

Commissioner Keon: But I'm asking is the letter that actually is from Gables Estates Club, Inc. is dated 2013....

Melissa Tapanes-Liahues: That's when we began this process.

Commissioner Keon: Right – but you didn't get an updated one, it's a year-and-a-half ago.

Melissa Tapanes-Liahues: No.

Mayor Cason: They haven't changed their mind?

Melissa Tapanes-Liahues: They haven't changed their mind and Tony Argiz e-mailed yesterday. He had intended to be here, but he e-mailed yesterday.

City Attorney Leen: Mr. Mayor one point. With the dock the Commission can always order its demolition as a condition, you are allowed to do that. That's not a voluntary demolition – you don't have to.

Commissioner Quesada: I think the better approach is ensure that they keep staff informed throughout the entire process, to make sure that it conforms with whatever regulations they need to comply with.

City Attorney Leen: The other think, one of the conditions puts a limitation on the square footage. You have discretion there as well.

Commissioner Keon: I have concerns about the square footage on the smaller of the lots. It still would meet the same; I think it's a 50-foot setback on these homes, so you still would have a 50-foot setback.

Commissioner Quesada: Does the rest of the neighborhood have 50-foot setbacks?

Commissioner Keon: Yes, I think so. I think in Gables Estates it's all 50-foot. I think its 30 feet on the sides and 50 feet front and back, is that what Gables Estates is?

Commissioner Lago: They meet the 30 on the sides.

Commissioner Keon: Right. But I think that's what it is, yes – 30 on the sides.

Commissioner Quesada: But remember what they submitted is meeting the requirement for this process; it doesn't require them to...

Commissioner Lago: But what they are showing here in reference to the service they provided are Lots 30 and 31, they are showing that they meet the 50-foot setback on the rear and on the water, and then 30-foot setback.

Melissa Tapanes-Liahues: The cul-de-sac lot, I want to repeat is not the smaller lot, it's actually 1.68 acres.

Commissioner Keon: And the setback follows the cul-de-sac, so it...I do think there are exceptional circumstances here, I mean I think that the home was demolished by an owner who lost it or sold it, whatever, I don't know what the disposition of how that happened, a lot of his assets were seized, this one was also, I don't know how it came to be, but he demolished it with the intent. So when it was purchased it was purchased as an empty lot, nobody voluntarily or nobody demolished a home with the intent of getting around that particular provision in our Code. So I think that that is an unusual circumstance.

Commissioner Quesada: Unless there is any additional comment...

Commissioner Slesnick: Just a comment. You will find that I'm a very conservative person especially when it comes to lot splits, and those north of Bird Road or the northern part of Coral Gables. I did talk to Trish Val, I had communication with Trish Val this morning, she was Chairman of the homeowners association there and she was in favor of it and I know Mr. Argiz and I've talked to several other people in the area, and I believe that these lots should be divided again, and go back to the way they were, because it's really compatible with the neighborhood and I do like that the cul-de-sac gives you the increased street frontage that you need and also the waterfront lots that have waterfront or golf course access really need to be considered for their availability as far as building. So, I'm in favor of this lot split, which is rare, it's going to be rare. So if you come with more Zeke....

Mayor Cason: Vice Mayor you have a motion?

Vice Mayor Quesada: Yes. I'll make a motion to approve the lot split as the applicant satisfies at a minimum the criteria two, three, four, and five, and maybe...

Mayor Cason: I think one as well.

Vice Mayor Quesada: Well because we don't have consensus on that, I'm not going to add number one – they meet four of six.

Commissioner Keon: But it meets at least four...

Commissioner Quesada: It meets at least four.

Commissioner Keon:...on lot splits also is really not a matter of whether the neighbors like it or the neighbors don't like it, it's really whether it actually meets the criteria set forth in our Code as we would chose to interpret it and I think that in this instance it does. I think it meets four of the criteria, which is what we are being asked to look at. So I'm comfortable...

Commissioner Quesada: Just for clarity for the record. Pursuant to Zoning Code Section 3-206(F) the applicant meets at a minimum criterion two, three, four, and five and therefore I make a motion to approve a lot split.

Commissioner Lago: Can I also interject to your motion. Let's also include staff's recommendations.

Commissioner Quesada: Of course.

Melissa Tapanes-Liahues: The only consideration is the one condition about the dock, we would like the liberty to modify it and not demolish it altogether.

Commissioner Quesada: I'll modify my motion so that you have to work with staff to ensure that whatever dock is constructed there or modified there is in compliance with our Code, and in conjunction with staff's recommendations.

Melissa Tapanes-Liahues: Thank you.

City Attorney Leen: Are you allowing the non-conforming dock though?- they need to know that.

Commissioner Lago: No.

Commissioner Quesada: Well hold on a second. What are you asking for...

Mr. Guilford: To modify it to allow it to meet to not encroach on each of the lots, so basically to bring it into conformance with the Code for docks. You actually have a condition that staff put in; we have 60 days to remove it.

Commissioner Quesada: But hold on a second. So you are asking for us to – so you want to split the docks as of two separate homes that are going to be built there.

Commissioner Keon: I don't have a problem with that because you are going to have to go back and do the pilings and everything else.

Commissioner Lago: I just want to make sure you've done it in the appropriate time, that it's just not lingering out there. This property has been sitting vacant for almost close to 10 years.

Commissioner Quesada: That's fine but they also have...they have to deal with Miami-Dade County when it comes to docks because they have other....

Commissioner Lago: It's a long process, that's a long process, trust me. I've been involved in design and construction of docks before, but the issue is just it needs to be – I want to make sure it gets done.

Commissioner Keon: Rather than demolish, we can allow them to separate the docks and assign them to the individual building sites.

Commissioner Quesada: So that's my motion.

Mayor Cason: Do we have a second? Commissioner Lago seconds.

City Attorney Leen: Mr. Vice Mayor, Mr. Mayor, so just for the record. So you are voting to approve the lot split, you found at least four and you notified them – you are accepting all the conditions, except for the dock, which is modified as you just stated?

Vice Mayor Quesada: Correct. Correct.

City Attorney Leen: Understand.

Mayor Cason: City Clerk

Commissioner Keon: Yes

Commissioner Lago: Yes

Commissioner Quesada: Yes

Commissioner Slesnick: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mr. Guilford: Thank you all very much.

[End: 11:11:10 a.m.]

City of Coral Gables City Commission Meeting
Agenda Item E-3
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Commissioner Pat Keon

Commissioner Vince Lago

Vice Mayor Frank Quesada

Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Finance Director, Diana Gomez

Public Speaker(s)

Agenda Item E-3 [12:12:55 p.m.]

A Resolution confirming the assessment roll for Local Improvement District designated as CGH-01, imposing the assessments; providing that the assessments shall constitute a lien equal in rank and dignity with the lien of state, county, and municipal taxes; providing for the collection of the assessments and notice thereof; and providing an effective date. (This Resolution finalizes the assessment roll for the Cocoplum Guardhouse improvements).

Mayor Cason: Let's go to Item E-3. This is Resolution confirming the assessment roll for Local Improvement District designated as CGH-01, imposing the assessments. City Manager.

City Manager Swanson-Rivenbark: This should be a fairly simple one. We've done the work and now we need to send out the bills, and so Diana can explain the item, but we have briefed the Cocoplum residents that we delayed in sending out those bills, we would like to move forward with it. So Diana if you can talk about the Local Improvement District, it is not a surprise to

Cocoplum, they wanted to have the guardhouse, we have done that, and now it is an assessment district and so now we are requesting further authorization to move forward.

Finance Director Gomez: That's correct. In order to provide for the collection of the assessment, the City Code requires that the City Commission impose the assessments and approve the resolution, improve by resolution the final assessment roll. As the Manager stated, the property owners have been each sent a notice of the assessment and the fact that the bill will come out in May, if this gets approved and we properly advertised this as well. It is a public hearing....

Mayor Cason: We have any speaker cards?

City Clerk Foeman: No, Mr. Mayor.

Mayor Cason: We'll close the public hearing part – any discussion? Can I have a motion?

Commissioner Lago: I'll make the motion.

Vice Mayor Quesada: Second.

Mayor Cason: Commissioner Lago makes the motion, Vice Mayor seconds.

City Clerk.

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

[End: 12:14:31 p.m.]

City of Coral Gables City Commission Meeting
Agenda Item F-1
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Commissioner Pat Keon

Commissioner Vince Lago

Vice Mayor Frank Quesada

Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Deputy City Attorney, Miriam Ramos

Public Speaker(s)

Agenda Item F-1 [12:14:32 p.m.]

Consideration of Convening a Charter Review Committee
Commissioner Lago

Mayor Cason: Now we'll move onto Item F-1, that's a discussion considering convening a Charter Review Committee, Commissioner Lago.

Commissioner Lago: Thank you Mayor. I'll be brief in reference to F-1. As of lately, I've become very interested in potentially having a Charter Review after speaking with the City Clerk and the City Attorney and the City Manager, I was notified that we haven't had a real Charter Review since 2005, I think is the exact number, which was headed up by Mayor Slesnick. What I wanted to do was see the appetite of the Commission in reference to having a Charter Review, having each one of us name one person to that Board and have them come back maybe in 3-6 months with a thorough analysis of the Charter and allowing us the ability to make changes to the Charter based on their recommendations and staff's interpretation.

Mayor Cason: I think it's a great idea. I think it's long overdue. Just recently what happened in Miami Lakes gives you some idea of contingencies that are not in our Charter. So I think ten years later it's worthwhile having a group of experts come in, take a look, come back to us with some ideas about how we might update our Charter and make it so we don't have surprises and not know what to do if certain things might happen.

Commissioner Lago: And I think it's a great opportunity because as the times change, I think the Charter needs to be updated or we need to make sure that we evolve with the times and put forth any changes that may really affect the City, because I think that right now – for the first time I read the Charter the other day in real depth in preparation for this meeting, and I found out a lot of things that, in my opinion, there is no time to really discuss them today, but it really needs to be updated, that are outdated and it just hasn't happened. There's been significant changes in ten years, we may not think so, but in ten years everything changes, so I'm moving to put forth the effort to find somebody who I think will – like what we did with our previous appointment, which was in reference to the City Manager, excuse me, find somebody who is qualified, like Vice Mayor said, somebody who meets the requirements that has to be a City resident. We can put forth those requirements as we speak to the City Manager and City Attorney, but somebody who is willing to dedicate the time. This is essential and I didn't see the timeframe, because they mentioned they are very loose, they said a couple of months was the review process. I want to get a really detailed timeframe in reference to how long the process will take.

Mayor Cason: When this was last done in Resolution 78 of 2004, they created a Charter Review Committee of seven, all of Coral Gables residents, one from each member of the Commission, City Manager appointed a member, City Attorney appointing one member who is a City or County Attorney. They were to make recommendations to the Commission, some of which probably we could do and some of which will go to a referendum, is that correct?

City Attorney Leen: Yes Mr. Mayor. I just wanted to briefly say something. I did a little bit of research and I asked the Deputy City Attorney to as well, into the history of Charter Review in the City, and what you'll find is that – and I asked her just to report on her findings, but just two brief general observations. Charter Review was done in the City, at least the last two times every seven years, so it was done 2004, 1997. I had heard it had been done on that sort of basis previously to that, although we haven't gotten that far yet, but one thing we saw – there were two different types of Charter amendments that would occur. Some go on the ballot in the referendum, just like what you probably know from the County process. Some of them are done by ordinance, because under the Municipal Home Rule Powers Act, anything in a Charter that restricts the authority of a City Commission can be changed by ordinance based on the statute, the state statute. Now this Commission may not want to do that, you have the option to send it to

referendum, but you also have the option to act by ordinance in certain circumstances. Both of these options have been used by this Commission over the last 20 years. Well, actually at this point I'll turn it over to the Deputy City Attorney.

Ms. Miriam Ramos: Hello everyone. At the City Attorney's request, I have put together what came out of the 1995 Charter Review and then what came out of the 2005 Charter Review, and it's just a brief synopsis that I'll go through for you so that you have an idea. Out of the 1995, it was impanelled in December of 1995. Commissioner Lago, you were wondering what the time is more or less, it looks like they impanelled in December of '95, and then the ordinances were put forth December of '97, so it was a two year process. I'm sure we can make that shorter.

Commissioner Lago: That's what I was confused about.

Ms. Ramos: I don't know that it was required to be that way, but that seems to be how it's been.

Commissioner Lago: That was a very long process.

Ms. Ramos: And then 2004 was impanelled in April of 2004 and the ordinances came up in 2005.

Mayor Cason: One thing we might want to look at is November 2016 Presidential Election coming up that would be the logical place to do the referendum part.

Ms. Ramos: Sure. So we would have to make it a much more condensed period of time, and so a very dedicated group of people that can meet in the next few months and get this done. Anyhow the 1995 Charter Review – no changes went to referendum on this one. There were 13 changes; they were all done by ordinance. 3289 was an ordinance amending Section 5 of the City Charter, to include meters and bounds descriptions for the following annexed areas, Hammocks Lakes, Snapper Creek, Pine Bay Estates, and Deering Bay. 3290 was an ordinance amending Section 8 of the City Charter, to delete provisions contrary to the broad band of powers given to municipalities under the Municipal Home Rule Powers Act. 3291 was an ordinance amending Section 14 of the City Charter, to repeal the portion which required publication in the newspaper within 10 days after the final passage, and it changed it to 10 days before the adoption, which is consistent with state statute 166.041, subsection 3. 3292 was an ordinance amending Section 18 of the City Charter, to eliminate all references to the Assistant City Attorney as being an appointed official. 3293 was an ordinance amending Section 19 of the City Charter to eliminate the tax accessor's ability to administer oaths. 3294 was an ordinance amending Section 21 of the City Charter to reduce the percentage of registered voters required to sign a petition from referendum vote, from 20 percent to 10 percent. 3295 was an ordinance amending Section 57 of

the City Charter, to require all contracts for Public Works or improvements over \$7,500 to be awarded to the most responsive bidder. 3298 was an ordinance amending Section 91 of the City Charter, to delete penalty provisions for failure to return City property upon leaving office that is already addressed in Section 1-14 of the City Code. So there was no need to have it in the Charter. 3299 was an ordinance amending Section 94 of the City Charter, to eliminate references to the requirement that all fees and monies received or collected by offices that an employee shall be paid to the City treasury. It provided a transfer to the appropriate section, and its now in Section 89 of our City Code. 3300, ordinance amending Section 104 of the City Charter, to replace the requirement of the City Clerk record ordinances in the register within 10 days, and it replaced it within a reasonable period of time. 3301 was an ordinance amending Section 114 of the City Charter for inclusion of designated non ad valorem tax revenues to conform with the percentages that are detailed under state statute. 3302 was an ordinance amending Section 11(a) of the City Charter, to increase residency requirements from six months to one year to qualify for a candidate in an election. And 3303 was an ordinance repealing sections of the City Charter superseded by Florida Statute and/or the Municipal Home Rule Powers Act, to replace with the appropriate ordinance provisions. Then in 2004 the group was impanelled in April, and in 2005, three ordinances came before and were passed. One ordinance repealed sections of the City Charter superseded by Florida Statute, it was the same kind of idea; and then two ordinances were passed to go to referendum. One was to hold a special municipal referendum election on April 12, 2005. The question was, whether to provide for the Mayor to serve a four year term beginning in April of 2007?- and that failed, in other words the voters did not vote for it. And then the second one was – or the third one was an ordinance to hold Special Municipal Referendum Election on the same date and that question was a Charter amendment to transfer provisions to the City Code to increase the threshold for four more public bids and awards from \$7,500 to \$25,000 on Public Works projects, and that was passed by the voters.

Commissioner Lago: Thank you very much. I appreciate your hard work.

Vice Mayor Quesada: In years past – I’m assuming you don’t know this. In 1995 and 2005, did the Commission have a meeting prior to tell the Charter Review Board where their focus should be?- or do you just let the Charter Review Board sort of run free and figure it out?

Ms. Ramos: Do you know what was done in the past Craig?

