

City of Coral Gables City Commission Meeting
Agenda Item F-5
January 28, 2020
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Pat Keon
Commissioner Michael Mena
Commissioner Jorge Fors

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Fire Chief, Marcos De La Rosa
Asset Manager, Zeida Sardinas

Public Speaker(s)

Vivian de las Cuevas-Diaz
Jackson "Rip" Holmes

Agenda Item F-5 [10:30 a.m.]

An Ordinance of the City Commission of City of Coral Gables, Florida approving a Purchase and Sale Agreement with Riviera Presbyterian Church for the purchase of a portion of the surface parking lot at 1325 Sunset Drive, Coral Gables, FL, also referred to as 5275 Sunset Drive, (the western portion of Folio No. 03-4130-009-3240) for the purpose of establishing a firehouse and park using State of Florida grant funds for a portion of the purchase; waiving certain requirements pursuant to Section 2-1089 of Division 12 of the Procurement Code; providing for severability clause and providing for an effective date.

Mayor Valdes-Fauli: I'm going to do something which I said I wasn't going to do. And I'll take two items before the bicycles. We have these people that want to speak and these for the bicycles. And I will take two items that people that have to leave and I'll tell you why they have to leave. And first item I'm going to take up is F-5.

City Attorney Ramos: F-5 is an ordinance of the City Commission of City of Coral Gables, Florida approving a Purchase and Sale Agreement with Riviera Presbyterian Church for the purchase of a portion of the surface parking lot at 1325 Sunset Drive, Coral Gables, FL, also referred to as 5275 Sunset Drive, (the western portion of Folio No. 03-4130-009-3240) for the purpose of establishing a firehouse and park using State of Florida grant funds for the portion of the purchase; waiving certain requirements pursuant to Section 10-89 [sic] of the Division 12 of the Procurement Code; providing for severability clause and providing for an effective date. This is a public hearing item and it must pass by a four-fifths vote. Chief.

Fire Chief De La Rosa: Good morning, Mayor and ladies and gentlemen of the Commission. Before you today for your consideration is an ordinance for the purchase of a parcel of land adjacent to the Riviera Presbyterian Church for a firehouse and park. The Fire Department and City staff have identified the site as suitable for a small neighborhood firehouse resembling a single-family home that will service the communities between Fire Station 2, located on US-1 and Riviera, and Fire Station 3, which is located at Old Cutler and Red Road. Simulation studies that we've conducted in or around the site indicate that this area addresses our aim to improve access and response time to the south central communities in the City, the west business district, along with UM. So, we appreciate your consideration towards this ordinance.

Mayor Valdes-Fauli: Presentation.

Asset Manager Sardinas: Mayor, Mr. Vice Mayor, Commissioners. The item before you for approval is a purchase and sale agreement between the City and Riviera Presbyterian Church for

the purchase of a portion of a surface area parking lot that's located at 1325 Sunset Drive, also known as 5275 Sunset Drive, for the purpose of establishing a firehouse and park. The portion of the parking lot recommended for acquisition encompasses 14,999 square feet. It's in the western most area of the existing parking lot. The proposed purchase and sale agreement, currently under negotiation with the seller, includes a total negotiated contract price of 2,010,000, a \$75,000 deposit and a 60-day due diligence period. As part of its due diligence, both the City and the seller perform appraisals which range between 1 million and 1,510,000. The purchase will include a restrictive covenant stating that the property shall be used as a firehouse and park and/or other essential public purpose for a period of 25 years. The City will perform certain improvements to the remaining portion of the seller owned parking lot that shall include an entry and exit on Sunset Drive. The purchase is contingent upon the City securing \$1.5 million in state grant funds to offset 75 percent of the purchase price. The additional funding required for the purchase, 510,000, will be funded from existing impact fees. The purchase is also contingent on the seller obtaining approval from the Presbytery of Tropical Florida. We understand that this approval has been obtained but we haven't received it in writing yet. As part of its due diligence, the City will negotiate an amendment to the seller's existing parking lot management agreement. Please know that the site is currently tax exempt because it is church owned property. Therefore, the purchase doesn't result in any tax loss to the City of Coral Gables. City staff is requesting that pursuant to Section 2-1089 of the Procurement Code, the Commission waive certain requirements of the Code in order to meet the state guidelines to secure state grant funds for purchasing the properties. Please note that the waiver requires a four-fifths vote of the Commission. Please also note that two out of the three open points which were related to you yesterday when the PSA was circulated have been resolved to counsel's satisfaction. One item remains pending and will be finalized between first and second reading. As such, staff recommends approval of the purchase and sale agreement pending further negotiation. The City's outside counsel, Ms. Vivian de las Cuevas, is present and available to answer any questions that you have about the purchase and sale agreement. And Assistant City Attorney Naomi Levi-Garcia is also here for any questions that you may have about the state grant. Please let us know if you have any questions.

