

City of Coral Gables City Commission Meeting

Agenda Items 2-2 and J-1 are related

October 9, 2018

City Commission Chambers

405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli

Vice Mayor Frank Quesada

Commissioner Pat Keon

Commissioner Vince Lago

Commissioner Michael Mena

City Staff

City Manager, Peter Iglesias

City Attorney, Miriam Ramos

City Clerk, Walter J. Foeman

Deputy City Clerk, Billy Urquia

Public Works Director, Ed Santamaria

Public Speaker(s)

Robert Ruano

Agenda Items 2-2 and J-1 are related [0:00:00 p.m.]

A Resolution by the Transportation Advisory Board adopting a Zero Concurrency Policy for collector streets for the City of Coral Gables.

A discussion regarding sidewalk construction concurrency.

Mayor Valdes-Fauli: 2-2 and J-1, resolution by the Transportation Advisory Board adopting a Zero Concurrency Policy. And J-1 is the same issue.

City Attorney Ramos: J-1 is a discussion regarding sidewalk construction concurrency.

Mayor Valdes-Fauli: J-1. Alright, will you make a presentation?

Commissioner Lago: Thank you, sir.

Mayor Valdes-Fauli: Thank you.

Public Works Director Santamaria: Good morning, Mr. Mayor, members of the Commission. For the record, Ed Santamaria, Director of Public Works. At the September 25 meeting, we discussed a resolution proposed by the Transportation Advisory Board to adopt a Zero Concurrency Policy for City collector streets. As we mentioned during the meeting, this is a very complex issue and there are some considerations that we should -- we thought would be beneficial for you to hear out. This presentation endeavors to clarify some of these points that we wanted to make. The principle arguments in favor of eliminating concurrency standards, first and foremost is the fact that pedestrians are the most vulnerable users of the public rights-of-way, especially where sidewalks are absent. Pedestrians are often forced to intermingle with traveling vehicles in travel lanes, and this is a peril to life safety, one which we thought should be addressed, especially on collector roads. Sidewalks promote accessibility for all members of the public and this is regardless of age or ability or disability, level of ability or disability. And as the population of the City ages, this means mobility will only take on a greater importance. Sidewalks are also a community amenity that enhance livability and permit a more active and healthy lifestyle for the community at large. They act as a crime deterrent, as foot traffic in residential areas means more eyes on the street and deters and discourages criminal activity. There are a number of adopted City policies that are in favor of limiting concurrency standards for sidewalk construction. The first of these is Ordinance 2010-09, which is the Coral Gables Comprehensive Plan. Ordinance 2016-47, which is the 2017 Strategic Plan that identifies a number of objectives to be adopted amongst which is mobility and accessibility. We also have Resolution 2017-151, which is the Active Design policy. And Resolution 2018-142, which is the

Age Friendly Resolution. If you recall, last week, the City of Coral Gables was recognized by AARP as an age-friendly city, because of all of these measures that we have taken. There's also Resolution 2018-80, which is the Sustainable Complete Streets resolution. In addition, we have Section 58-57 of the Coral Gables Code of Ordinances, which states that sidewalks, curbs, and the gutters shall be constructed, reconstructed or repaired when any property located within the corporate limits is improved, altered or modified by the construction, reconstruction, renovation, remodeling or repair of any type of building, structure or parking facility exceeding \$15,000 in value, or when such building to be constructed, reconstructed, renovated, remodeled or repaired exceeds 600 square feet in floor area for which a building permit is required. It also requires the Public Works Director to notify the applicant of the permit that they are responsible to complete the construction of sidewalks. The Public Works Director is also able to defer the construction of a sidewalk subject to certain conditions amongst which is the execution of a covenant that runs with the land to defer the construction of a sidewalk. But, this still would require the property owner to construct sidewalks at a time where it was deemed necessary by the Public Works Department. So, this means that by Code currently all properties in the City's corporate boundaries, regardless of the type of street, are subject to the requirements to construct sidewalks. Because 30 years have passed since this ordinance was written into the Code in 1988, the limits that are established for -- to trigger construction of sidewalk we think should be revisited, and we're happy to work with other City departments and the Law Department, the Office of the City Attorney, to modify this ordinance.

Mayor Valdes-Fauli: What is -- what would be today's equivalent of \$15,000 in 1990, whenever it was?