Vice Mayor Quesada: Because I think if we are going to go through this process, if allowable pursuant to our Code and our Charter, I would like us to have an opportunity to think about it, put some items that we want the Charter Review Committee to consider.

Ms. Ramos: Could that be done through the appointee?

City Attorney Leen: Yes, but it could be done by the Commission when you appoint, you could give directions. Also, one suggestion I have was, to allow the City Manager, the City Attorney, the City Clerk, to make suggestions directly to the Commission about things that might be included based on review of our offices.

Vice Mayor Quesada: That makes sense.

City Attorney Leen: And then one other thing I thought should be was – obviously everything has to come back before the Commission and then it goes on the ballot from the Commission vote, that's a very important part of this process. And I do think that it's going to probably take a six-month process. I would serve as – well it's up to the Commission, but I would likely serve as legal counsel to the Board and either we can keep you updated informally or formally, as the case may be, whatever the Commission directs. You have significant discretion over how this process plays out.

Mayor Cason: So we would vote on each item as it came before us.

City Attorney Leen: Yes. You could decide whether to send something to the ballot or not. It's up to the Commission to determine what goes on the ballot.

Commissioner Lago: So the next goal or schedule – the next goal would be to set forth a schedule, maybe the first thing we should implement is designating each Commissioner would have one appointment to that Board.

Ms. Ramos: And impanelling the Board.

Commissioner Lago: Yes – so that we could have that done, I don't know, next Commission meeting would be?

Mayor Cason: What are your thoughts about having lawyers – do you need a certain number of lawyers on the...?

City Attorney Leen: It's up to you whether you want the City Attorney to pick someone or not. Last time they had the City Attorney pick a County or City Attorney, and the purpose of that person is to take a view more from the City/County Attorney standpoint, because as advisor of the Board when I'm sitting there I'm not going to be making policy recommendations, so there will be at least one lawyer on the Board, if you follow tradition. You could also appoint additional lawyers to the Board, although it's by no means a necessity. Every proposed Charter

amendment will go through my office for review before it comes before you for form and legal sufficiency. So you'll always know whether I think that this is – whether I or Miriam think that this complies with state law.

Mayor Cason:...and our ordinance with state law you can bring to us...

City Attorney Leen: Of course. If there are any issues at all you would know about it and I would give you my opinion before you would vote on something like that. One other thing. I talked to the City Manager about this. I'm going to put together a Charter for the 90th Anniversary this year, which will predate this Charter Review Process, so we are going to do it pretty quickly, because we need to – one thing we found in looking at the Charter is that there still seems to be some question as to exactly which provisions are in the Charter and which are in state law. I see different versions of the Charter, so one of the goals that we are going to have over the next few weeks is to get a City Attorney opinion as to what is the present Charter. Get a nice copy to each of you, so you can have that, and then to each member of the Charter Review. Then once this process is finished and we have a revised Charter, if provisions are made, we'll put together a very nice Charter that everyone can have and...

Mayor Cason: I would suggest that we try to have our appointees by the end of May, because for example, I'm going to be out after ten days and won't have time to get to it, but that way we can think about it and maybe the second meeting in May come up with our appointees.

City Attorney Leen: I agree with you.

City Manager Swanson-Rivenbark: And Mr. Mayor, if I can. Resolution 2004-78, actually called for seven appointments, one from each Commissioner, one from the Manager, and one from the City Attorney, and I would request your indulgence to consider that as a part of your formation.

City Attorney Leen: I would recommend that as well.

Mayor Cason: I think that's fine. OK.

Commissioner Keon: So you'll prepare the resolution?

City Attorney Leen: We'll have a resolution for you at the next meeting creating a board and would be similar to the one that....

Commissioner Lago: So then like the Mayor stated, so then we need to – we'll create the Board with the resolution and then we'll be looking at the next following meeting in May to name our appointments. Is that fine?- just to make sure.

Mayor Cason: Fine to me. Thank you.

Commissioner Lago: Thank you. I appreciate it.

[End: 12:28:35 p.m.]

City of Coral Gables City Commission Meeting
Agenda Item F-2
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Commissioner Pat Keon

Commissioner Vince Lago

Vice Mayor Frank Quesada

Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item F-2 [12:28:38 p.m.]

Update on Controlled Choice process with Miami-Dade Public Schools

Commissioner Keon

Mayor Cason: We'll move to F-2. This is a very nice update on controlled choice. Commissioner Keon.

Commissioner Keon: I was going to ask the Manager for the record and for anybody that's watching to know exactly where we are with controlled choice. This was a very big issue for me when I ran for office and once elected was to address and deal with this issue on school choice, and asked my colleagues here on the dais to work with me on this and allow us to move forward and to meet on our behalf and come back and give them information. And I am exceedingly grateful to all of you for our working together as a group to deal with this issue, and I think that we have been successful, but I'm very grateful to each of you for all of the help and all of the cooperation and all of the good ideas, and all that came forward to get to where we are today, because it really is all of you together here that moved this forward. Thank you.

Vice Mayor Quesada: Commissioner we should be thanking you...

Mayor Cason: Thank you for your leadership.

Vice Mayor Quesada:...because this really was a battle before any of us were on this dais. This is an issue that no one's ever wanted to take up and address and you went at it head on; and our school system is better today because of it, because of the changes and your leadership on this item, and it's only going to improve with these changes, so thank you.

Commissioner Keon: You are welcome, but you know what?- nobody does it alone.

Commissioner Slesnick: Commissioner Keon you might just explain briefly for those watching for the first time what this controlled choice...

Commissioner Keon: I'm going to ask Cathy to just give us a quick update so we know where we are from the last meeting to the School Board.

City Manager Swanson-Rivenbark: Thank you Commissioner. I'm going to bounce it over to the City Attorney. He is ready for this item and he's going to give the update.

Commissioner Keon: OK.

City Attorney Leen: Thank you Madam City Manager. I am very pleased to report to you on behalf of the City Manager and myself and obviously the Commission, who we were representing at the School Board meeting that the First Reading of the Controlled Choice Item went exceptionally well for the City. We were able to obtain our principal goal of ending Controlled Choice, at least on First Reading. There is still one more reading, but there was significant support from the superintendent and the School Board for that, but they also revised the proposal to address the issues that we had raised as a Commission, that you had raised as a Commission, that we had raised as staff. Those conditions include grandfathering, which was essential component of the City's position, and they adopted that position, the School Board. In addition, a preference for siblings, it's similar to other policy related to siblings in the School District, but they did specifically recognize the importance of siblings. Also, in terms of grandfathering – originally the School Board was looking at grandfathering involving Kindergarten, really above Kindergarten and they went to Pre-K, which I know that the City Manager really pressed and I thought it was great that we were able to obtain that. The School Board was very receptive to the City. As you all know, the City Manager put together a letter that was sent to the School Board about Carver, and about the surrounding public schools; and there were a number of points in the letter, and she had spoken to each of you individually about

it, and it really was a position of the City indicating a commitment to the public school system in Coral Gables, and I thought it was extremely well received. And the City Manager, if I may say this, she spoke extremely well at the meeting, she represented our City very well, and we got very positive feedback from both the superintendent, our Board Member Raquel Regalado, also our other Board member Dr. Perez, who is also is appreciative, and then the rest of the School Board. It was one of the best meetings we went to. We did sit there all day; we were there literally for, I think it was eight hours.

Vice Mayor Quesada: I'd rather sit there all day and the result comes out for us.

City Attorney Leen: I agree and I was proud to be there and I know the City Manager was too. We sat there all day, we were recognized a number of times, they really appreciated what the City did here, and it's really a credit to you, to all of you, for raising this issue. Thank you Commissioner, thank you Mr. Mayor, thank you Commissioners. I don't know if everyone knows this, I know you all know this, but just for the public, there was a lot of hours put into this matter over the past six to eight months – meetings by Commissioners, by the Mayor, by staff...

Commissioner Keon: By residents.

City Attorney Leen: I'd like to, if its OK Madam Manager, I'd like to recognize two of your staff members, Carmen Olazabal and Naomi Levi, who really spearheaded the effort. I'm really proud to be a part of this. I have to tell you, it was one of the best moments being here seeing that meeting. So thank you very much for your leadership.

Mayor Cason: And also there may be some potentially good movement on West Lab.

City Manager Swanson-Rivenbark: First, before we get into the West Lab discussion, which is a discussion that we want to brief you on, and then come forward and seek a recommendation or direction on. The other change regarding Controlled Choice was the School Board was limited because there was a rule that would have required Sunset to only have a geographic preference for the Sunset Magnet around the Sunset area, and so while they lifted Controlled Choice on First Reading, they've also allowed us to continue the benefit of a larger area for Sunset Magnet for geographic preference. Today 34 percent of our Coral Gables residents attend in the new language, 25 percent preference will be for Sunset in the immediate neighborhood, and another 25 percent will be for what is called, District B and District A, and so a larger area will have a geographic preference for Sunset which doesn't exist today, and that is a very strong win for the residents and their children. As it relates to West Lab, it is a discussion that is beginning, the School Board has allowed their staff to sit down and speak with the University of Miami, the City of Coral Gables, and potentially Baptist on how we can work together to create a very

viable partnership that could result in the expansion of the school. That's going to be a series of meetings will have to take place for us to come together in order to bring forward specific recommendations to you all, but those meetings are going to begin.

City Attorney Leen: If I could add something, I'm sorry actually I meant to say that too. I got so excited talking about all these wonderful things. One other thing just for our residents - practically what it means is they no longer have to participate in the lottery, and yet they preserve their ability to get into the Sunset Magnet, wherever they live in the old Controlled Choice District. From a legal perspective it was a significant achievement because when we were at the meeting - we went to a couple of meetings, Cathy and I, the City Manager and I, and that at the first meeting they had said they could not amend the Board Rule. Basically, it was in front of the Diversity Committee; they said, Oh, there is this Board Rule, it limits the ability to get our residents into Magnet and have the preference be wider, and I know that the Commissioners really wanted that, and there were a number of correspondences that went from individual Commissioners to residents, to the School Board, from staff and it was really a wonderful moment because the superintendent recommended essentially a change to that Board Rule in order to accomplish this task. And we were there when the superintendent spoke and he said that he wouldn't allow a rule to get in the way of doing the right thing. So what you did in speaking about this and raising it in the community and with the School Board worked. It convinced the Superintendent that this was the right thing, so it really was a significant day for Coral Gables.

Vice Mayor Quesada: Just two final points from me on this topic, two things. Even though she wasn't a Commissioner at the time, Commissioner Slesnick was very involved in this process as well. She attended a lot of different meetings, which we saw her at, so she was very involved as well, even though she wasn't a Commissioner at the time. Number two is, can we give - it's important for us to maintain a good relationship with the School Board...

Commissioner Keon: Absolutely.

Vice Mayor Quesada:...can we do something, I guess this request is for you Mr. Mayor, can we give a proclamation to the staff members that have helped us along the way?- even the ones that we had a little push-back at the beginning just to maintain a positive relationship with them moving forward. After the Second Reading, once it's all done, can we do a Proclamation?- something nice for them just to say thank you and remind them that when they deal with us we can end on a positive?

Commissioner Keon: For everyone who is listening, the issue with the repeal of the School Choice, or the removal of the School Choice now allows every resident in the City of Coral Gables within their geographic location that they live in, there is a school that is your school, so

when you move into a neighborhood, you will know the school that your child will be assigned to, if you chose to use the public school system. You can also still apply to transfer your child to other schools, you will know what the school that your child will be assigned to when you move into a neighborhood, and the City has made a real promise to ensure that every one of our public schools is good as every other one. So we will have high performing, quality public education in our community, so we are very happy; and I think also we do really need to extend our gratitude to the School System, to their employees, and particularly to Superintendent Alberto Carvalho for doing what is right for children. When it was brought to their attention and the issues we discussed with them, they have truly been just great people to work with to achieve these good things for our children.

Mayor Cason: When is the final vote going to be?

City Attorney Leen: The final vote, I had pulled it up, it's going to be in early June. It's June 17th, pardon me, mid-June, June 17th at 11 a.m., Second Reading. Also, I do think I should also say, I know that the Board member, Regalado, was very involved in this particular solution and when she came here and spoke to you, she took that back and I know that she wanted me to tell you that.

Mayor Cason: I'm happy to do something after that second vote as well as, perhaps a letter to Carvalho with thanks for their cooperation and helping make this long term inequity and stigma removed.

City Attorney Leen: Dr. Perez as well. She came to a couple of the meetings personally, in front of the School Board, so they've both put a lot of personal attention to it.

Commissioner Keon: The School Board and their staff were really great.

Commissioner Slesnick: Commissioner Keon, thank you very much for clarifying that what the Controlled Choice was, and thank you Vice Mayor Quesada for spearheading that, it really was a divisive issue in the community and I think most people are really satisfied now with the decision of the School Board.

Commissioner Keon: So the final decision will come in June, but we have every reason to believe that it will work out well, so thank you, and also to our staff for all their work, it's a very good thing for our City. Thank you.

Vice Mayor Quesada: So to the residents who really spearheaded this and there are a few residents that we saw every single meeting, that were very, very involved.

Commissioner Keon: You know what I think what's really important and I know just from the two years that I've been here as a Commissioner. One, the residents in Deering Bay had been trying for a long time to resolve some issues with the County and when we as a City came to help our residents on an issue that really was important to our City, because it affects our property values, it affects how the community is structured and a lot of things. It was when we got involved as a City, and particularly through the City Attorney's office, we were able to resolve that issue and this is just another issue where we as the representatives of the people in our City, when we get involved we can be very – we can make things better. So I hope that when there are when people believe to be great inequities or injustices, I really hope they come forward and talk to us about them, because that's also a big part of what we have to do.

Mayor Cason: Great.

[End: 12:42:22 p.m.]

City of Coral Gables City Commission Meeting
Agenda Item F-3
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Vice Mayor William H. Kerdyk, Jr.

Commissioner Pat Keon

Commissioner Vince Lago

Commissioner Frank Quesada

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Planning and Zoning Director, Ramon Trias

Public Speaker(s)

Agenda Item F-3 [12:42:25 p.m.]

Update on North Gables Planning Study

Mayor Cason: Let's move to F-3. Do you have to leave?- OK. F-3 which is an update on the North Gables Planning Study – Commissioner Keon.

Commissioner Keon: I asked again at the last meeting we talked about with development, the need for we as a City to be out in front of development and not have development happen in these areas that are so ripe for redevelopment, parcels at a time by developers, that we need to ensure that we have in place the zoning and the rules and the regulations to guide that development, especially we know now we want to decide and look at if we really want to create a very urban neighborhood, residential community in the north part of the Gables, and then what aspects of those areas will have commercial development and how do we develop commercially in support of an urban residential community. So Cathy, the Manager was also working on that, I just wanted an update from her on that.

Commissioner Quesada: Can I just frame the issue a little bit more for those watching at home and the audience that they'll have an update on this. The area north of Alhambra, the area south of Eighth Street in between LeJeune and 37th Avenue, when you look at that square of the City there really is a "miss-mash" – there is a very small number of single family homes, which I believe actually are City of Miami, not even Coral Gables; and we have a "miss-mash" of old multi-use buildings, a lot that are not really consistent with the aesthetic look and feel of the rest of our City, whether they are commercial or the residential aspects of it. One of the conversations that we had on this dais a few months ago, maybe 6-8 months ago now, we've been discussing it for a while, when you look at the French Village, when you look at some of the gray areas of the residential neighborhoods and the gray areas of the commercial neighborhoods, this area of our City doesn't feel like either of that. So really the conversation was what can we do to move forward to be consistent with the Charrette from 2003 and the analysis that we did in 1996 to bring it to where past Commissions and staff and this current Commission think that, that area of the City should be from an aesthetic perspective, as well as a youth perspective?

City Manager Swanson-Rivenbark: Thank you Commissioners. When you say north of Alhambra, it's going to be helpful for us to understand, are you talking about Alhambra north/south, north and south Alhambra, north, or are you talking about...