Commissioner Mena: So this is -- you want to go first?

Vice Mayor Lago: No, no, you go, you go.

Commissioner Mena: No, this is...

Vice Mayor Lago: Commissioner Mena, go.

Commissioner Mena: I'm extremely excited about this development. To go back a little bit over sort of the history of what led us here, you know, I think the search in earnest for an additional firehouse in this area started how many years ago now, Chief De La Rosa?

Fire Chief De La Rosa: Since 2016.

Commissioner Mena: 2016 when we had an individual who, in South Gables at a party, who choked on some food and passed away. And our Chief of -- our Fire Chief and his department identified that this was an area of priority for us to have better access to the area and better response times, which we pride ourselves on having the best response times. Last time this -- an item relating to acquiring a firehouse came to us, it was on Cocoplum Circle, a lot of controversy surrounding it. The reason why I'm really excited about this is because we were able to pivot, find a new property and really negotiate a fantastic deal. Because if you compare the prior deal to this one, the purchase price for the home on Cocoplum Circle was at the time...

Vice Mayor Lago: Four million?

Commissioner Mena: I think it was 4.2 million, 4 million.

Vice Mayor Lago: Four million.

Commissioner Mena: We were going to be essentially as a City coming out of pocket 1.5, 1.7 million for an older property that needed refurbishing or whatever terminology we use to retrofit it, if you will, to be a firehouse. In addition to that, it abutted neighbors directly and that was a big source of the issue as well. This is -- A, this property is zoned S. I happen to live -- there's going to be a lot of talk about NIMBY in a little while. This is IMBY. This is in my backyard basically because I live a block away, not even a block away. So, I know the neighborhood well. You have the Cocoplum Women's Club. You have this lot. You have then a church and school all facing Sunset Drive. On the backside you do have residential, but the beauty of this is because it's a firehouse and a park, we're effectively going to have a park that buffers the backside of the property, which is the side that faces our neighbors. That'll probably be -- give or take -- 5,000 square feet, maybe...

City Manager Iglesias: Four to five thousand.

Commissioner Mena: Forty-five -- four to five thousand, which, one, is a nice amenity for the neighborhood, even though there's already a nice park nearby. But two, is really important because it creates a buffer for the residents that live near there whose obvious concerns will be, "Wow. I'm going to have a firehouse in my neighborhood. How's that going to impact me?" Ingress and egress, I'm told, Chief, will be all via Sunset Drive.

Fire Chief De La Rosa: That's correct.

Commissioner Mena: And we're going to have a brand-new firehouse that we're going to build to our liking and standards that the folks in your department will be able to utilize. So, I think this is a great development. I'm very happy that we've arrived to this point. And I want to congratulate you and all the staff involved in not only identifying this alternative site, but you know, making this work and finding a solution so that we could get where we wanted to get, which was to have a firehouse in this area.

Vice Mayor Lago: Thank you, Commissioner. I echo your sentiments wholeheartedly. When I voted no on the proposed fire station or firehouse that was going to be located on the Cocoplum Circle, I got a few emails from individuals who were concerned about response times because we lack that response time, especially on Old Cutler and Sunset, as a result of the ever-growing community that we are, especially all the cut-through traffic through the City of Coral Gables. So, I think this is not only a wonderful resolution for the -- for an alternative that we're looking for, but it also saves the City probably close to -- about \$1 million when you look at how much we're getting from the State in regards to the 1.5 million we're getting for the State and what we're paying for the lot. So, the delta will be around \$500,000.

Mayor Valdes-Fauli: It's a wonderful solution.

