

City of Coral Gables City Commission Meeting
Agenda Item I-7
August 29, 2017
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

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

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Historic Preservation Officer, Dona Spain

Public Speaker(s)

Agenda Item I-7 [5:22:45 p.m.]

A Resolution of the City Commission of the City of Coral Gables, Florida directing City Staff to prepare an ordinance creating a notice provision and process in the Zoning Code, as well as a standard for evaluating amendments to the City Plan and authorizing the Historic Preservation Officer and City Attorney to proceed with designation with the City Plan providing for implementation and an effective date.

Mayor Valdes-Fauli: Resolution of the City Commission directing staff to prepare an ordinance creating a notice provision and process in the Zoning Code amendments to the City Plan and authorizing the Historic Preservation Officer and City Attorney to proceed with designation of the City Plan.

City Attorney Leen: Yes. So, Mr. Mayor what this item does is it just initiates the process and it shows that the City Commission is interested in designation of the City Plan. I want to be very

clear about something. Designation of the City Plan does not stop development that would still come to the Commission...

Commissioner Quesada: Here's my question.

City Attorney Leen: But, I need to make one point, if it's OK.

Commissioner Quesada: I'm sorry; go ahead, I'm sorry.

City Attorney Leen: There is one point I need to make. The issue that we are having is with rights-of-way and that's what this is about. When FPL came up with those power poles on U.S.-1 or they are in the process of doing it and now with the wireless communications bill, which allows the wireless companies to put cabinetry and potentially poles in our rights-of-way and put attachments onto our poles in the rights-of-way and then also excavations, which there is another ordinance addressing that, my concern is that unless we designate our historic City Plan from the 1920's, we are subject to having, for example, a wireless communication company put cabinetry in the median on Miracle Mile and there is really nothing we can do about it. What this allows us to do, because of an express provision within the wireless communication bill; it allows us to designate our City Plan in which means that we can tell those companies know, because it would affect that plan. In addition to that, it gives us more authority vis-a-vis the County and the School Board regarding anything that they would do within our rights-of-way.

Commissioner Quesada: The School Board would say they don't have to comply with it anyways.

City Attorney Leen: It's much better if it's there than if it's not there, but they do have to comply under state law.

Commissioner Quesada: I understand that.

City Attorney Leen: That's the issue.

Commissioner Quesada: OK. So, here's my concern; my concern is...that we are designating streets as historical, because that has been told to me in the past by staff members and I find it to be preposterous.

Ms. Spain: Well we do have some historic streets already, Coral Way is historic...

Mayor Valdes-Fauli: Bird Road, so they can't...

Ms. Spain: Bird Road is a state historic road.

Mayor Valdes-Fauli: Old Cutler.

Commissioner Quesada: Will this designation cause that to happen or impact that either making it stronger or weaker or what? If the sole impact of this ordinance, I understand the goal is to be able to control these telecommunication companies, but what other consequence does us approving this?

Ms. Spain: That's a very good question.

Commissioner Quesada: Well thank you.

Ms. Spain: The properties on either side of the right-of-way would not be designated, because of this, it's just the right-of-way would have a historic designation.

Commissioner Quesada: The right-of-way, so every right-of-way in the City.

City Attorney Leen: No, everyone within the 1920's plan, which is largely North Gables and then also the main roads.

Commissioner Quesada: So, here's my problem with that. I agree with the historic designation of Bird Road and Coral Way and Old Cutler, the obvious ones, but our City wasn't designed in the 1920's to anticipate the volume of vehicles and anticipated hopeful amount of bikes that we would have.

Ms. Spain: Are you talking about widening streets?

Commissioner Quesada: No, I'm not talking about widening streets. I'm saying what if we decided that at one point or another it would make more sense to divert a lane one direction or another direction. If it made practical sense, I'd want it to say, well hold on a second, you guys passed an ordinance to say that all the right-of-ways are designated historical, so therefore we can't do it, because that excuse was given to me recently by a staff member and it infuriated me.

City Attorney Leen: The City retains full authority to approve any of that by a three-fifths vote, you would just have to balance – it would come to you and you would have to just recognize we are changing the City plan, but you have the power to do that and no other board can tell you no.

Mayor Valdes-Fauli: The County, or FPL, or Telecommunications Company or microwave cannot put boxes or poles or whatever at their discretion on Granada, on Miracle Mile, on historic streets.

Commissioner Quesada: I just want it to be abundantly clear that when our City was designed in the 20's they didn't anticipate the volume of vehicles and the amount of people that would be living in the City today and cutting through the City.

Ms. Spain: I understand that. But, it's not intended to impact the direction of traffic...

Commissioner Quesada: I'm not saying that's not the intent, but would that be the effect.

Ms. Spain: The traffic should not be affected. For instance on Alhambra, the area of Alhambra from LeJeune Road to the bend down to Bird Road is a designated a local historic roadway, there is a stop sign there.

Commissioner Quesada: I can resolve it so easy. This is a legal question. Will this impact our ability to apply traffic calming?

City Attorney Leen: No.

Commissioner Quesada: Will we have to jump another hurdle in order to apply traffic calming, because of this in any kind of way or build a sidewalk?

City Attorney Leen: Traffic calming itself, no. If you are going to alter the actual plan by like diverting an entire road, it would also go to the Historic Preservation Board only for recommendation to you and then you would make the final decision.

Commissioner Quesada: So, it will have zero impact on my concerns.

City Attorney Leen: Yes, zero impact on your concerns.

Commissioner Quesada: So moved. So moved.

Mayor Valdes-Fauli: Is there a second?

Vice Mayor Keon: Second.

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

All: Aye.

Mayor Valdes-Fauli: Thank you.

[End: 5:28:18 p.m.]