Commissioner Keon: The north side of Alhambra – from the north side of Alhambra to Eighth Street.

Commissioner Quesada: But again, we never defined the specific geographic location, all of our discussions have been generally that area.

City Manager Swanson-Rivenbark: It becomes germane because there are some projects on the south side of Alhambra that we had said based on feedback from the Commission that we are not moving forward with any development applications to Planning and Zoning Board that are not as-of-right in that area, meaning if they need a land use change, a zoning change, if they need some type of exceptions to the Code, we are going to put that on hold until the plan is developed; and so is it the north side of Alhambra?- or is it the north and south side of Alhambra?

Commissioner Quesada: The north side of Alhambra.

Commissioner Keon: The north side of Alhambra because the south side of Alhambra is part of the CBD and has been developed as part of the CBD, and I know that there is a section of the CBD, I think it goes to Navarre, but there is a parcel there that the zoning, the underlying zoning for that parcel is not zoned the same as the CBD.

City Manager Swanson-Rivenbark: So with that clarification I'm going to ask Ramon Trias to come up and he is going to explain how we are going to approach the North Gables Study, defined by the north side of Alhambra up to Eighth Street from LeJeune Road to Douglas Road which is our general study area.

Commissioner Quesada: If I could just jump in for one second. I think we discussed this at the last meeting that we discussed this item was having Chuck Bohl involved or Elizabeth Plater-Zyberk, the University of Miami.

City Manager Swanson-Rivenbark: You'll see what staff's recommendation is and then we'll go from there.

Commissioner Keon: OK. We can sort of combine – you can give us that study too, but I'd like us to also consider looking at the area bounded by U.S.-1 and Sunset, because the same thing is happening there. The zoning that is in place there is what encouraged strip malls because in the 50's that was how they were developing it, and we have to decide that, that's not what we want to see happen. We need to also look at that area because it again is ripe for development. There are a number of parcels now along U.S.-1, adjacent to the Riviera Neighborhood Homeowners Association that has sold recently.

Commissioner Quesada: So you are saying we should better define what we really want there, so as to prevent any types of projects coming in or being proposed that we are against.

Commissioner Keon: That's the other part of our City that is also ripe for redevelopment, so it should be the North Gables and then there is that.

Commissioner Quesada: And we should be proactive and controlling what we want their rather than be...

Commissioner Keon: We need to be out ahead of what is happening there.

Mayor Cason: You want to talk to both of those at the same time?

Mr. Trias: Yes – Mayor...

City Manager Swanson-Rivenbark: Actually, if it's alright Mayor, if we can first discuss the North Gables Planning Study that approach and then we will move to the discussion on the U.S.-1 and Sunset corridor, because they are actually two different projects, maybe the same approach, but they are two different projects.

Mr. Trias: Mayor, Vice Mayor, Commissioners, my recommendation is to have a two-step process for the North Ponce area. One, following up with the Vice Mayor's comments or perhaps Chuck Bohl or somebody like that, be the facilitator of a public discussion in a more academic setting, so we can gather some information from the public; and then have an RFP and select a consultant to be able to have the appropriate amendments to the Code that are needed. In the past, the past efforts of the City I believe didn't go far enough in terms of coming up with the right amendments, so we certainly have to go that...

Commissioner Quesada: Let me ask you a question. The 2003 Charrette, the reason I'm bringing up their names Chuck Bohl and Elizabeth Plater-Zyberk, they were the ones who did that Charrette in 2003, we they not?

Mr. Trias: Yes.

Commissioner Quesada: I'm not holding you to it, but I think I've seen them both.

City Manager Swanson-Rivenbark: It was a very significant project jointly done by the City and the University of Miami, and they were two key contributors to it.

Commissioner Quesada: I know they were the – what's the proper term?- on the Agave project they were the peer advisory group, they worked on the Charrette. The reason I always bring up their names, they seem to know our land use and zoning and aesthetic better than anyone else out there, but whatever the process is.

Mr. Trias: My recommendation is that the peer review process works really well and that we should continue in that frame of mind. The other issue with the 2002 Charrette is that it included the North Ponce area, it has significant and very good recommendations, so there is a lot of very good material that we can revisit there, so that's a very good process.

Commissioner Keon: It was never implemented though?

Commissioner Quesada: Correct.

Mr. Trias: Yes.

Commissioner Keon: OK. So this time we are going to go all the way.

Mr. Trias: That is why I am recommending as a second phase to have an RFP, and that RFP is being reviewed right now by staff, I believe the Assistant City Manager got the last version this morning, so we are working on that, hopefully soon we'll be ready. That might be a very good way to get the public involved and then implementable fully professional prepared amendment to the Code. As far as the other discussion that I had with Commissioner Keon was, that from my perspective the City of Coral Gables has only a few very well defined areas that require planning, the other two are Sunset certainly and U.S.-1, so the same process or something similar could be applied, and it's a very narrow focus...very clearly understood in terms of the context, so I think it's very doable.

Commissioner Keon: Thank you. I think with the development of the Underline, which I really do believe will come to fruition, we are going to create a great linear park there along the highway, which is going to encourage other developments where there are some commercial strips there, where there is a Starbucks and a Taco Rico – you know where that Taco Rico and what else is in that...

City Manager Swanson-Rivenbark: Our new trolley maintenance facility.

Commissioner Keon: It's on Riviera there; I don't know what the name of that center is.

Commissioner Quesada: Is someone anticipating developing that?

Commissioner Keon: I think they will.

Commissioner Quesada: Yes. I think you raise a great point of looking at it now, again, so we could be proactive in controlling and putting what we want there, rather than responding to variances and other things as we normally seek them out.

Commissioner Keon: You know that the land values have gone up, people want to go higher. How do we step things down, so that we don't negatively affect the residential areas around them?- so let's do it...tell them this is it.

Mr. Trias: Site specific.

Commissioner Keon: Tell them this is it.

Mr. Trias: U.S.-1 – have a vision of the 1940's of strip development as their preferred type of development, so that clearly is outdated, so we should revise that.

Commissioner Keon: We should revise that.

Commissioner Slesnick: Are we talking from like Granada west to Sunset or west to Red Road, Granada west to Red Road?

Mr. Trias: That's up to you whatever your preference will be, but that's more or less what I'm thinking.

Commissioner Quesada: I think really where we started there is have staff take a look and you guys guide us.

Commissioner Keon: Right – and actually both sides of U.S.-1 where they develop open properties because of that.

Mr. Trias: That's what I would recommend.

Mayor Cason: So when would you envision coming back to us with your ideas about the delineation of the areas?

Mr. Trias: As soon as we finalize discussion with the City Manager, I think we'll be ready.

Mayor Cason: OK.

Commissioner Keon: OK. Thank you.

Mayor Cason: Thank you.

Commissioner Quesada: I'm sorry, you mentioned the Underline, digressing a little bit, but sort of still on topic. We are big supporters of the Underline, we have been, we allocated \$50,000 to get them going. I really think it's a transformative project from a transportation perspective moving forward. One of the items that we've discussed in the past is having showers on the first floor of office buildings for new buildings, so that people can ride bikes get to work sweaty, take a shower and change and actually have a professional work day and not smell like you just rode a bike for a few miles to get to work; and one of the big aspects of that is that connector and I really think we are seeing a big movement, a lot of different municipalities, a lot of different types of projects on transit related housing and I think the Underline is a big portion of that. I think we have 2.6 miles of the Underline will be directly in front of the City of Coral Gables, which behind the City of Miami will have the biggest impact. Moving forward, I don't know, and this is a question for our City Manager. Madam City Manager, does it make sense for us,

what I envision is we really want any property owner embracing the Underline, because the more money that they have the more resources that they have for the Underline, the better product we are going to get, and in turn it's going to be obviously it's a great amenity for our City. Moving forward for our transportation perspective, public art perspective, some of the ideas that they have it's not only for walking and riding bikes, but at the same time its parks, so I imagine we are going to have another 2.6 mile park right off of U.S.-1 protected, so we want to make sure that they have the right resources specifically from Coral Gables. Is there a way we can either, whether its incentivizing property owners so that they can contribute more money to the Underline?- specifically those funds have to be allocated for the portions that affect Coral Gables. I don't want us to be – I don't want our private citizens who are our residents, or our City contribute money to the Underline and that money going toward a portion to fund the City of Miami. I want it impacting directly us. I want the nicest piece of the Underline to be in front of Coral Gables and people say, Oh we are going to go to Coral Gables because the Underline is the best there. It will reduce traffic; we've had the experience with the trolley, we know we are going to have that experience reducing traffic and obviously beautifying the City. So I just want you to think about it. I'm not asking for an answer now, how we can allocate more funds there without coming out of our pocket to move that project along?

Mr. Trias: Vice Mayor, if I can update you. The Collection project coming up very soon has a component that includes funding for the Underline in close proximity to the project. We have been able to initiate a discussion, in fact in the last week we had two meetings with the County staff and the Underline to try to coordinate, so I would like to be able to do that more and certainly we will coordinate.

Mayor Cason: Tell Meg Daley to come sometime in May and tell us where she is.

Commissioner Quesada: I met with her several times on this and calling her nonstop, because I think it's such an important project for our City. What I've asked her to create is some sort of standards that cities can adopt. I know South Miami is on board, I know City of Miami is on board, all the municipalities are really jumping on board, but if there is some sort of standard that they recommend that we can implement, so that I've asked for that draft document, when I get it I'll distribute it to everyone.

Commissioner Lago: Let me tell you what's going on. The last meeting that we went to was at the School Board and I think you were with me?- did anybody else come?- or was I the only representative for the City that day? Commissioner Suarez was there and we spoke there, and basically what's going on right now is they are getting the funds to do pre-design, they are doing pre-construction. They are going to basically use the architect and they are going to come out with some schematic ideas in reference to what they are looking for in the Underline. Right now

there is really no concept that's nailed down, they are just taking ideas. The funding that's in place that we committed to was for pre-design and getting word out there, the buzz. In reference to the Collection residence, it was my understanding the City Manager, along with Ramon Trias were working on it. There was a portion of that project that was supposed to be allocated to Coral Gables Senior High School, that was scrapped and they moved in a different direction, and that direction was to fund the portion of the Underline. So we have more than enough time, there is ample time to really put our footprint or our thumbprint, whatever you want to call it, on the way this project is going to look in reference to the corridor that runs in front of the City of Coral Gables, because they haven't even started designing. What you are seeing right now is super preliminary, because they are going to have the funds allocated to actually do the construction.

Commissioner Keon: But they hired the design team.

Commissioner Quesada: They have the design team, they are an amazing design team, they are great, I know they can do a spectacular job, but I want to make sure that we have some control, I mean, again, it's our doorstep, it's the entrance to the City coming off of U.S.-1, hundreds of thousands of vehicles riding by every day. I want to make sure we have some sort of control, the final look and feel what we have in front of us, if we are going to be allocating money. I don't think we have that much time. There are a lot of different projects, a lot of different discussions or rumors that there are projects going up and I want to make sure we can capture everything we need to capture, so we can have a spectacular linear park in front of our City.

Commissioner Lago: Madam City Manager quick question. Has this project been funded by the County?

City Manager Swanson-Rivenbark: Has this project been funded by the County, the Underline?-no.

Commissioner Quesada: But you have other projects that are moving.

City Manager Swanson-Rivenbark: I appreciate both of your concerns and so the discussions with Collection residences is, give us a bond, so that we don't know what the improvements are for the Underline. We know that there are about \$10 million a mile, and so as we take in lieu of payments for, we don't know exactly what those improvements are, but they can be placeholder contributions, so that you accomplish what you need and you recognize that we are not ready yet, but at least we are identifying and pooling resources, so when they are ready we can make sure that that Coral Gables portion gets addressed promptly.

Commissioner Lago: What I think we need to do right now is and it encompasses what Commissioner Quesada, Vice Mayor Quesada is saying, and that is we need to make sure that while they are in the pre-design phase, which is what they are going through right now, they are identifying finishes, they are identifying trees, they are identifying electric light fixtures, is it going to be sustainable?- is it not going to be?- what can they put in this?- because there is a certain budget as you mentioned, \$10 million per mile, which may sound like a lot, but it's not, it's not when you are talking about the necessary infrastructure that needs to be brought in to be able to host the individuals that they want that are hopefully using the Underline. So there is time in the sense of that right now will be the appropriate time to start talking to them in an effort to when they do start designing this, I think will – they can talk to staff, I think they probably won't probably start fully designing this until a year from now, unless those funds have been allocated in the County. Right now I think the \$500,000 is mostly based toward pre-design, conceptual design, Ramon am I near there?- is that the numbers probably?

Mr. Trias: I think you are generally accurate with all that, but last week we did meet with Megan about this and we discussed some of the possibilities. I think we do have some very clear understanding that some things can be defined now; other things may be defined later, just like the City Manager said, as long as we have the ability to make those decisions later on. Right now we can make an appropriate contribution from each of the projects, and the project we have in mind is very close to the Underline geographically, and that discussion took place with Planning and Zoning, so I think it's a very reasonable....

Commissioner Quesada: Great. OK.

[End: 1:01:26 p.m.]

City of Coral Gables City Commission Meeting
Agenda Item H-1
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Commissioner Pat Keon

Commissioner Vince Lago

Vice Mayor Frank Quesada

Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Finance Director, Diana Gomez

Assistant Finance Director, Sally Ola Ola

Public Speaker(s)

Agenda Item H-1 [1:19:34 p.m.]

Presentation of Quarterly Financial Report for the six months ended March 31, 2015.

Mayor Cason: H-1 – This is a presentation of the Quarterly Financial Report.

Ms. Gomez: Good afternoon. This is a review of the Quarterly Financial Report for the six months ended March 31, 2015, which is the second quarter of the 2015 Fiscal Year. This report compares budget to actual revenues and actual expenditures to total appropriations for each department. A schedule of revenues Budget to Actual on page 3, provides comparative data to the same period from the prior year to show whether or not we are on track with the previous year's collections of revenues.

Vice Mayor Quesada: OK. Can we talk about permits on page 3? I'm sorry, I'm cutting you off, just get right to it. Under Permits on page 3 of the Quarterly Financial Report under

Construction, I'm looking at revised annual budget \$5.2 million, actual revenue \$3.7, current percentage of budget 72 percent, last year percentage of budget 58 percent. Does that give us any explanation or any trends as to whether construction is up or down in the City? If so, how do you interpret that?

Ms. Gomez: So the reason for the increase in this year, based on some issues staff has done is, there are two major projects this year, a Loft Hotel and the U-Health Med Center, so combined they added about a million dollars to one time in this year, not there last year.

Vice Mayor Quesada: Got it. So its just representative of those two projects really paying their fees at this time, rather than newer projects coming along.

Ms. Gomez: Right. But construction permits are up and so its really just a timing of when projects come through and which projects come through.

Vice Mayor Quesada: If you go down General Governmental Fees, two lines under that, Planning and Zoning Board is up 278 percent.

City Manager Swanson-Rivenbark: Vice Mayor, we are also very conservative in estimating when these projects will come in and will anchor their permits, so you are seeing some of that conservative nature showing up in that percentage increase.

Ms. Gomez: We do not budget for one time increases, we don't know that we are going – unless we absolutely know we are going to get it then we may budget for a one-time use of those revenues.

Vice Mayor Quesada: Got it.

Ms. Gomez: Its not recurring, so we can't budget for it as recurring revenue.

Vice Mayor Quesada: Got it.

Mayor Cason: So it goes under reserves?

Ms. Gomez: It could, yes or we can use it for one time expenditure in the budgeting process.

Commissioner Slesnick: What was the second project you...

Ms. Gomez: The U-Health Medical Center.

Mayor Cason: On the Granada Golf Course is that factored in, the fact that its going to be closed down?

Ms. Gomez: At the time of the budget, it was not factored in, so the number that's in the budget, \$575,000, is high, knowing that we are going to close it for about – last information that I got its going to be closed for about five months, and so that loss of revenue is going to be about \$165,000, but based on one other revenue that have come in higher than we thought, overall we'll recoup as well as the Granada Golf Course doing better this year than last year while its been open, so we believe we'll be able to recoup that and it will not negatively impact the overall budget.