Vice Mayor Lago: It's a wonderful solution. The location is impeccable. It's on Sunset. It's going to blend well with the community. You already heard from one of our neighbors here on the dais who's in favor of it. So, the goal here is obviously to increase response times. It's going to be our fourth fire station, firehouse, excuse me, fire station hub in in the City of Coral Gables. And again, I just want to commend staff for finding a solution that brings this to an end and meets all the needs of our entire community, saves the City money, provides safety, and increases our response time. So, congratulations to staff.

Mayor Valdes-Fauli: Thank you. Any other comments?

Vice Mayor Lago: They deserve all the credit.

Mayor Valdes-Fauli: I think it's wonderful. Do I hear a motion?

Commissioner Keon: Yeah, I'll move it. I live on that side of the highway too. So -- and was -- and have been affected by the response times being a little longer in that area because of not

through any fault of you but because of just the amount of traffic and the access routes to that area. So, I really -- I'd like to thank you and thank the Manager, Zeida...

City Attorney Ramos: Mayor, this is a public hearing...

Commissioner Keon: And all of you...

City Attorney Ramos: Item.

Mayor Valdes-Fauli: Huh?

Commissioner Keon: Involved so...

City Attorney Ramos: It is a public hearing item.

Mayor Valdes-Fauli: Is there anybody who wishes to speak on this?

Raymond Burkemper: I do.

City Clerk Urquia: Mr. Mayor, you have a speaker card.

Mayor Valdes-Fauli: Oh, I'm sorry. Come on, come on, come on.

Vice Mayor Lago: Good morning, sir.

Mr. Burkemper: Morning, sir. Raymond Burkemper. I live on 53rd Court. And with all due respect -- I mean, I do respect our first responders. I think -- I served over 28 years in the military, 22 years in the Marine Corps, so I know what emergency response is. But I've got a couple of comments I'd like to read, please. I'm not opposed to the new fire station, but I am opposed to

location. This is a poor location to meet the needs as stated in the cover letter to the Commission, which states that it substantially improve department's response time to residential communities, such as Cocoplum, Gables Estates and Hammock Lakes. This location is subpar due to the actual distance and time traveled from the station to the service areas. The volume and density of traffic on that section of Sunset is significantly high, heavy during morning and evening rush hour, as well as during hours of Sunset School Elementary. At least twice daily traffic is stop and go. To reach the desired Coral Gables city residents, emergency vehicles will have only two bad choices. One, they will have to travel east on Sunset to Old Cutler through dense traffic and immediately in front of Sunset Elementary, causing lengthy response delays and potentially dangerous, life-threatening situations to elementary school students and their families. Or two, the emergency vehicles will cut through High Pines and Ponce Davis on narrow, marginally maintained County roads that are so small and large vehicles, such as school buses, garbage trucks, lawn care vehicles -- and lawn care vehicles, which are parked -- so even if an emergency vehicle comes down with their sirens going that (UNINTELLIGIBLE) move out of the way, they must crawl past each other, again, causing lengthy response delays to your citizens. Additionally, this location as viewed in the cover letter map graphic is not accurate. The graphic still sites the fire location at Cartagena or Cocoplum Circle. If properly shown on the proposed location, one can see the intended service areas are at a significant distance from the proposed fire station. And it is only one -- I mean it is only 0.6 miles away, less than a mile away from a Miami-Dade County fire station, Number 14. It would be irresponsible for the state to grant you your \$1.5 million funds for such redundant infrastructure. Making this proposed location even more of a poor choice, there are several other prime locations possible. Last night I got on Zillow and I looked, and there's two listings for parcels of land within the very service area that this station is intended to provide on Old Cutler. One of them -- and they're less expensive than the overall cost of this project. Additionally, the park on Cartagena or Cocoplum Circle could be used and is much smaller than the proposed location. I mean it's much larger than the proposed location already. It can be turned into a fire station and potentially even provide the first responders access to the waterways for water rescue. There is also an unpaved parking lot on Miami-Dade County property across from Fairchild Tropical Botanical Gardens, which could also -- it's within that service area you desire. So, I have

to say that if you vote yes, you choose this site over other possible locations and you do so despite the dangers to Sunset Elementary students and their families and you don't really possibly mind the possible delays to your citizens.

Mayor Valdes-Fauli: Thank you, sir.

Mr. Burkemper: Sir, if I may, just one more comment.

Mayor Valdes-Fauli: But can you tell -- I've misplaced your card. I'm sorry. Can you tell us your name and your address, please?