Public Works Director Santamaria: I would say in construction dollars...

Mayor Valdes-Fauli: Eighty something.

Public Works Director Santamaria: In construction dollars, Mr. Mayor, I would say it's probably in the neighborhood of 80,000 to \$100,000.

Mayor Valdes-Fauli: What about putting it 50,000? That's substantial...

Public Works Director Santamaria: We're happy to do that.

Mayor Valdes-Fauli: Yeah. Okay, do I hear comments, a motion?

Commissioner Lago: I think it's -- I sent you an email in regards to this. I think it's a great idea, obviously, to revisit the standard. My only concern is I want to make sure that we enforce it, and I want to make sure that this becomes the standard moving forward once we, you know, define what is going to be the new amount in regards to what's going to trigger the installation of sidewalks. Because I know that when I did my house, they didn't cut me any slack. I had to do the entire side of Urbino completely when I did the remodeling in my house.

Mayor Valdes-Fauli: Was it enforced?

Commissioner Lago: Yeah, completely. But I didn't do the front portion of my house, which is what I should have been forced to do. I didn't even know that was...

Public Works Director Santamaria: Correct.

Commissioner Lago: That was before I was even an elected official. So, I just want to make sure that we make it very, very clear so people understand and that staff has all the tools to enforce because if we're going to move forward on this, I don't want to be in a situation where, three or four years from now, we're kind of back and forth and it hasn't been enforced.

Public Works Director Santamaria: Commissioner, I'm very certain and confident that this is going to be enforced to the full extent the way it's written in the Code right now, whether it be a deferment covenant or whether it be the request for construction of sidewalks along the entire perimeter of the property that abuts the public rights-of-way, it will be enforced.

Mayor Valdes-Fauli: Alright. Do I hear a motion?

Commissioner Keon: Can I ask a question?

Mayor Valdes-Fauli: Sure.

Commissioner Keon: Is this on -- now, this is also on collectors...

Public Works Director Santamaria: Well...

Commissioner Keon: Or on local streets?

Public Works Director Santamaria: So, we...

Commissioner Keon: The...

Public Works Director Santamaria: What we're discussing right now is the fact that we do recommend that the zero concurrency policy...

Commissioner Keon: Right.

Public Works Director Santamaria: Be adopted for collector streets, but we also, given all the considerations around this issue, we're also strongly in favor of having zero concurrency being adopted along all City streets.

Commissioner Keon: Right.

Public Works Director Santamaria: And, we are suggesting to -- respectfully suggesting to the Commission that they consider amending the resolution of the Traffic Advisory Board -- proposed by the Traffic Advisory Board to include also City streets.

City Attorney Ramos: And so, procedurally, the Traffic Advisory Board's resolution will lie on its own, and the Commission can adopt its resolution...

Mayor Valdes-Fauli: Alright.

City Attorney Ramos: Declaring whatever it wishes.

Commissioner Keon: Right. But...

Mayor Valdes-Fauli: Alright.

Commissioner Keon: For the payment that is expected for anyone with a construction project over \$50,000 to construct the sidewalk in front of their home, that's also on collector streets or it's on local streets?

Public Works Director Santamaria: It's all streets.

Commissioner Keon: But if we're already going to -- well, aren't we already looking at our providing or our paying for the collector streets?

Public Works Director Santamaria: On collector streets, correct. But, there may be a point in time where you're applying for a permit...

Commissioner Keon: Right.

Public Works Director Santamaria: Where the -- that collector street or that segment of collector streets still does not have sidewalks. And so, at that point, it would be a determination and it's one of the things we have to weigh out whether, depending on when the sidewalks are coming in...

Commissioner Keon: Right.

Public Works Director Santamaria: Whether we would request it for the property owner to build it or whether it'll be built by the City. At this point in time, I think it's the property owner's responsibility.

Assistant Public Works Director Keller: Well -- no, there has been -- I'm sorry, Ed. There has been a case on Alhambra where a property owner did apply for a Public Works permit and we did fund the construction of a sidewalk on Alhambra Circle, because it's on a collector street and it's part of the old program where we had committed to funding sidewalks on collector streets. So, we do have an instance where we did pay for it.

Commissioner Keon: Okay, so...

Public Works Director Santamaria: I stand corrected.