Vice Mayor Quesada: Page 4, almost last line – Non Department Expenses.

Ms. Gomez: Yes.

Vice Mayor Quesada: Define what a non-departmental expense is.

Ms. Gomez: Non-departmental expenses include those expenses which they cannot be tied expressly to one department. So if the City is doing, for instance, a citywide study or something then its not tied to any one department, so therefore its charged there. The citywide legal services, outside legal counsel is charged to non-departmental as well.

Vice Mayor Quesada: OK.

Ms. Gomez: So anything that can't be tied to a specific department is put into non-departmental.

Vice Mayor Quesada: I'm sorry, I'll stop taking you off your path.

Ms. Gomez: Its fine. OK. So anyway – on page 3, which is the Schedule of Revenues, the very last line of the page, you'll see that the second quarter we received approximately \$107 million in total revenues compared to the \$156 million of budgeted revenues, which shows 68.5 percent overall collection at this time. Second quarter is half of the year, so we should be at or above 50 percent, and we are there. The fact that we are over is because the timing of certain receipts of revenues, property taxes we get earlier in the year, its not split out throughout the whole year, so its proper that we are above 50 percent at this point in time. Speaking of Property Taxes, its our largest revenue source representing approximately 44 percent of the budget, total budget of property taxes is \$68.2 million and as of March 31st we have collected approximately \$61.6 million or 90.3 percent of the budget, and this is consistent with prior years collections at this

time. As of March 31st we've received distributions of Transportation Sales Tax totally \$275,000, which is revenue through November of 2014. These revenues are collected on a lag, but we do realize them all by the end of the year. Other revenues that we focus on during the year are the Franchise Taxes and Utility Service Taxes. The largest Franchise Tax revenue is the Electric Franchise Fee, which makes up \$4.5 million of the budget. Utility Service Taxes, we have Electric Utility Tax, which makes up 5.7 of the budget, \$5.7 million of the budget; and the Telecommunication Services Taxes makes up \$4 million of the budget; and all three of these collections today are in line with collections of the prior year at this time. We talked about Construction Permits and Governmental Fees, so I'll skip that. The Fire Assessment Fees collections are consistent with prior years collections and its related to the collection seeing the property taxes because its on the tax bill. Other significant budgeted revenues are Physical Environment Fees, which includes solid waste services at \$8.6 million; Sanitary Sewer at \$9.2 million; and Storm Water Utility at \$3.2 million. All of those collections are contracted in the system of prior year.

Commissioner Lago: Can we talk about waste fees. The Mayor had a few good points in reference to uncollected fees. I just want to give an update in reference to the e-mail you provided us this past week, which was giving us an update in regards to past due collection.

Mayor Cason: \$2.7 million still, right?

Ms. Gomez: Correct.

Commissioner Lago: From?

Ms. Gomez: Well we had initially started – the Mayor had requested this back in May of 2014 – I want to say \$2.9 million, I'm sorry I don't have...we collected \$700,000, \$711,000 as of the balance of May on all those very past due bills.

Commissioner Lago: From my understanding, correct me if I'm wrong, we have \$3.7 million outstanding balance...

Mayor Cason: For all debts.

Commissioner Lago:...for all debts, and we had seen close to \$800,000 in collections.

Ms. Gomez: Right.

Commissioner Lago: And the increase was just what?- increase awareness?- we were just notifying them?

Ms. Gomez: So we've always sent out quarterly notices on the waste bills, we've always sent them out on a regular basis every quarter, and we've also sent out letters, and we sent out letters letting them know that we are liening the property, so we have sent all of that out. So then there was a little bit of a rush to pay at that point in time, which was tail end of the year yesterday, last year rather, I'm sorry, summer when we got a lot of payments and since then we continue to send out notices, so we continue to get some payments. There is not any one particular effort. Now we have talked about moving forward and putting it on the tax bill, so we are getting that in line to do that.

Mayor Cason: I think that is probably...

Ms. Gomez: Right – we'll probably see the rush of payments when we give them the last notice to say you have to pay by this date or it will be on the tax bill.

Mayor Cason: I wonder if we still have some people in there that owe \$13,000, which is almost 20 years' worth.

Commissioner Lago: I want to make sure. I know we are going to notify them prior to obviously putting it on the tax bill, but I just want to make sure that we notify them on multiple occasions.

Ms. Gomez: Sure.

Commissioner Lago: Just prepare them – give them another opportunity.

Ms. Gomez: We have to send out one notice and a second notice to let them know that on this date – what we have to do in order to get ready for the tax roll, we have to by a certain date we have to inform them and say, hey if you don't pay by this date you are going to be put on the tax roll, because we have to have a cut-off because we have to send the information to the County, so we can send two notices out prior to that date, right.

Commissioner Lago: And like what the Mayor mentioned before, you have some entities or individuals that owe close to \$13,000, so that's a pretty significant financial burden. Do you think that we offer any payment plan for that type of situation?- two, three, four installments?

Ms. Gomez: OK. So, if it gets on the tax bill it will be no payments.

Commissioner Lago: I'm trying to pre-empt – I'm trying to get people motivated to make a phone call and say, if I pay you 50 percent – how are we handling that right now?

Ms. Gomez: We have accepted payment plans when the individual comes into us and talks to us and say, hey I need this much time, I'm going to commit to paying this amount every month for the next two years, let's just say, and we have accepted those plans in the past.

Commissioner Lago: I think for some people we should contemplate because as – I know you guys do a great job, but as the day comes closer and people start scrambling to avoid having to get this on their tax bill we should offer some individuals who owe a significant amount of money.

Ms. Gomez: And the problem becomes then we put them into a payment plan and it gets on the tax bill and then they just stop paying the day after its on the tax bill and then we have to wait period to get on the tax bill. Its very difficult to, you know, we've given them a couple of years...

Mayor Cason: You've got 20 years to write them a letter every year, you tell them you'll lien and basically they go....I mean that's what it is – “bena frega” as they say in Italian. They know, they don't care because a lot of these people figure that, well...

Commissioner Lago: Well they will care when its on the tax bill.

Ms. Gomez: Sure – they have to right.

Commissioner Lago: That's what I'm trying to correct.

Ms. Gomez: Correct. So we will send them at least two notices prior to it getting on the tax bill, we will work with those customers that come forth and try to work with us to get this paid by a certain date, if that's the will of this Commission, will be put on the tax bill.

Vice Mayor Quesada: We discussed the procedure in the past the way that works. It's the tax certificate that gets purchased after three years and they can foreclose on your property, which is typical to the same exact procedure as if you don't pay your property taxes.

Commissioner Lago: And I agree with you, but I think that we've got to try to do the last bit of effort....

Ms. Gomez: I understand and we will.

Mayor Cason: There are a number of people on there that look like investors because you'll see, if you go carefully down, see three or four people that owe \$50,000 and they own multiple homes.

Commissioner Lago: That's why I mentioned this item...foreign owned entity, there are a lot of cases that the entity that owes a significant amount of money.

Commissioner Slesnick: I wanted to ask too how often are the City records updated as far as change in ownership?

Ms. Gomez: So we download the information from the County's property records...

Commissioner Slesnick: Once a week?

Ms. Gomez: I think its quarterly that we do that. Every time that we send out the notices we do update our records.

Commissioner Slesnick: I do manage a lot of properties in Coral Gables and I noticed people getting bills, maybe trash bills and so forth, that the ownership was changed a year ago and the old owners are still getting them and they are not – maybe they are forwarding the bills.

Ms. Gomez: And so sometimes what happens is in our system the old owner has asked us to send it to a mailing address, its not the property owners address and there are still some of those that are in our system are hard input into our system and so perhaps that happens, but we do manage the returned mail, so when we get something back in the mail we make sure to double-check why does that address not working.

Commissioner Slesnick: When people are coming are coming in to pull permits too, the ownership could have changed more than a year ago and the old owners are still on there – so every quarter.

Ms. Gomez: Finance does for billing, I believe its every quarter, at a minimum its every year, but I believe its done on a quarterly basis.

Mayor Cason: Basically we don't lien under \$1,000.

Ms. Gomez: Six months, I'm sorry, every six months we update it.

Mayor Cason: Is that correct?- we don't lien under \$1,000?

Ms. Gomez: We haven't – right.

Mayor Cason: Some of these have been 20 years.

Ms. Gomez: And the reason why we chose – I think we chose over \$1,000 is because pretty much one year and a little bit, right, so we wanted to give people at least a year or two years of non-payment before we decide to go in and lien their...

Mayor Cason: If you look at your latest report and look at the pattern you'll see people that owe \$12,000, now they owe \$12,800.

Ms. Gomez: Right – they haven't paid and they just continue to not pay – exactly.

Mayor Cason: They want the rest of the citizens to subsidize them.

Commissioner Lago: Well the problem is they are still receiving the services and we are obviously not going to stop the service.

Mayor Cason: Which is why they know that they can get the service and never have to pay that their relatives someday when they die and take over the house, take care of the lien, that's what's happening.

Ms. Gomez: If we move to page 4, Schedule of Expenditures – total expenditures, at the bottom of the page for the second quarter, is 42 percent of the budget, again being that we are at half way of the budget you would expect to see expenditures around the 50 percent mark, because expenditures usually are not as seasonal, some of them are though, but all of the departments are trending less than 50 percent, so that's a good sign that shows that they are staying within their budget and their allocated expenditures. So we are constantly monitoring the budgets in the different departments to make sure that the expenditures are in line and that departments are kept within their budgets – yes.

Commissioner Lago: Let me ask you a question in reference to last year. We were on the same budgeted percentage in regards to expenditures?

Ms. Gomez: So last year at this time we were at 42 percent and this year we are at 42 percent, so this time of year we are about the same, we are staying within our budget.

Commissioner Lago: Have you seen anything that's basically gone off the charts or maybe we are seeing some cost savings, some efficiencies that we've implemented or I don't know, some binding strategies that have allowed us to reduce expenditures.

Ms. Gomez: So through the budget process we do – we look to see what the expenditures are and the trends are and so budgets are adjusted each year for what we expect, if we've had a reduction somewhere, so you may not see it so easily here, but we do try to make sure that we are monitoring the budget and keeping expenditures where they need to be at. I don't know of any specific expenditure that...

Commissioner Lago: Like for example, look at Sanitary Sewer Division, the budget is \$15 million, they've spent about \$2.8 million, 18 percent, last year about 17. You've seen a little increase but I mean, I'm trying to find to see how – and it goes back to what we were discussing to say about sustainability, the master plan, we are going to try to save as much money as possible by being as sustainable as possible, and those are potential opportunities for the near future.

Ms. Gomez: We do think about that as we are developing the budget and so we can start keeping notes on that and see where we see some of those savings of some of the actual programs that are put into place. So expenditures are on track. The next set of schedules reports the details of the Enterprise Funds. These funds are accounted for like a business. They show all the revenue and expenses of their respective operations. So types of Enterprise Funds that we have are Storm Water Utility Funds, Sanitary Sewer Funds, Venetian Pool, Golf Course, Tennis Centers and Parking Fund. The operations of these funds are in line with expected collections and expenditures to date. The next set of schedules is the City's Internal Service Funds, which are the Motor Pool and Public Facilities Funds. These are funds that are used to report the charges to the internal departments for the expenditures that they incur for vehicles and facilities. And then the final schedule on the report the activity of the Transportation and Trolley Fund. Revenues received from the Transportation Sales Tax is 100 percent to fund the City's trolley operations. These revenues are collected, as I mentioned earlier, in a two to three month lag. We've collected about \$275,000 to date, but that's only collections through November, since then we've collected another \$219,000 for the month of December, but it isn't collected until April so that's why its not in this report. Even though the timing we do expect to be on track with the budget with it. So that's all I have unless you have any other questions.

Commissioner Slesnick: I'd like to ask another question. What percent of the tax is accounted in the City are from commercial developments and what percent from residential?

Ms. Gomez: So I don't have that information...

Commissioner Slesnick: Roughly. I had heard 60-40.

Ms. Gomez: I've heard that but I don't think its exactly that. So I would ask that I can get back to you. I don't have it in my head right now and I don't want to give you information that's incorrect.

Vice Mayor Quesada: On page 11, I noticed the parking numbers were up, so it seems like there parking garages are – first of all some of them are becoming more efficient, our expenses are going down...

Commissioner Lago: We were talking about that.

Vice Mayor Quesada: I'm sorry I missed that. So the reason the revenue has gone up is because of the fees, not because we are seeing more people park in the garages?

Ms. Gomez: So parking garages, the fees didn't go up; the meters, the fees went up.

Vice Mayor Quesada: Got it. So what I'm looking at Parking Garage Number 1, 2, 3, 4 – I guess 1, 2, 4, and 6, if you look at the net income on each one of those on page 11, you see that they are all up, they are all considerably up. Am I wrong about that?

Ms. Gomez: I don't have that information right this second, but I'm going to ask Sally.

Vice Mayor Quesada: I guess my question is really not even for you guys. I guess my statement is really for Cindy Birdsill and I texted her to make sure she is listening right now. Are we seeing more trends?- are we seeing more people visit downtown?- are we seeing more people visit these locations?- is that what this is telling me or am I wrong?

Ms. Sally Ola Ola: We inquired with the Parking Director and then basically what he was explaining is, in most cases these garages are situated where there are more active businesses around; and then we also have installed different kind of revenue collection system that now the garages are open up to twelve midnight, but they cannot get out without paying.

Vice Mayor Quesada: And in the past after 10 or 11 p.m. they'd open the gate and people would just drive out. So are we seeing that much more, that many more people parking at night, that's why we are capturing so much more?

Ms. Ola Ola: Because they get freed, but now that we installed those walk-up collection system, those are new credit card system that they validated the ticket and...

Vice Mayor Quesada: If you can do something for me, if you can provide this to Cindy Birdsill. Can we drill down into the numbers a little bit more by the hour, by garage on average throughout the same time period? So for example, Parking Garage Number 3, I want to see how many people are parking 8 in the morning...averages if we can organize the day in that fashion. I want to see at what times throughout the City people are parking, what time they are visiting. My theory is that Monday to Friday, 9 to 5, is when we are getting the most amount of movement, but if our spike is due to, again capturing after 10 or 11 p.m. coming out of the garages that revenue then obviously I'd be incorrect. I'm just curious to see exactly what trends we are seeing in our downtown because that can help our businesses, that's going to help us for the steering committee on decisions being made on the renovations to Miracle Mile and Giralda, so that we can better adapt to how people are using, how they are coming into downtown.

City Manager Swanson-Rivenbark: Vice Mayor you are also looking at trends in parking and another increase in revenue is for permit parking and the amount we over sell. So as you and I were talking, Parking Garage 3 is the Public Safety Building or actually deliberately decreasing the number of public permit parking in that area, which is why you see the revenue go down and its not readily available for the public to park. As we do this study, what I'd like to do is also show you what is happening with the permit parking, because permit parking our inquiries are way up, our ability to oversell, we have more of a science as to what percentage we can oversell based on activity, and I think that the Parking Department is actually doing a very good job at managing that whole process, which is also why you are seeing that increase in revenue, but we'll get that information for you.

Vice Mayor Quesada: Thank you.

Mayor Cason: OK. Thanks very much.

[End: 1:41:50 p.m.]

City of Coral Gables City Commission Meeting
Agenda Item H-2
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

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, Glenn Kephart
Assistant Public Works Director, Jessica Keller
Sustainability Specialist, Matt Anderson

Public Speaker(s)

Agenda Item H-2 [11:39:55 a.m.]

Update of the Sustainability Planning Process

Mayor Cason: The next item we are going to move a little bit out of order, we are going to take Agenda Item H-2. City Manager.

City Manager Swanson-Rivenbark: And I'm going to call on Public Works, both the Director, Glenn, as well as Jessica Keller, the Assistant Director for Sustainability and Transportation.