Mr. Burkemper: Yes, sir. I stated when I first came up. It's Raymond Burkemper. I live on 53rd Court, which is directly across Sunset from the proposed location. So, yes, I am affected by this greatly.

Mayor Valdes-Fauli: Thank you.

Mr. Burkemper: And the fact that I heard from the gentleman up here that says he lives in the neighborhood. I would love to have a fire station, but I believe, correct me if I'm wrong, will this fire station service High Pines and Ponce Davis?

Commissioner Keon: No.

Vice Mayor Lago: No.

Mr. Burkemper: It will not. It will not service us, but you will use our roads. You will endanger our children and our families, which I'd like to read...

Commissioner Mena: I think it's important to note Miami-Dade County fire trucks sometimes have to use our roads. That's the nature of a road and access to different communities. So, you know, that point I think is a little unfair because it's a jurisdictional issue.

Mr. Burkemper: Sir, I don't disagree with you, but what I'm saying is that having that location that -- fire trucks, they will only have choices to go through our neighborhoods or go down Sunset, so I think those are poor choices. And then I have a procedural matter that I'd like to bring up is that my neighbors and I learned about this only 24 hours ago, which is why so many of my neighbors would not be here or could not be here. We are a close neighborhood and I've been in touch with well over a dozen of my neighbors and -- who -- since yesterday. And we're clearly the landowners most affected because you said that the fire station is going to exit onto Sunset. So, all of that traffic and noise is going to come towards us. Not to you, sir. We won't have the benefit of a park buffering our houses.

Commissioner Mena: But you do have a large avenue in Sunset Drive.

Mr. Burkemper: Heavily trafficked already too...

Commissioner Mena: I'm familiar with it.

Mr. Burkemper: You're acutely familiar with it. Yes, sir. But so, as you know, with the very unfortunate failed annexation -- cause I wanted to be part of Coral Gables. I used to live in Coral Gables. I love the City Beautiful. But it failed. So, despite us being Gable -- despite that, we are Gables outsiders, yet you -- and we are the most impacted neighborhood, you chose to advertise in a newspaper focused solely on your municipality, aptly named the Gables Insider. Because of the absence of meaningful notice, we have not had an opportunity to determine whether your notification complies with the law, but you don't have to be a lawyer to know that this lack of notification for such a critical proposal is anything but fair to the people living south of Sunset.

So, at a minimum, if you don't vote this down, I would request that this neighborhood be properly noticed to your proposal and that this be tabled for rehearing.

Mayor Valdes-Fauli: Thank you, sir.

Mr. Burkemper: Thank you for your time, sir. I appreciate it.

Mayor Valdes-Fauli: Anybody else wishes to speak? Yes, sir.

Vivian de las Cuevas-Diaz: Commissioners, just so you're aware, this will come before you a second time.

Commissioner Mena: Yes.

Ms. De Las Cuevas-Diaz: So, there's also more time.

Commissioner Mena: Yes.

Mayor Valdes-Fauli: Yes, sir.

City Manager Iglesias: And we have a deadline concerning the \$1.5 million...

Mayor Valdes-Fauli: Name and address, please.

City Manager Iglesias: From the state.

Jackson "Rip" Holmes: Thank you. Jackson "Rip" Holmes, 35 Sedonia Avenue. I do feel sorry for this fellow. However, what I also want to express is my admiration for you all on the City Commission, as we know the history on trying to get a life-saving fire station, including one of the

former Commissioners lost a friend because there was no quick access. So, we know the need for this. You all have pulled it out and I congratulate you and I applaud you. And a final thought, we're having today a contentious meeting of good people versus good people over bikes. And so maybe, I don't know if you can do this, this is a much harder task. Maybe you can think outside the box on this one too because that's -- if you can solve that, you're better people than me. Thank you very much.

Vice Mayor Lago: Thank you.

Mayor Valdes-Fauli: Thank you, sir.

Commissioner Mena: Mr. Mayor.

Mayor Valdes-Fauli: Anybody else wish to speak?

Commissioner Mena: Yeah, I just wanted to say one thing in response to the comments from the gentleman -- and maybe the Chief can chime in as well. You know, I think it's a fair point on its face to suggest that that area, obviously, there's a lot of traffic in the area and there's challenges in getting to different portions of that area. The thing is that's precisely why we need another firehouse. So, we have a fire station already down Old Cutler; we have another on US-1. The issue is that depending on the time of day and traffic, those stations, even though they may only be half a mile away or a mile away...