Commissioner Keon: And, that's my concern is that if we're -- if it's on a collector street and it's our intent to pay for the sidewalks on collector streets, do we then still charge the homeowner with the renovation for that if we're going to do it for everybody else at no cost to them? Or how do we -- how does that work?

Public Works Director Santamaria: Well, right now, it -- the way we have it is for collector streets. If we are going to be entertaining it for the rest of the City -- this is going to be a long path forward and it's going to take years to build sidewalks throughout the City. So, it's a consideration that we need to evaluate as to how we're going to approach it, whether we're going to be fully funding construction of sidewalks throughout the City or whether we're going to be requiring folks that are in construction anyways and make a minimal commitment to build construction -- to build sidewalks in front of their property.

Commissioner Keon: Okay. And I support your -- the notion of complete streets and our, you know, working toward establishing sidewalks, you know, throughout the City. I think we spoke yesterday where some streets will have priorities over others, you know, especially those local streets. But my concern is, is if you would charge one homeowner on a collector street for that portion of sidewalk in front of their house and then we, as a city, pay for the rest of them -- if we're going to do collector streets, I think we should do them. I don't -- I mean, it's -- and then I look at it and think, well, if somebody's on a collector street and if they don't pay if someone's on a local street, they should pay. But I think that our priority...

Mayor Valdes-Fauli: There is a difference, though.

Commissioner Keon: Is the collector streets.

Mayor Valdes-Fauli: There is a difference (INAUDIBLE)...

Commissioner Keon: Yeah.

Mayor Valdes-Fauli: Collector streets have incredibly more traffic than local streets and therefore...

Commissioner Keon: Right.

Mayor Valdes-Fauli: It is much more dangerous for people to be walking on the streets on...

Commissioner Keon: Yeah, no. So...

Mayor Valdes-Fauli: Collector streets.

Commissioner Keon: So, I agree with you on the...

Mayor Valdes-Fauli: Like Alhambra Circle or...

Commissioner Keon: On prioritizing...

Mayor Valdes-Fauli: Yeah.

Commissioner Keon: The collector streets. Absolutely, we should prioritize. The concern is our paying for some and requiring a resident to pay for others when there's no sidewalk there.

City Manager Iglesias: Commissioner, I think I understand what you're saying is applying Section 58-57...

Commissioner Keon: Yeah.

City Manager Iglesias: To collector streets where one person pays because they're doing an addition and the other person -- and we pay for that, and I think we'll have to adjust that for that.

Commissioner Keon: Well, I just would ask you to look into that before you...

Public Works Director Santamaria: Sure.

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Commissioner Keon: Do a final write of -- or amendment to the Code...

Public Works Director Santamaria: So right now...

Commissioner Keon: With regard to that.

Public Works Director Santamaria: It would be zero concurrency for collector streets in citywide and working out the particulars as to how we get there.

Commissioner Keon: Yeah.

Public Works Director Santamaria: We're happy to do that and it will be at the will of the Commission.

Commissioner Keon: Okay. No, I think it's a great idea. Thank you.

Commissioner Lago: Ed and Jessica, I just want to put my point on the record, because I have some residents that are calling me and texting me and sending me comments in regards to their concerns about, like the Mayor mentioned, the local streets. I'm a hundred percent in favor of collector streets. I think it's critical. I think it's important to deliver on this type of -- these safety measures. I think it just benefits the City as a whole. What I'm a little bit concerned about is the smaller local streets where, again, the street is significantly tight and narrow already and the lots are very small, where would we potentially -- I don't want to jump into that area to discuss sidewalks. I really want to focus and deliver on collector streets before we even consider even having a discussion on the local streets. Let's -- no, I'm just saying I just want to make sure that I put that out there, because people start saying tomorrow they're going to start installing sidewalks in the local streets. No, that's not the objective. The objective is to deliver on collector streets...

Public Works Director Santamaria: Yeah.

Commissioner Lago: First and foremost.

Public Works Director Santamaria: That's correct.

Commissioner Lago: There's no plans to head into the local streets.

Public Works Director Santamaria: That is correct. We're going to be focusing on collector streets...

Mayor Valdes-Fauli: Collector streets.

Public Works Director Santamaria: Because...

Mayor Valdes-Fauli: Very good. Okay, we have Mr. Robert Ruano who wishes to speak. He's the head of the Transportation Advisory Board.

Robert Ruano: Good morning.