Mr. Kephart: Thank you City Manager. Jessica is going to introduce the team that, that is here to go over the Sustainability Action Plan and discussion. Thank you.

Ms. Keller: Good morning still?

Commissioner Lago: Good morning.

Ms. Keller: Good morning, I'm Jessica Keller, the Assistant Public Works Director over Transportation, Sustainability and Sanitation. I want to start by introducing Matt Anderson our new Sustainability Specialist. Matt started about a month ago, and since then he's coordinated the City's "Earth Day" event, which we held last week. He had 16 vendors; we had about 100 attendees and collected over 1200 pounds of electronic waste that day. He went out to get them in a very short period of time, so I want to give kudos for that. I've largely handed over the Sustainability Plan development to Matt, he will oversee development of the plan and he will be the face of sustainability for the City. So Matt...

Mr. Matt Anderson: Thank you Jessica. First, I want to say I'm excited to be here, I'm excited to be a part of the Coral Gables team. I grew up in and around this area, so it's kind of a homecoming for me, and I'm looking forward to making Coral Gables an example that other communities look toward for sustainability, and part of that is the Sustainability Master Plan that's a great first step that we are taking and I wanted to introduce Ben Moore and Mike McCarthy from RSH, our consulting company that's been working on the plan. They are going to go over the history of the plan, where we are at now, and where we are going in the future.

Commissioner Lago: Before we get into that I just wanted to say a few things. First off, I wanted to commend staff, especially the both of you for putting together an incredible "Earth Day." I had the pleasure of attending; I think the Mayor also went. Commissioner Keon did you stop by?- you were there. It was a spectacular event. We started off slow, the weather didn't cooperate so well, but I think we made an imprint on the City and we are going to continue to grow it. A few things that I thought would be important and I had a conversation with the Chamber, Mark Trowbridge, was that maybe we can incorporate the Chamber with "Earth Day" and really find the synergies to make the event even better and bigger. I want to commend you on the fact that you were able to get so many sponsors on such short notice, that's spectacular. Just the fact that we are now – we've done two events with the help of the Merrick House and Marlin Ebert, who did an incredible job also for that event. We had done two events in the last two weeks, which have really focused on sustainability, on recycling of electronics, which are sorely needed in this City, which will probably be highlighted in the Sustainability Plan and something that we should have as a goal within our sight. Something that I want to bring up to this Commission, I want to make you aware, obviously because we never get to speak because of the "Sunshine," is that I had the pleasure of sitting down with your old boss from Broward in reference to solar projects. I met with the City Manager who was ecstatic about it and she is going to help us put this together. We are going to come before the Commission with an ordinance to really simplify the process of being able to put forth solar in the residential neighborhoods, and this is something which I think we should have this ordinance, we are in the process of finalizing it right now with the City Attorney and with the City Manager and staff, to

really bring it forth and have an answer for individuals who are looking on how to make the process as simple as possible and get to an end goal, which is being able to provide solar on someone's residence or business. Did I miss anything? So I want to say thank you again. I also wanted to mention before we have our sustainability presentation that we get the update. I also have members from the Green Task Force here, which the Green Task Force was a hot topic during this election, and this Commission has made a commitment to ensuring that the Green Task Force gets the attention it needs. Now we are going to have to make some tweaks. I'm going to have someone from the Green Task Force come up in a few moments after we have our sustainability plan and I'm going to give you some ideas that we have that I'm working with the City Manager to really put a focus on the Green Task Force. We are going to have to revamp it. There are going to have to be some changes, and I think those are internal changes that once we make them we'll be able to have quorum for the meetings. We'll be able to really implement the Sustainability Plan, and the updates that are forthcoming and really get this task force which is incredibly important, really get them working in the City, because right now it's kind of a stagnant situation. So thank you.

Commissioner Keon: I'd like to really thank Jessica Keller too for her efforts to get cardboard out of trash pile (laughter)...the Manager to get cardboard off the street. She told me that one day they ran around the trash piles and picked them up and they...down by noon with just cardboard. So there is a tremendous amount of cardboard that is being dumped at the swales. One, it's very, very unattractive; and two, it's a recyclable and should be recycled, it doesn't belong in our landfills.

Commissioner Lago: Can I just interject what Commissioner Keon is saying. We were at the "Arbor Day" Event the other day, and it was incredible. The Mayor was mentioning all the incredible things that we are doing in reference to sustainability here in the City, and one of the things that he forgot was the fact that we can recycle cardboard, so I interjected. A lot of the residents in the neighborhood were like, "so you can recycle cardboard?" Yes, its real simple, just cut it down and put it in your recycling bin. It takes maybe 30 seconds and you are achieving a significant goal. You are not only keeping the City beautiful, but you are actually recycling at the same time. So I don't know how else – I know we've done a few things: E-NEWS – I know that we are spreading the word with the app, but I want to see if we can maybe find some other ways to educate people.

Mayor Cason: Another idea. For the last four years I've been writing a letter to every new resident. If you do a one page summary of how you do it, we have a paper now on garbage in general, but let's incorporate how you can do cardboard, so we can send it to all of the new residents.

Ms. Keller: That's an idea. To the other things that we are going to be doing is, we've developed door hangers that are in English and Spanish and our supervisors over sanitation. They are driving around the neighborhoods and they see cardboard in the trash piles, they'll have these door hangers that are informative to let residents know, "hey did you know that you can place your cardboard in the bins."

Commissioner Keon: Can we do something stronger that says, "Please don't place your cardboard at the street." "Please don't leave your cardboard at the street. Please recycle."

City Manager Swanson-Rivenbark: We are introducing it right now, but we'll monitor whether courtesy works, but typically courtesy works in Coral Gables, so as long as people are aware they'll follow.

Commissioner Lago: My question just to give you an idea to the residents, in my neighborhood alone it's pretty significant. But what do you think is the percentage in reference to bulk pick-up that is encompassed by cardboard boxes?

Ms. Keller: Just the cardboard?- it's pretty significant and –

Commissioner Lago: You think it's over 50 percent?

Ms. Keller: No, no, no, no. It's probably 10 (percent).

Commissioner Lago: Excluding the organic material, excluding organic material, just standard waste that people throw out there.

Ms. Keller: I would say it's probably only about 10 or 15 percent.

Commissioner Lago: It's still pretty significant.

Ms. Keller: Yes, but it's not more than half.

Commissioner Lago: And that goes straight to the landfill, that doesn't get recycled.

Ms. Keller: That's correct.

Commissioner Keon: Yes, it goes in the landfill which is the bad part that's why it needs to be recycled, it's recyclable and it reduces our tonnage for waste.

Ms. Keller: Its clean waste, what they call clean waste.

Commissioner Keon: And it can be recycled, so it's better for us all around if we recycle cardboard.

Mayor Cason: I'll work with Evelyn Paz in terms of that letter and I'll start incorporating it now.

Commissioner Keon: Thank you, that would be great, but you've done a great job. Thank you.

Ms. Keller: Well we have a ways to go and we'll be very excited when we are beefing up our numbers as far as the recyclables go.

Commissioner Slesnick: Jessica, just a question. I have about 800 yard signs which we picked up lately around Coral Gables and they are plastic, is that recyclable?

Ms. Keller: We have to see what type of plastic they are; we'll take them off your hands if you like.

Commissioner Slesnick: I have a five-foot high yard sign.

Vice Mayor Quesada: Yes, so do I.

Commissioner Keon: You've ever looked at having of having recyclable yard signs.

Commissioner Slesnick: Well they are plastic; I mean I don't want to put them in my red container though.

Ms. Keller: We'll talk after Commission and we'll take care of it for you.

Vice Mayor Quesada: Can we do a simple PSA (Public Service Announcement) for the Coral Gables TV Station recycling cardboard?

Ms. Keller: I'm sure we could.

Vice Mayor Quesada: A 30 second spot, around there, because I know I'm probably Jessica's favorite resident when it comes to recycling cardboard (laughter) and I say that in jest because I'm the worst.

Ms. Keller: Well that's the other – I had mentioned two things that we are trying to do to increase cardboard recycling and the second piece is, we are going to be providing our sanitation workers door hangers that have a different message to educate our residents on the proper way to – we have residents who are trying to dispose, but they are not breaking it down properly into manageable pieces for our sanitation workers, so we'll also be educating our residents with door hangers to that effect as well.

Commissioner Keon: Thank you.

Mr. Anderson: I want to introduce Ben Moore and Mike McCarthy from RS&H, and they'll give you guys a little history on the Sustainability Plan and we are going forward.

Mr. Mike McCarthy: Good morning, it's good to see you again. My name is Mike McCarthy, I'm with RS&H and I'd like to give you a quick overview of where we are, and then we'll fill in the details. So the phase we are in right now is the solution phase and over the last seven months since we've initiated the project, we've asked individuals from City of Coral Gables to provide us with information in these focus areas, so a lot of information was collected, about 160 different items and they did an excellent job, it's not an easy job, it's a very arduous task. We found from all the sustainability projects that we've been engaged with over the years. We then took that data, we analyzed it, we synthesized it, we then compared the City of Coral Gables performance against Palo Alto, California, Boulder, Colorado, and Chapel Hill, North Carolina, and other sustainability leaders. From that we found significant opportunities exist for the City. For example, in the area of energy use, while we found that their unit cost for energy had dropped, our overall consumption had gone up over time. So there are plenty of opportunities that exist within energy.

Commissioner Lago: Is that based just on inefficiencies?- out dated energy components?- old air conditioning units?- non-use of LED components?- is that...

Mr. McCarthy: All of those – and we can put all of those into that basket of energy inefficiencies and we found energy conservation measures that will bring your conservation efforts and your efficiency up. We also looked at your greenhouse gasses and what we found is that if you keep on the current trend, based on the inventory and the forecasting that we did, you will not meet the Southeast Florida Climate Compact Initiatives as it relates to greenhouse gas reduction. However, some of the measures that Ben will mention, after I finish speaking, will underscore the fact that you could probably get there in about five years, see about 25 percent reduction in your greenhouse gas emissions through energy efficiencies, through fuel conservation measures, through appropriate fleet management. Ben will go through this, but I need to underscore something before we go into the next step. So we've identified several millions of dollars in

benefits for the City, but the next step is the most critical step, and that is the one where City employees begin to integrate sustainability into operations. I've developed plans that have saved tens of millions of dollars, generated tens of millions of dollars in that revenue. I have also developed plans that have sat on the shelf and nothing has happened. They've died on the vine, and the reason they died is because of motivation, because engagement with senior management, which I sense from this Commission is going to go ahead and push the City forward and I believe City staff will be pushed forward as well through motivation and continual commitment, but it's really dependent upon City staff to go ahead and take these initiatives and wrap them into a project-driven Sustainability Plan. We will coach, we will nudge and we will move you in that direction, and if my initial sense of the culture in this City is right, I believe that the several million that we've already found will probably be magnified by going through this project triple process. It will create a plan you'll be proud, it would be award-winning and you'll be able to look to be an example for communities. I'm going to turn it over to Ben.

Mr. Ben Moore: Thanks Mike. Well as Mike mentioned at this stage in the process our objective is really to identify ideas for saving money, conserving resources, and reducing greenhouse gas emissions; and the way that we did that was through the help of City staff is calculated on energy, fleet, water, waste, land use and transportation, among many other focus areas, and establish a baseline and a trend of performance in terms of expenditures, in terms of resource consumption, in terms of policies, etc.; and to put this in context and inspire innovation we compared this baseline performance to peer cities and Coral Gables is already a great City, but in many respects, but our results indicate that it's at the early stages of progress toward sustainability operations relative to some of its peers. At the same time it exhibits significant potential to cost effectively integrate sustainability into all of its operations. And so, what establishing that baseline and benchmark allowed us to do was, identify opportunities that can generate significant economic returns. As Mike mentioned, we think we've preliminarily identified about half a million dollars of net benefits over a ten year period within our...around 100 percent, a five-year payback period, and you can see how these opportunities are distributed behind me in the pie chart: LED lighting, increased diversion of waste, we were just talking about recycling, it's a big opportunity; alternative fuels is a big opportunity; energy efficiency in building, which we briefly touched on is another big opportunity, and water efficiency is a big opportunity, and we've identified business cases, preliminary business cases in all of these areas and also identified additional best management practices in these areas. As Mike mentioned, the critical process though is next, and that's where we are going to take our initial ideas and our initial identification of best management practices and work with staff to set real goals for the City that are tied to what the City thinks it can achieve, and identify what needs to be done to achieve those goals by building a portfolio of projects that can be implemented beginning as soon as we're finished. And so, we'll be working with staff over the next month and-a-half or so to further develop these business cases up to maybe even a pre-solicitation stage of development;

and once we get to that point we'll have an operational plan for the City of Coral Gables and moving forward beyond that our project also entails taking a look at the community, the...of Coral Gables community and establishing a vision for sustainability, and we look forward to working with you on that phase of the project in the near future.

Commissioner Lago: My question for you is, where do we currently stand in the process? Right now staff has received the rough draft of the Sustainability Plan and its being reviewed as per what the City Manager told me, and certain directors, and eventually it will go to all directors that the City Manager so deems, is that correct?- is that where we are at right now?

Mr. Mike McCarthy: Let me just let you know, it's not actually a draft Sustainability Plan. We are very cautious at this stage when we enter into collaboration with City staff. What we are calling it is a solutions memo.

Commissioner Lago: OK.

Mr. McCarthy: The reason we are cautious is what we found over the years is, if we come into an organization and we say, "there is your solution." So these are solutions that we've identified through review of the data, the next step is to get City staff to say, "Yes, these are our solutions" to gain ownership for those solutions and then we work on the process and the staff on the project that will get you there. So it's a solutions memo as we call it after we go through the collaborative process, Commissioner Lago, we will have a draft Sustainability Plan and we will vet it for City operations.

Commissioner Lago: And also in reference to your comments before about that you can only provide solutions manual, that the implementation is based on our efforts and our commitment. I can't speak for the entire Commission, but I will anyways. There is nothing more important to me than implementing the forthcoming Sustainability Plan, traffic and Miracle Mile, that is what this City needs to focus on within the next six months to a year. We need to make sure that if we do not move forward with the Sustainability Plan – if we are not focusing on the future of the City and how we are going to be less dependent on water and electricity, you are basically putting yourself in a situation and I don't want to be dramatic, but you are putting something in a "dooms day" situation, because you are seeing it around you everywhere, everywhere. From water issues in California, which are dire, water issues in Brazil that the City Manager made me aware of, or Commissioner Keon, I think made me aware of the issue, how dire things are. We take a lot of things for granted in the City, we are lush beautiful paradise that a lot of other municipalities envy, but we can do so much more, and I think that as you notice, our City never recycled in its buildings. For the first time ever over the last three months we've been doing that and I think it has to do a lot with the change in what we are seeing in the City, the directors have

bought in, but if they don't buy in and they don't set an example for the rest of the employees in this community, we must under no circumstances think that I'm just going to do the bare minimum, we have to strive for excellence; and the pay-back for sustainability are incredible. I mentioned before on this dais, just forget money, you are leaving a legacy for the future, especially many of us have young children, you want to make sure that you show them at a young age why should we take so much pride in this environment and in this country, and I think that's lacking and I think that by having this plan or this solutions manual which is forthcoming, I think it's going to set up, it's going to be the foundation of what we are going to request on all aspects, from Building and Zoning where we may offer, which we don't have right now, but other municipalities do. If you are interested in building a LEED building, maybe we'll give you some sort of credits or maybe we'll give you some incentives to expedite the plans, to alleviate your fees, all the way through recycling in the residential neighborhoods. There is a big spectrum that we can touch that we are not doing right now. So in reference to the commitment, I give you this much, you have my commitment and I'm here for another two years, so I'm going to push as hard as I can in regards to sustainability and I'm going to do everything in my power to make sure that this Commission does the same and I think this Commission is entrenched in this and they are committed to making sure that it happens and we bring it to fruition.