Mayor Valdes-Fauli: To LeJeune and...

Vice Mayor Lago: Absolute gridlock.

Commissioner Mena: They can't get to some of our residents in certain areas in as fast a time as we would like. And so having this firehouse and based on conversations with the Chief, was really

a strategic determination by him that now you have three different stations that depending on the time of day and traffic patterns, he can deploy our first responders in a fashion that makes sense and gets them to the scene in as fast a time as possible. So that's a really important aspect of this that I think people need to understand.

City Manager Iglesias: Commissioner, one of the basic things that we -- the Chief and I -- talked about at this location was is it good for operations.

Commissioner Mena: Right.

City Manager Iglesias: And not only -- and so not only do we triangulate the area because we have different stations to different areas so we can triangulate and go the fastest route. But the Chief also did simulations in the morning and afternoon traffic to assure that this site was a good site operationally. And I will let him speak now, but we have determined that it is operationally a good site.

Commissioner Mena: So, my point is between that I think is an important part. The other part of it is this land is zoned already S. This is not -- unlike the prior property we were talking about on Cocoplum Circle, which was zoned single family and we were looking to change the zoning, which I think is one of the challenges -- one of the reasons I voted against it is because when you have people who buy a home and they're located next to a single family residence, when you change the zoning, you're sort of pulling the rug out from under them, if you will, and switching things from them. This is zoned S. So, all of us who live in the area on either side, when we bought our homes, understood that this corridor along Sunset was zoned S. Again, there's Cocoplum Women's Club next to it. They have weddings there every weekend. Trust me, I occasionally can hear the DJ from my house. And there's a school right next to it obviously with a lot of ingress and egress in the mornings and afternoons with kids coming and going. But that is the zoning for that corridor, and it has been for a long time. So, I think that's another reason why this is a very appropriate site for this because we're not changing the existing zoning of the area.

Commissioner Fors: We're also securing, Commissioner Mena, a guarantee that what we're going to do there is a well-done firehouse with a park as opposed to under that zoning, you know, endless possibilities of what could be built on that property for the neighbors and the future.

Commissioner Mena: Right.

City Manager Iglesias: We also have a fire department that is used to working around residential areas. All the three stations are around residential areas and we don't get complaints. So, they do a fantastic job and they're used to doing it.

Mayor Valdes-Fauli: A motion has been made. Any other members of the public that wish to speak?

Vice Mayor Lago: Second.

Mayor Valdes-Fauli: Is there a second?

Vice Mayor Lago: Go ahead.

Mayor Valdes-Fauli: Sir, you already spoke.

(COMMENTS MADE OFF THE RECORD)

Mayor Valdes-Fauli: Come over here, yeah. Be very brief.

Mr. Burkemper: If I can respectfully request that maybe the City consider that they would cover that area then. Imagine being right across the street from the fire station and then calling but having to wait for a different responder. Okay, because that would be really unfortunate. I mean, I don't

dispute the Coral Gables need, but I do really request that maybe you look at that parking lot that's across from Fairchild because that would be a quick response.

Mayor Valdes-Fauli: Sir, that would be like ten blocks away from another fire station.

Commissioner Keon: It's too close.

Mayor Valdes-Fauli: Down on Alhambra -- down on Old Cutler. That's...

Mr. Burkemper: Okay.

Mayor Valdes-Fauli: Undoable.

Mr. Burkemper: Alright. Thank you for consideration.

Mayor Valdes-Fauli: Thank you, sir.

Mr. Burkempter: I appreciate it.

Vice Mayor Lago: Thank you for coming.

Mayor Valdes-Fauli: Alright. Is there a second?

Commissioner Fors: Second.

Mayor Valdes-Fauli: Will you call the roll, please?

Commissioner Keon: Yes.

Vice Mayor Lago: Yes.

Commissioner Mena: Yes.

Commissioner Fors: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

Mayor Valdes-Fauli: Thank you very much.

Vice Mayor Lago: Thank you. Great work.

Commissioner Mena: Thank you.

Ms. De Las Cuevas-Diaz: Thank you, Commissioners.