Mayor Valdes-Fauli: Morning.

Mr. Ruano: Robert Ruano, 1544 Murcia. No, I'm not the head of the Transportation...

Mayor Valdes-Fauli: Oh, you're not?

Mr. Ruano: No, I'm a member. No, I just wanted to say that while it is a great notion to have sidewalks on every street, if you go just west to West Miami -- the City of West Miami, a very

small municipality, if you'll look, on every single street has a sidewalk and they have the ADA corners and everything, so it's very walkable, great for elderly, people in wheelchairs, people with strollers. But I would urge you to, at the very least, as Commissioner Lago was saying, agree to collector roads. Those are -- that's the biggest issue for me.

Mayor Valdes-Fauli: No, no. That's what we're talking about here and Commissioner Lago mentioned...

Commissioner Lago: Mayor, and if I may, the reason why I made that comment -- and I want to be really clear. We haven't been able to deliver on collector streets for 30 years.

Mr. Ruano: Right.

Commissioner Lago: I mean, there was a law that stipulates that needs to be done. So, what I want to make sure is I don't want to focus on five or six different projects. I want to focus on one project and deliver collector streets. You know, if you want to -- that should be a main focal point on here. If we can deliver on collector streets in ten years with what we have to do ahead of us right now, then maybe we could have a discussion, if there's an appetite from the residential community. I think we're going to have certain people on these major collector streets that are not going to be happy and we have to be able to deal with that first before we can even discuss -- I don't want to spread ourselves too thin. West Miami is a great city. I know a lot of people that live there, but Coral Gables is...

Mr. Ruano: No, I agree.

Commissioner Lago: A much, much larger community than West Miami.

Mr. Ruano: I agree with you. That's why our resolution to the Transportation Board was just collector streets, because we believe this is a public safety issue that should be tackled first.

Mayor Valdes-Fauli: Thank you.

Mr. Ruano: Thank you.

Mayor Valdes-Fauli: The motion has been made by Commissioner -- by Vice Mayor Quesada. Is there a second?

Commissioner Lago: Second.

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

Vice Mayor Quesada: Yes.

Commissioner Keon: Yes.

Commissioner Lago: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 4-0)

City Attorney Ramos: And to be clear, the motion is to adopt the policy put forth by the Public Works Department?

Vice Mayor Quesada: Correct.

Mayor Valdes-Fauli: Right.

Commissioner Lago: No, by the...

Commissioner Keon: No.

Commissioner Lago: Transportation Advisory...

Commissioner Keon: I think the -- no.

City Attorney Ramos: So, you're voting on 2-2 then, not on J-1. Is that correct?

Mayor Valdes-Fauli: We voted on J-1.

Commissioner Keon: No. I think we're...

Mayor Valdes-Fauli: Did you make a motion on J-1?

Commissioner Keon: Were we giving direction to the...

City Attorney Ramos: So, let...

Commissioner Keon: Public Works Department?

City Attorney Ramos: If we could...

Commissioner Keon: To come back...

City Attorney Ramos: For the moment be clear for the record. Regarding the motion from the Transportation -- or the resolution from the Transportation Advisory Board, Mr. Santamaria, can you explain exactly what they wish for the Commission to consider?

Public Works Director Santamaria: Sure. That's zero concurrency on collector roads only.

Vice Mayor Quesada: My motion was on that item. J-1 was just for discussion.

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Public Works Director Santamaria: Correct.

Vice Mayor Quesada: I do not believe that there is a pending item there.

City Attorney Ramos: So...

Public Works Director Santamaria: And J-1 was just a recommendation on our part to extend that to all City streets.

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: Correct. And so, your motion, sir, is just on collector streets, not on the broader recommendation?

Unidentified Speaker: Yes.

Mayor Valdes-Fauli: Alright.

Commissioner Keon: Right. And he...

Commissioner Lago: That's what I voted on.

Commissioner Keon: And, they'll come back to us with an amendment to the existing Code.

City Manager Iglesias: Yes, we will, Commissioner. This is just for collector streets.

Mayor Valdes-Fauli: Okay.

City Attorney Ramos: Just for collector.

City Manager Iglesias: Just for collectors.

Commissioner Keon: Right. But they'll come back with the amendments...

City Manager Iglesias: Yes, we will, Commissioner.

Commissioner Keon: Yeah. Thank you.