Mr. McCarthy: I sincerely appreciate that commitment and the commitment of the Commission as well. It is pivotal and not just the economic returns that we've identified. We believe that they would probably be higher than the five million that we've already identified, but what we see are productivity gains. We see what we call a learning culture, is established, the ability to look for opportunities and threats within the environment and go ahead and put together structures that seize those opportunities and respond to those threats before they become an issue.

Commissioner Lago: Let me ask you a quick question. I'm going to give you an example of something that I think...I don't know who did it, but this was handed to me before, it was an e-mail in reference to E-2, I guess it came from Craig Leen, our City Attorney. This document was sent to us, standard document, correct?- but look how interesting, instead of wasting two pieces of paper, the gentleman printed on both sides. This may sound miniscule, remedial, but this right here is huge, this is a big, big breakthrough, and when I saw it I was going to commend Craig and his staff for doing this, because if we across all staff, private sector – Craig isn't even paying attention, he's working on something else, maybe I should give your Assistant City Attorney; I think your Assistant City Attorney and staff should be commended, now you are paying attention. You are talking about \$5 million over five years; you are not even getting into the micro. This is so micro, this is miniscule things that we can do every single day that all it takes just instead of printing print, you click double-side.

Vice Mayor Quesada: That's actually a good point, that's why you shouldn't be printing out all those pieces of paper at the Commission meeting.

(Laughter)

Vice Mayor Quesada: I had to throw it right back at you.

Mr. McCarthy: The paper is all recycled afterwards.

Commissioner Lago: The paper is all recycled afterwards anyway. But again, I just want to make sure that we implement this as much as possible.

Ms. Keller: Commissioner, we could move forward with that today, if every director set their default to two-sided printing, we could start that today.

Commissioner Lago: And do me a favor, I'd like to also ask Danette on the record to make sure that I have everything now, except for my agenda, electronically, so I don't have to hear from the Vice Mayor. I'm taking this new rule to heart (laughter), so I appreciate that, thank you for...

Vice Mayor Quesada: If I could just jump in real quick. I was looking at slide 7 of your presentation, it says potential ten year savings from select measures, and I know we have plenty of time to discuss other measures. One item that I discussed with a resident last week, I'm not looking to have an open conversation right now, just food for thought for the next time I'm going to see you guys is the water bill for residents. There is only a certain portion that is tied into actual consumption and there is a flat fee basis and one analysis I would like to see from you guys further down the road is, how will it impact, based on your previous experience of other municipalities, other locations, other businesses, what the impact would be if our water bill was solely based on consumption rather than having a flat fee. Now I know there are other considerations, and I'm sure Diana is freaking out hearing me say that, our Finance Director, obviously there is a bigger part of the conversation that we need to have from a financial perspective, because we need to hit certain benchmarks to make sure that we can sustain our system, our infrastructure, but I think it's from your perspective, what has been done at other municipalities, other locations, when it comes to usage, because I think what will happen is you'll change the way people treat water throughout the City, from the City perspective, from the residential perspective, and I guess you'll be rewarding the individuals that are more conservative and penalizing those who just let the hose run all night long.

Mr. McCarthy: The key to moving these processes forward and getting more people to adopt them is motivation – how do you intrinsically motivate people?- and to have a water bill that's

based on consumption does that, because as you reduce your consumption you realize an economic benefit.

Vice Mayor Quesada: Of course.

Mr. McCarthy: Most of these sustainability issues are we are looking for incentives, commitments, prompts, social norms that we can create with these behaviors.

Commissioner Lago: I'm not going to go on, keep talking about this, because again we are very spoiled in this community, because the water costs are so cheap that we take it for granted. The moment that water costs is three times of what it is today, which is very common in other states, you'll take a five-minute shower versus like what Vice Mayor Quesada takes a 30-minute shower (laughter)

Mayor Cason: He's taller that's why.

(Laughter)

Commissioner Lago: Maybe we can talk a little bit about the Green Task Force just to close this up. We are very fortunate here; we have a member of the Green Task Force here with us. Thank you for everything, I appreciate it. We have a member of the Green Task Force here – another initiative that I want to maybe discuss really quickly. I know it wasn't on the agenda, but it deals with sustainability, something I was talking with the Manager. The Green Task Force right now has not really been able to meet due to a quorum and due to the structure of the Board. I think that we need to restructure the Board and maybe take it out, if the City Manager thinks it's appropriate. I think we've had some preliminary discussions, maybe making it into a City Board itself, like another one of the 30, where each one of us has an appointment, along with the Manager and maybe staff, something like that.

Vice Mayor Quesada: I'll be OK with that as long as similar to Planning and Zoning, which I believe Commissioner Slesnick will bring up, there are certain minimum requirements for members...and again, we have residents who maybe don't have the credentials, but they want to have that involvement because they follow along and it's important to them. We want to make sure we have people with the right qualifications on that Board to really help us out.

Commissioner Lago: I agree 100 percent. The only issue that I'm having and I'm going to let her speak a little bit about what the issues that are going on, is the fact that they are not able to have quorum and there are a multitude of individuals who may not be landscape architects or engineers or attorneys in certain fields that we delineated as required for that Board, but they are

enthusiastic about sustainability. They may not be LEED AP's or LEED GC's, but they are people who are enthusiastic about all aspects.

Vice Mayor Quesada: But I'm not saying we can't have an everyday resident be a member of the Board, but we need to have certain minimum requirements met for at least some of the members.

Commissioner Lago: Of course. Residency requirements...

Vice Mayor Quesada: No, that's not what I'm saying. I'm saying if we have five members on that Board, two of them have to have a degree in "X" portion of the green fields; I apologize if I'm not using the correct terminology, and maybe one of those members can be just a resident that doesn't have any of the qualifications, but that is enthusiastic. I believe we do that in P&Z and there are many Boards that we require such minimum requirements.

Unknown Speaker: Well, I'm one of those members that don't have any qualifications but I'm very dedicated to trying to keep Coral Gables green and beautiful. One of the problems that we have on the Task Force is that everybody other than two of us are individuals, whether they are a LEED architect, a LEED landscape person, whatever, but they have jobs and they just can't come to meetings, and that's one of the problems, and we can't do anything about it because we don't have a quorum to conduct any kind of business.

Vice Mayor Quesada: What day and time are your meetings currently?

Speaker: We meet on the last Wednesday of the month at 9 o'clock, but we've tried to change this, but we can't do it because we don't have a quorum.

Vice Mayor Quesada: Can we, Mr. City Attorney, can we – since they don't have a quorum, can we change their meeting dates, see if that works for the next few months?

City Manager Swanson-Rivenbark: Excuse me ma'am. The timing is not something that requires Commission action. We can make it all work. As I was saying to Commissioner Lago, I came from a City that was out of the ballpark on all sustainability measures, they hit it; they hit it with employees, they hit it with residents, they hit it with businesses, and their Green Task Force was so big, so big that they had to create alternate seats so that they could capture all the enthusiasm. I'm confident that with Matt, with Jessica, with Glenn, with our staff we can sit down with the green team or Green Task Force, my old group was the green team, and we can come forward with you with a Commission appointed Board that will be so exciting that people will come to you begging for you to let them be on it. That will be our goal.

City of Coral Gables City Commission Meeting
Agenda Item H-3
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Commissioner Pat Keon

Commissioner Vince Lago

Vice Mayor Frank Quesada

Commissioner Jeannett Slesnick

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, Glenn Kephart

Assistant Public Works Director, Jessica Keller

Public Speaker(s)

Agenda Item H-3 [1:41:53 p.m.]

Update on the Comprehensive Multimodal Transportation Plan scope

Mayor Cason: Last item for City Manager is H-3.

City Manager Swanson-Rivenbark: And we are almost done, but it's an important one. We'll ask Glenn Kephart from the Public Works Department to give you an update with Jessica Keller on what we are doing with the Multimodal Transportation Plan. This was an initiative that you all asked us to begin developing a citywide traffic plan and they are going to give us an update on where we are with it.

Mr. Kephart: Thank you Mayor, Commissioners. As the City Manager said in January you asked us to take a look at – well in recognition that our transportation and traffic concerns in the City are an issue that one of our bigger challenges, and we need to address that in a comprehensive

manner and you asked us to do that by proceeding with a multimodal comprehensive transportation plan. So what we've done is we've developed a draft RFQ (Request For Qualifications) that we will put out on the street to try to find the best transportation firm that can come in and advise us. Our challenges are significant. I mean as the Miami Metro grows, we are in the middle of it and we can't control the number of cars that come in and go out of our City every day, but what we can control is our reaction to that and how we best manage that. The traffic is going to continue to grow and as we continue to grow with smart growth we do need a comprehensive approach. So what I'd like to do is Jessica will go over a little bit the highlights of what the RFQ will do before we go out and it's a draft at this state because we want to have a discussion with you and make sure that we are incorporating everything into this scope of work that will allow us get the best firm that we can to accomplish what we need to accomplish for our City. And then we'd also like to after the scope discussion, have a little bit of discussion about what this means to how we manage our traffic challenges as we are going forward, as we are developing this scope. Some of our traffic challenges are huge and they have a broad effect. If you do something on Granada you can draw a one mile radius around Granada and it's going to impact traffic to that huge of an area. Some of our traffic challenges are very small and they only affect a very minute neighborhood and some of our traffic challenges are somewhere in between there; and this comprehensive transportation plan overlays that, but we should start with an explanation of what we want to, what we hope to accomplish with the transportation plan, such as if you want to go over what's included in it and you can discuss with us if we are missing things, if you think we have it right or don't have it right.

Ms. Keller: Hi. We put together this scope working with Development Services Department and one of the most important things that we are looking to accomplish is to provide a safe and effective multimodal transportation network and provide accessibility to our job centers, but we don't want to sacrifice the high quality of life that exists in our neighborhoods. We need to identify and recommend transportation improvements and make sure we maintain connectivity within our City and within the region. We also want to identify traffic calming opportunities throughout the City. This has been done in the past, we need to update that. The plan will also provide a strategy and project prioritization method. We don't have a whole lot of room to expand capacity so we have to look for opportunities and develop projects and prioritize them. One of the things that I mentioned, we have some existing concerns in the City that we have to address in the meantime as we develop this plan. We routinely meet with the community one, two, three times per week in different neighborhoods to address their concerns, and their continuing theme and that theme is they have concerns about speed and volume. We are going to continue to work with the Police Department; we will provide targeted enforcement in areas to help us with the speeding issues. Sometimes it's the perception of speed, other times there really is a speeding concern within the neighborhoods. We are also going to advance a study to lower the speed limit to 25 miles per hour should the Commission want to pursue that.

Vice Mayor Quesada: Yes, we've discussed it in the past. I actually heard that the biggest issue in the past, and this was discussed 10 or 15 years ago, was that the County required the City to incur the cost of all the signage for everyone coming into the City and everyone leaving the City. Keep that in mind if you haven't heard that already.

Ms. Keller: Yes, we are aware of that, and as a City if that's where we want to go that cost, if that's something that we take on to achieve a goal of increased safety then that's for the Commission.

Vice Mayor Quesada: Do we have an idea what that cost will be?- about \$600,000...

Mr. Kephart: We have a preliminary estimate – we had a preliminary study done of what it would take to lower the speed limit to 25. What would be the process and what would be the cost by David Plummer and Associates last June. I think it was just under \$200,000 for the additional signs.

Commissioner Lago: I think that the issue had to do with the fact of liability, correct?- was the County was pushing liability?

Vice Mayor Quesada: They were discussing liability in the sense of that cost, who was going to be liable for that cost...?

Commissioner Lago: No, but also the issue was in regards to maintenance of the new signs that we were going to put up, who was going to be responsible for that?- that was the liability we discussed.

Mr. Kephart: Yes. We would enter into an agreement. I mean the process as it stands now is the City would enter into an inter-governmental agreement with the County, and we would be responsible for not only the cost of installing the signs, but also for maintaining those signs.

Commissioner Lago: From what I also remember, they had also provided us with a cost for yearly maintenance, an example \$5,000, \$10,000 to maintain the signs, to replace signs that have gone missing, or that have been damaged. So there was also an ongoing cost that was associated with, not just the \$200,000.

Mr. Kephart: That's correct. The signs should have about a ten year life, so you take the \$200,000 over ten years is and you annualize that is about the annual cost. So it's not cost prohibitive from a standpoint of the annual cost, but there is an annual cost.

Mayor Cason: Would that give us the ability to, if we take that on to put signs where we want, sometimes it's the County that tells us where we can put certain types of signs, right?

Mr. Kephart: Yes. The County actually installs most of our signs for us. The actual location of a speed limit sign from a regulatory standpoint, and if we are going to be able to uphold the speeding tickets, they do have to be placed in certain locations according to the traffic standards, so there is some flexibility, but not total.

Commissioner Slesnick: I don't think it's the speed limit so much that causes the issue, the issue is that the laws are not enforced, can we have more enforcement of the speed limit?- the neighbors are always complaining that cars are going down 50 miles an hour down the street, there is not a big difference between 25 and 30 miles per hour. I just think we need more enforcement. Now do you have to have police officers all the time or can you have other people ticket?- I'm not sure.

City Manager Swanson-Rivenbark: That's a discussion that we are working with the Police Department on. Can other non-sworn officials actually issue tickets?- but we recognize that we almost call it the Pinecrest way, if we are going to do this change to 25 miles per hour, in the beginning it will be a very heavily enforced process and then start learning and some of that enforcement then can be more targeted.

Commissioner Slesnick: I just think before we go to the expense of changing all the signs and we have way too many signs in Coral Gables to begin with, in my opinion, is that we should start enforcing the speed limit in various neighborhoods where the residents have been complaining.

City Manager Swanson-Rivenbark: And a part of our neighborhood meeting discussions are followed up with targeted enforcements, so you'll see that our Police Department has actually been very responsive on hearing when it is a speed issue. Sometimes we are hearing that the volume is so intense that people can't speed and then once the volume is reduced then comes the speeding. So it's a very multi-disciplinary approach, but Public Works and Police are working very well together on it.

Mayor Cason: One of the things that I would like to see in the study as well – the public education is just show the public just how much of the traffic is not from Coral Gables. I asked the Chief to look at three elements of the auto accidents. He told me 90 percent involve cars not from Coral Gables. The red light cameras, 73 percent of the tickets are not Coral Gables residents; and of theft from vehicles, 44 percent are not from Coral Gables residents. So it gives you an idea that the vast majority of the traffic we see is coming through the Gables, north,

south, east, west. It would be useful if we can get some more granularity of that, because there is a perception that it's caused by things in Coral Gables, and that's not necessarily the case.

Mr. Kephart: Now that's absolutely a necessary component of the plan is extensive data collection so we can comprehensively looking at our major arterials, what's coming into the City and what's going out of the City, and what are the times of day, and how can that be best managed, and when you do a traffic control major on one location, what is the likely effect in another location, which is one of our challenges that we have.

Commissioner Lago: What is the expected delivery of the plan?

Mr. Kephart: Currently we are looking – because it's going to be a fairly expensive plan. We are going through the process now to get your input. We want to advertise the plan this summer so that we could proceed to interview firms and have the funding for the plan in next year's budget, but there is no reason that we couldn't – we would start that process this summer so that after October we would be ready to come back to the Commission with a recommendation, with a short list of recommendation of firms.

Commissioner Lago: Let me express why I'm asking that question. Obviously, everybody wants a timeframe. We hear from the residents constantly in regards to like what Commissioner Slesnick said about speeding and traffic and cut-through traffic like the Mayor just stated, but I know that everyone, the Commission has been notified by certain individuals who say, I want action in my neighborhood, I want action on my street; and currently what we've been stating to these residents are that we can't provide anything right now because we are moving in a direction of having a comprehensive transportation plan, but we are implementing to the adjacent neighbors devices or traffic devices that will hopefully slow down traffic, or will curb cut-through traffic so all that cut-through traffic and all that speeding will then now move onto their neighborhood. So they are desperate and the answer that I have given to them is, listen you have to wait, we are coming with the transportation plan. To them it's obviously unacceptable, because they are seeing other neighbors are either getting circles, or are either some sort of street humps, or they are having their streets, instead of being widened – different measures that are taken which we can't take in their neighborhood because we are waiting for the transportation plan to come through. I agree with it. I think it's a great idea, I think we need to do this, because if you do something to a certain street, the neighbor is going to be affected. So, I just think that we need to come up with an answer in reference to how we are going to deal with these issues. I know we haven't even had them addressed yet, because that's what the purpose of the plan is, but I think we should be ready because the neighbors are going to start coming to us and saying, if we are doing "X," why can't you help me out?- and they are not going to accept that we don't do anything for a year while we wait for a year to come to fruition.

Mr. Kephart: We would like to have further discussion and we were actually talking about coming back at the next meeting to talk about some interim processes of how we deal with this. There are several categories of our transportation issues, and I use Granada as an example. If you were to do traffic control devices as we saw when we built the Granada pedestrian bridge, and we had to close it for a while. It impacts hugely throughout our City, so it impacts south of U.S.-1 on Miller, as a result of that project. So we know those things need to be handled comprehensively. At the other end of the spectrum, we have an intersection at Pizarro and Majorca. We've met with those neighbors, and we've met with the adjacent neighborhood. The impacts of doing some majors to slow traffic in that area don't go out very far and it has local support. That's the type of a project that we can say, we could continue with those projects, if we have county support for them, in that particular case we do. Then we have sort of the in-between projects, and I'll talk about one of them is Biltmore Drive and that neighborhood.

Commissioner Lago: I was about to mention that.

Mr. Kephart: And they have documented speeding issue and we've met with that neighborhood and the adjacent neighborhood, because what we try to do is not just meet with the street, we meet with the streets surrounding that would be impacted, and that neighborhood as-a-whole hasn't come to a consensus yet as to what they should do. Just look at the one street, they know what they want, if you look at the adjacent streets, they say no, that's going to impact us; and we've been talking about a process that's been used in some other cities where currently the Miami-Dade County requires two-thirds support, say if you are going to put in a traffic control like maybe a speed hump. We need our Fire Department support, that will help slow traffic, two-thirds support on that street, but what we can do to try to get the neighborhood as-a-whole is, as a suggestion, we need to meet with the City Attorney and we want to come back to you on May 12th for further discussion of this is, a process that in this particular case, throw out the example, perhaps two-thirds vote, if you live on the street 100 percent by county regulations, if speed hump devices is going to be in front of your house, but the other streets that may be effected by it, because traffic may divert, need a 50 percent support. So you do an overall community vote and everybody gets involved, gets to be involved and weigh in, the people on the street get a little heavier weighted vote than the people who are on the adjacent streets, but you are able to get neighborhood consensus. So we'd like to have more discussion with you about that because that may be a way to – looking at like that neighborhood doesn't expand citywide like something with Granada would or something of restricting traffic movements off one of the major arterials, say Douglas Road or Red Road or Bird Road. So that's kind of where we are at with those, because we recognize that it may not be acceptable, just to tell people just wait until this plan is done.

Ms. Keller: One other thing I wanted to add was, remember this is a multimodal plan, and we have a number of transportation plans now. We have the bicycle master plan, we have the trolley plan, we are going to fold all of those together to have this comprehensive plan, but that isn't going to stop the implementation of the bike master plan. We are moving forward with pieces of that. Last week we met with the community, along Sevilla from Red Road to Anastasia, and then along Anastasia all the way to Segovia. We got support that we will be installing bicycle lanes on Sevilla to Anastasia, and on Anastasia there will be sharrows. So we will be moving with that tomorrow, if we can, but we are ready to go with that. We will not be implementing anything in the bicycle master plan that would impact the capacity of the network at this point in time, but we can still advance it.

Vice Mayor Quesada: Two things real quick. Speed humps, speed tables, speed bumps, traffic circles, that's what we use in the City of Coral Gables to curb traffic from what I've seen. Neighborhoods complain about speed and slowing things down, we can never get a consensus in the neighborhood for speed bumps, no one ever wants one in front of their house. Same thing with the tables or maybe their street isn't long enough. What I'm asking you guys is to incorporate here, but also for you guys to look into it, see what other municipalities do is, can we do rumble strips?- is there anything else that we can do? I know some municipalities throughout the world they use; they change the color of the pavement. I know we do it on Segovia Circle now and it creates, for lack of a better phrase, it messes with driver's vision and forces them to slow down. Is there anything else that we can do? Can we incorporate that into the list of traffic calming measures?

Ms. Keller: We had a traffic calming 101, that we provide to the communities when we go there, and we show an array of options...

Vice Mayor Quesada: My request to you is, can we provide more options?- that's the question, because I know the speed bumps never works – everyone wants it, and then when you get down to the neighborhood meeting it doesn't pass because the people directly affected don't want it, because they don't want to hear the “du-dunk, du-dunk” of every car driving by and that's what you see with our experience, so are there more options that we can offer, because again, we are not seeing any other types of traffic calming devices being installed by the City.

Ms. Keller: Typically, you aren't seeing them as the offer, the substantial number of options. Residents typically gravitate toward the speed humps and then when it's actually time to implement...

Vice Mayor Quesada: They don't go through with it.

Ms. Keller: Yes. We narrow it down and we get to a point and then we back off, and that's what it's been now. That's not to say it won't change.

Vice Mayor Quesada: Maybe we can do mid-block – Glenn, I discussed it with you, when I say rumble strips, you know it's cobble stone or uneven pavers in a certain spot in the middle of the street to slow people down, because that works as well. When you are driving on the expressway and you get too far off into one lane – I don't know how else to explain it, those were terrible sound effects, but I think that could work in our residential neighborhoods. The point is to slow people down.

Mr. Kephart: I think also part of this comprehensive transportation plan is – we do a traffic calming 101, but it's to look at our tool box that we have and see if there are other innovative things that perhaps we try to stay upon it. We think that we are pretty aware of innovative techniques that are being used out there and are acceptable, but we need to continue to look at that as part of the comprehensive.

Vice Mayor Quesada: I know we might be discussing – I mean it's to slow traffic down.

Commissioner Keon: I think the answer is, the best answer is enforcement and its whether or not how police...

Vice Mayor Quesada: I think that's a piece of the pie, though. As it is we have 13 vehicles on the street, I mean I think the second half of that equation is what infrastructure can we improve to slow vehicles down. We see it with traffic signals, they are very successful.

Commissioner Keon: Yes, they are effective.

Mayor Cason: We'll look forward to what you come up with in your study.

Commissioner Keon: There are like three streets in the North Gables though that I think are three streets all the way from Red to or from Alhambra, I mean from Pardo all the way to LeJeune and those three streets really seem to get an inordinate burden of traffic on them. It may not be speed, because they are so heavily travelled, and the people driving through the City are not terribly courteous when there are trash trucks or garbage trucks or whatever, they drive up on people's lawns to go around them, so that's a real problem too in a lot of neighborhoods. It's just a discourtesy of the people that are cutting through, they don't live here, it's not their City and they are not terribly concerned.

Mr. Kephart: And I think part of it too needs to be a public outreach campaign and I'd like to – I'd liken it for those of us who have lived long enough to remember when there would be ash-trays across the dais, and we'll all be smoking, it was the norm, and right now I think people need to be made aware that it shouldn't be the norm to speed through somebody's neighborhood. It shouldn't be the norm to cut-through somebody's neighborhood to save a minute off your commute. So it's not just the physical side, I think there needs to be a public outreach campaign and also just sort of throw out there is, most communities we interact with agree with us on they face similar challenges. Everybody in the Miami Metro has similar challenges too and most of them probably would support a lower residential speed limit, so maybe we don't have to do this alone, would be something to consider also.

City Manager Swanson-Rivenbark: There is technology today that combines a license plate reader with a speed identifier and able to write tickets, but the State of Florida does not approve that technology. That could be something that through League of Cities, if that's technology you want to encourage, we install it and you want to slow people down, you want to worry about enforcement and how to properly do that, those cameras have the ability to do it. It's something that we can get more information on, and then as a policy you want to encourage that in our forward legislative agenda, we should look at it, but currently the state is not approving it.

Mayor Cason: Maybe additional warnings, maybe issue additional warnings.

Commissioner Keon: I think we talked to Fausto about that, didn't we?- when we talked about legislative...?- what about the ability to track speed and issue traffic citations electronically...

City Manager Swanson-Rivenbark: A strong hesitancy on behalf of the legislature to embrace that technology is what I heard when I was speaking to Fausto on that.

Commissioner Keon: Yes. I don't know why. Maybe you can ask him.

City Manager Swanson-Rivenbark: You all have a lot of contacts. You have made it very clear each one of you that quality of life is compromised by the volume and speed in our neighborhoods, and you want us to do something about it, and so that's why when Glenn says that the traffic study will cost significant dollars, it's a couple hundred thousand dollars, but we believe that that is an investment worthwhile and that's why we scheduled it so that the funds become available October 1, it's not something that we had budgeted for, but it's something that we are making happen and the way that they are approaching it is a comprehensive citywide approach.

City Attorney Leen: Mr. Mayor, if the Commission will let me, one thing I wanted to do in relation to the speed cameras is, you know under state law as the City Manager aptly said, correctly said, right now you can't ticket people based on these cameras, but I always felt that you could use it as evidence of another offense. We are allowed to collect speed information, so if you could show something more like reckless driving, or careless driving, or imperiling a child, or an assault or a battering with a vehicle, I think you could probably use this evidence. I mean you still have to charge them separately, and I was thinking of putting together an opinion to that effect and maybe talking with some people outside of the City, some attorneys that have worked in this area to see what people think about that, but you know before I do something like that I would want to check with you. The matter just came up so I thought I would raise it.

Commissioner Slesnick: Can we use this technology for warnings like the Mayor said?

City Attorney Leen: What the law indicates and I'll take another look, I can report back with the Manager at the next meeting, but is that you can't use it like a red camera program. You can't have – you can't basically issue tickets.

Commissioner Slesnick: For ticketing, but I mean for a warning...

City Attorney Leen: This is publicly available information, so you can always send a warning to someone about this. Now it may – it doesn't mean that the response might not be, Oh well this is something that is not allowed under state law, why are you doing this on a voluntary basis?

Vice Mayor Quesada: How about we do this though – how about we use the system to see the trends that are happening, so that we could properly direct enforcement to get to those areas that we are seeing a lot of traffic. So that way we are capturing the data, I mean we are a day behind as far as enforcement, but we are correcting the issues with the worse speeding throughout the City.

City Attorney Leen: It's not my place to comment on that, but one thing I think is – it sounds like a good idea though, but one thing for me is that, if I had evidence that someone like on eight occasions drove 60 or 70 miles per hour in a residential zone, I wouldn't need to ticket them, I'd send them a cease and desist letter and I would go seek an injunction against them. So I do think there are other ways to act in these sorts of instances.

Vice Mayor Quesada: Can you provide us a memo as far as what we can do with the technology, what we can't do, so we can make a better informed decision?

City Attorney Leen: Of course.

Vice Mayor Quesada: Thank you.

Mayor Cason: Any other discussion on this?

Commissioner Keon: Yes. One of the other interesting issues with regard to enforcement is, I think the police will tell you that you have to do that enforcement for, there is like a period of time that they have down on it. I don't know whether its 30 days or 20 days, whatever it is that you have to enforce that speed limit in a particular area where there is a problem consistently over a period of time in order to change behavior. So I think so often – I don't know that we really do that, because I don't think we don't have the motor police, the motor police to really do that and I don't know how that is and how they are being deployed or whatever, because it's like one spot to the next spot, to the next spot where you really have to make those changes.

Vice Mayor Quesada: How about if we ask through the Manager that we have the Interim Chief who used to be in charge of specialized enforcement come in to have that conversation with us, so we can make a better informed decision.

Commissioner Keon: Yes. And can work with them on it.

Vice Mayor Quesada: At a future meeting.

Commissioner Keon: Yes.

Mayor Cason: Thank you.

Mr. Kephart: Thank you. .

[End: 2:10:36 p.m.]

City of Coral Gables City Commission Meeting
Agenda Item H-4
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Commissioner Pat Keon

Commissioner Vince Lago

Vice Mayor Frank Quesada

Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Human Resources Director, Elsa Jaramillo-Velez

Risk Manager, David Ruiz

Public Speaker(s)

Maria Virgo, Representing Arthur J. Gallagher Insurance

George Erickson, Representing Cyber Insurance Consultants

Agenda Item H-4 [1:01:28 p.m.]

Resolution authorizing the renewal of the property and casualty insurance program which includes, but is not limited to property, general liability, automobile liability, public officials errors and omissions, workers compensation, other ancillary lines of insurance coverage and insurance broker fees through Arthur J. Gallagher Risk Management Services, Inc., in the amount of \$2,174,013.35 for the policy period of May 1, 2015 to May 1, 2016.

Mayor Cason: Let's move to H-4.

City Manager Swanson-Rivenbark: And I'll ask Elsa to come up and brief you and we are also requesting action.

Ms. Jaramillo-Velez: This is a resolution for the renewal of our property insurance and casualty insurance, which includes the property, general liability, automobile liability, public official's errors and omissions, workers compensation, and other ancillary lines of insurances. What we have here is a renewal for \$2,174,013.35. This is a two percent reduction from last cycle from last year, and this becomes effective on May 1, 2015. This time it also includes the pumps and the fountains. And we also have with us from Gallagher, Maria Virgo and also George Erickson and our Risk Manager David Ruiz, if you have any questions on this matter.

Commissioner Lago: I do have a few questions. I ask because I don't know, so I just want to get an idea because as one of the main initiatives that the Mayor has proffered over the last four years has really been to upgrade our existing sidewalks, along with Commissioner Quesada; and as you've seen we've really worked and gotten those sidewalks upgraded. I think we are doing close to four miles?

Mayor Cason: Almost 6.7 miles.

Commissioner Lago: 6.7 miles, it's incredible throughout the City. And as you will see, as you've seen by some of the conceptual drawings by Miracle Mile – Miracle Mile hopefully in the near future, as our Public Works Director has shown us, will not be an eyesore and the ADA (Americans With Disability Act) liability that it currently is. My question to you is this, I see that the coverages are property, general liability, is this just building structures?- or this also has to do with sidewalks, because from my understanding is that we've also had some slip and fall issues over the past, where the City has funded and it's been in the tune of close to a few million dollars, from my understanding, over a certain timeframe.

Mayor Cason: Craig, you have any information on that?- is that correct?

City Attorney Leen: I'm sorry...

Commissioner Lago: This is real simple. My question is, we are upgrading the sidewalks throughout the City...

City Attorney Leen: Yes.

Commissioner Lago: We are going to be doing Miracle Mile.

City Attorney Leen: Yes.

Commissioner Lago: We've had certain ADA compliance and slip and fall issues over the past few years, which have amounted to several million dollars in claims that the City has had to pay. With the insurance that we are talking about right now....

City Attorney Leen: I do want to be clear. We have had a number of claims, particularly in terms of like – are you talking about slip and falls on Miracle Mile?- we’ve had several, and they add up. I don’t think its millions of dollars though. I can get you a specific figure if you’d like.

Commissioner Lago: Whatever it is – a few hundred thousand dollars, whatever it may be, it’s still – I thought it was a few million dollars, I apologize, but my question to you is, do you see – does this \$2.1 million encompass these type of sidewalk issues and stuff like that?

Ms. Maria Virgo: Good afternoon, this is Maria Virgo, and I am representing Arthur J. Gallagher and Company, and I would like to answer your question – and yes, there is insurance being carried by the City of Coral Gables. You actually have \$5 million worth of liability insurance...

Commissioner Lago: Under the umbrella, under the umbrella, correct?

Ms. Virgo: Yes. So from a liability standpoint, so to cover slip and falls, you have up to \$5 million worth of liability insurance per claim, per occurrence.

City Attorney Leen: To be perfectly direct, a lot of the claims don’t rise to the point where we would have insurance to cover it, because there is exclusion, basically for the first, it’s \$350,000?

Ms. Virgo: Well we don’t call it exclusion, it’s actually like a deductible, we call it retention because you are self-insurance program and that is \$350,000, is your retention per claim.

Commissioner Lago: My question based on all that information, do you foresee, once we finish Miracle Mile, once we finish six miles of sidewalks that our commitment of \$2,174,000, our policy amount will go down in cost?- once you’ve been able to assess the fact that we have no longer ADA issues, no longer slip and fall issues, which are so grave as they are right now in certain parts of the Mile.

Mr. David Ruiz: David Ruiz, Risk Manager. You raised a good point. That’s certainly something we are going to bring up to the insurance carriers next year, as far as our improvements go. So I do foresee that affecting our claim history in a very good way, because we’ve had, as I’ve alluded to, we’ve had some claims over there on Miracle Mile slip and falls.

Commissioner Lago: And the reason why I bring it up because we are spending significant money in regards to the residential areas and also commercial areas, and it’s going to pay dividends in the near future. We are having that front cost now, its beautifying the streets anyways and its making quality of life even better, but at the end of the day it’s going to pay dividends in the near future, financially so. Just wanted to make sure that instead of next year having to pay \$2,174,000, that we would see a reduction because we don’t have certain issues.

Mr. Ruiz: Well the argument is going to be made, presented by me as far as the improvements go, in fact, I even presented it this past time, but we left with the insurance carrier with Brit Insurance, we certainly will look into the claims history data also to support the notion that we are getting less claims on Miracle Mile should our claims experience be affected in a positive way.

City Attorney Leen: I do think it's important to note though that this policy is not one that covers day-to-day items. It really is a significant deductible, exclusion, whatever you would like to call it, but it's not intended to cover the day-to-day slip and falls, that's generally covered through our general revenues.

Commissioner Lago: I know that, but it still covers a portion of it and I've seen myself, I've seen some pretty significant accidents occur on Miracle Mile where, especially with elderly individuals who have fallen, because the difference in grade elevation is pretty significant currently because of the trees and the situation that we have on the Mile.

City Attorney Leen: One other thing it does is the City – and I'd like to say this as well, I think I've said it in the past, at least to some of you individually. The City obviously has for torts sovereign immunity; it both has sovereign immunity for discretionary acts and then for non-discretionary operational acts like maintaining a sidewalk, it has caps on liability of \$200,000 per person, and \$300,000 per incident. So our caps actually are below the \$350,000 amount. What that allows us to do as a City is, we do have the option to settle claims that are above \$300,000 when there some sort of catastrophic incident that occurs or someone gets very hurt and the City decides it wants to pay that claim. In addition, there is always the risk, and it does happen, it is a risk, and it can be a substantial one, that there will be a huge claim against the City, potentially through no fault of its own, it just may occur. Sometimes these things occur and there has to be some demonstration of fault, but it could just be a City employee who made a mistake...

Mayor Cason: Like the street sweeper incident.

City Attorney Leen:...and it could be a huge liability and what happens there is, those claims you are allowed to go to the State Legislature and ask the State to basically do an exception to the sovereign immunity caps and those claims can go \$10-\$20-\$30 million, there is no cap on those sort of claims, which is one of the reasons why it's useful to have a policy like this. Of course this policy has a maximum amount too; I think you said of \$5 million.

Commissioner Lago: Can you do me a favor for next year...?

Ms. Jaramillo-Velez: Yes – Oh absolutely!

Commissioner Lago:...I know that in the budget you do a great job showing us how the unfunded has transpired over the last 10 or 12 years; you show us a chart which shows us where

we are and where we have been. Can you do me a favor, can you also show me what our policy amounts have been over, let's say the last five years, and see where we are trending?- because if we are spending so much money on infrastructure, again, the goal is to have a safe environment for the residents and the business community and for the visitors, but I'd also like to see if we can get some pay-back in reference to how much we are spending. If we can save \$50,000, \$100,000, it shows that we are moving in the right direction.

Mayor Cason: Yes – we've been saving money – one of the biggest items in the past was workman's comp and we had some incidents there that really jacked up that price. How does that trend?

Ms. Jaramillo-Velez: That's right. That's right. There were two big cases, two big experiences, Maria can tell you about them, and that's why we pay a little more in insurance, that's what we did at one time. We also need to take into account the market or if we have a big hurricane or something that hits our way, so while we will take all these things in account, we also need to be open to the mindset that something like can happen. You want to tell them about...

Ms. Virgo: Well, I do want to say, I've been serving the City now for 24 years, so I have seen the history of the claims move, the movement of it, and I can you that the City has been extremely proactive on safety and loss control issues, and the perfect example of the sidewalks, fixing those sidewalks as you get those calls. So I have seen the frequency and severity of your liability workers comp claims go down, so much so that in the last few years we have been able to get reductions in rates from your liability carriers, even though your exposures have gone up, meaning number of employees, or revenue, etc., number of properties, we have been able to get the reductions based on your loss history.

Mr. David Ruiz: Let me further add to, we are rolling out an online safety program for the departments. We were able to get Brit Insurance to provide that for the City at no cost to the City, so we are going to be very active with safety, we are going to give out certificates, we are going to keep track of the folks that attend the safety trainings, we are taking it very seriously. Also, as far as workers comp, unfortunately our third party administrator, they can't really formulate the data the way I would like, as far as trending. They are going to have a big change in their database where I can trend actually what departments are incurring the inordinate amount of losses, what the pluses and losses are, so we can better target where our safety training should go.

Ms. Virgo: Your third party administrator is John Eastern, and they were chosen about six or seven years ago, and we are working with them together with David to crunch your data to a more applicable way that you can actually not only see the type of injuries they are having, but where they are happening, what they are causing, so that we can actually pinpoint exactly where

the education of the employees needs to go from a workers comp standpoint specifically. We found throughout other clients, we have a lot of public entity and non-profit and religious clients throughout the state, that when you empower an employee with information on how they can help their employer reduce frequency and some claims, it's a very powerful message and that's what we are doing here through the education process.

Mr. David Ruiz: And the other thing we are doing too, we are formalizing SOP, Standard Operating Procedures. I'm in a process of getting Public Works to finalize a few more. We want to keep these things kind of standardized, so this way people know exactly what they should be doing with regards to their different paths that they have, they put them at potential risk. The problem with SOP's, one department has this, one department has that, we are trying to standardize where it applies to various departments.

Mayor Cason: How are we doing in comparison with other cities of our size? Are we in good shape?- I'm sure there is more we can do, but are we pretty good as it goes?

Ms. Virgo: You are extremely proactive and the City of Coral Gables has always been extremely proactive, it's because you have such a high retention of \$350,000 per claim. It hasn't always been \$350,000, that was a choice that was made by the City in order to save dollars a few years ago, and you were able to make that decision because you had a position which David is now a part of, which is the Risk Management position. So when you fair against the other cities, I can tell you that our client base alone, you are in a much better position from a frequency and severity standpoint, considering that you have high risks, you have the Fire Department, you have the Police Department, you have the Public Works, you have all that and that's all within your own.

Mr. George Erickson: I would like to just add. My name is George Erickson, and I haven't had the opportunity to meet a lot of you, but my firm Cyber Insurance Consultants is the independent insurance consultant that does advise and counsel the City, and have been doing so since about 1999 on matters related to these renewals. This has been a particular easy renewal this year. You have a letter from my firm with the recommendations. Just to emphasize a couple more things. We represent a lot of municipalities throughout the State of Florida, and I would echo what Maria said, the City is in very good shape right now, compared to what we see with a lot of other Florida municipalities. A few years back, and unfortunately I think about my letter, maybe it doesn't show enough history in it, especially since it formally had been written to a lot of Commissioners who hadn't been here a long time, and I think you would all benefit from some of that history. Three-four years back, it was a desperate attempt to keep coverage in place for the City, and it was being placed at rates which we were astounded by how high they were compared to other municipalities, and it has finally now come down to, what I think had been over – in just the liability workers comp alone, they've been over half-a-million dollars in annual

premium reductions in the past couple of years. So in relation to the comment before about, can we see stuff more reduction next year, we would love to see that if the market will bear it, but in large measure that is based on the actual losses that occur, and so that's assuming the loss has actually occurred, then maybe we could have more, they'll be another year of positive losses to show the insured, but unfortunately they love the fact that all these efforts are being made, but they want to see the actual results and unfortunately the results were bad for several years and there were some really catastrophic losses and when you have multiple catastrophic losses they get a little scared that it's going to trend, and so they are worried the next one's coming right behind it, and no matter how many times David goes out and does inspections and everything, it's not going to prevent that \$3 million incident that nobody can predict. That's a huge cultural issue and I think that, that's being addressed, but that really has to improve in long term results, which I think are now starting to be finally realized and those ridiculously high premiums from a few years ago are going away. I know it seems like a large number, but it is actually looking much better than it did.

Mayor Cason: Great. Any questions? Do we have a motion?

Commissioner Lago: I'll make the motion.

Mayor Cason: Commissioner Lago makes the motion.

Vice Mayor Quesada: Second.

Mayor Cason: The Vice Mayor seconds.

City Clerk

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mayor Cason: Thank you.

City Attorney Leen: Mayor Cason, I just want to supplement what was said by – we have a Litigation Report that I have, which Miriam has been tasked, the Deputy City Attorney. It's being revamped; it should be helpful for each of you to look at. There is a public version, so that

we can report to the public and to you, and then there is a confidential version that includes that is exempt under the Public Records Laws, because these are active litigation. So what we are proposing to do and you should see this next month is that the City Manager and each of you will receive both versions of the report. One of them will be put into the public record as well; and then we'll be setting up meetings with each of you just to give you a briefing, if you have any questions on any of the cases we can brief you on them, let you know about them. What you will find is that this City does not have a lot of active litigation – look I'm telling you as a City Attorney, it seems very well run to me. I came from a – and I don't want to say anything negative about the County, I used to be a County Attorney and think highly of the County, but it's a much larger County too. The thing that I always think about when I came here was, I used to be the head of Civil Rights Litigation at the County. I had like 50 civil rights cases while I was there and oversaw a section of 8 attorneys. All we did was civil rights cases, either involving the County or the police or different county employees. I still have not been able to appear in a case in Coral Gables in a civil rights matter, which is my area of expertise, which is a great thing, but I must admit, I remember when I started and I said, give me all your civil rights cases and they are like, there are none. I go, really. And we have not actually appeared in a case, in a litigated case involving a false arrest or excessive force or anything like that in Coral Gables. I think it's amazing – and I say that obviously anything can happen and so you know, God willing that will continue, but it's really impressive. So I think when you see the Litigation Report you are going to be very impressed with the City.

Mayor Cason: Thank you.

[End: 1:19:32 p.m.]

City of Coral Gables City Commission Meeting
Agenda Item I-1
April 28, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason

Commissioner Pat Keon

Commissioner Vince Lago

Vice Mayor Frank Quesada

Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark

City Attorney, Craig E. Leen

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item I-1 [2:14:00 p.m.]

Status report regarding legal research and potential legislation relating to workforce housing for teachers.

Mayor Cason: You want to do I-1 and then we'll finish any more K issues.

City Attorney Leen: Yes Mr. Mayor. And this was initially in response to an inquiry from the Vice Mayor, Vice Mayor Quesada regarding workforce housing related to educators, teachers. And the question was, can the City of Coral Gables adopt a housing policy or housing provisions that essentially promote housing and new developments for teachers; and the answer to that question is yes. I did my own research on this issue. I also double-checked it with Holland and Knight, because there is not a lot of this being done throughout the state right now. We did find a program in Miami-Dade County, but its my understanding it wasn't used very much, if at all. So, I wanted to get a second opinion on it and I have an opinion from Holland and Knight as well, its basically the same as mine, which is that Section 166.0415, under the Florida Statutes gives the Commission extraordinarily broad authority over workforce housing programs, and it doesn't put

any limitation on it, so its about as broad an authority as you can have. In addition, with the Home Rule Powers Act gives this Commission the same authority as the state legislature on items as long as it doesn't act inconsistently with state law. Here you are acting consistently with state law, so you have the broadest possible power in this area. So you could adopt basically any program as long as there was a rational basis. So that's the answer to your question.

Vice Mayor Quesada: Thank you so much. And for those of you watching at home or the audience, this is an idea that I came up with when we were discussing, I was having a conversation with the City Manager, related to trying to create the best public schools possible for our residents in the City of Coral Gables. How do you get a great public school?- you get great teachers. So the idea is really to incentivize teachers to teach in Coral Gables schools. Again, the idea, we haven't voted on it, its just a conversation that we've had is if you are teaching at one of our public schools then you are going to be illegible to live in one of these workforce housing units within our City, and its only going to be illegible to those teachers who are currently teaching at our public schools. The idea is when we have – try to create some minimum requirements, if you have a Masters or a Ph.D. in Education or a specific field within our public schools academia then you would be entitled to it. Again, the idea is, if there is a teacher that's considering teaching at Carver Elementary in Coral Gables that a Coral Gables resident attend or another school, maybe out west or down south or up north, that this incentive the teacher that we would love to have in our school system that that teacher would chose us to work in Coral Gables because of this provision, because housing – they can live in a great place, they can live at a reasonable price if they can afford on their salary and again that would benefit the City. So, its something that we need to vote on, maybe for future discussion, but the first step was making sure that the idea was even legal, so thank you for providing that.

Commissioner Keon: Would you envision that as renal? I'm assuming it would be rental housing.

Vice Mayor Quesada: Yes. Yes.

Commissioner Slesnick: But we have workforce housing, don't we already in Coral Gables?

Commissioner Keon: No.

Commissioner Slesnick: My son-in-law is a teacher, he used to be with Ponce Middle School, but I worked with Wally Carlson when the building that's on LeJeune and Ponce went up where Epicure is, that was voted on to have workforce housing, it was part of the program.

Vice Mayor Quesada: I'm not sure.

Commissioner Slesnick: I don't know if they ever instituted it.

Vice Mayor Quesada: I'll ask the City Manager to look into that, that's a Gables Residential project.

Commissioner Slesnick: And that was residential rentals and of course they are kind of expensive already.

Vice Mayor Quesada: Yes, they are.

Commissioner Slesnick: But I think there was workforce housing provided in that complex when it was approved.

Commissioner Keon: I know that when we...

Commissioner Slesnick: You were on the Planning and Zoning Board.

Commissioner Keon: I remember when we sat on the Planning and Zoning Board, we – what they were using for the numbers for workforce housing were based on the average income in the City of Coral Gables. It wasn't what you would normally or generally use as income to base the rents on. So I think that there is a real issue...

Commissioner Slesnick: It was too expensive.

Commissioner Keon: Yes. Its very expensive.

Vice Mayor Quesada: Well, we can address it very easily, if we just have the City Manager take a look at it, but my idea here is, I'm not looking at income based, if you are a teacher in one of our public schools and you have a minimum requirement, whatever we decide what it should be and there are several different ways that you can break it up, and I would ask the City Manager to propose, if the rest of the Commission likes the idea to move forward, I will ask the City Manager to really draft some language the best way she sees fit. One way is to incentivize the developer to say, hey the next project you build maybe you can build "X" more units if you provide student housing or saying you can't build the project unless you provide this teacher housing. There are two aspects to it; who we would want it to apply to, number one; and then second, how do you either incentivize it or require it?- and I would ask that staff, if the rest of the Commission is sort of in agreement at this point, to have staff create some language for us on both points, so that we can have further discussion in the future.

Mayor Cason: Yes, see what you can come up with.

Vice Mayor Quesada: Because my goal is to attract all the best talent in Dade County so that all of our schools – it was a little bit unfortunate, one of the unintended consequences of the controlled choice discussion is, there was a lot of discussion on that some schools were better than others, and there is a little bit of a perception that one of the schools isn't at the same level as the others, even though you asked the parents who send their children to that one school and they all love it, there really is a perception should be every school in Coral Gables has all the best teachers and all the best programming and that's where we need to be. So, I guess that's what I'm trying to create with this proposal. That's it.

Mayor Cason: OK.

[End: 2:20:11 p.m.]