

Memorandum from the Coral Gables Neighbors Association

To: Mayor Raul Valdes-Fauli
Vice Mayor Vincent Lago
Commissioner Jorge L. Fors
Commissioner Patricia Keon
Commissioner Michael Mena
City Attorney Miriam Soler Ramos
City Manager Peter Iglasias

From: Susan Kawalerski, President

Date: November 28, 2020

Monday is the two hour “Sunshine Meeting” which we hope will be productive. Even though the residents will have one hour to voice their positions regarding the proposed changes to the Coral Gables Zoning Code, we felt that it was important that at least one civic association not associated with developers provide its view of the proposed zoning changes. We have a database of 5000 persons who are interested in what we have to say and we will be circulating this memorandum to them and others in the community.

The CGNA and a multitude of residents are unanimous that the approval process should be held in abeyance until a new mayor and new commissioners are installed in April. Our reason for this unanimous decision is set forth below which we will expand upon thereafter:

1. Lack of Transparency
2. Breach of the Coral Gables - DPZ contract
3. Lack of an adequate public explanation of the impact of the changes
4. Amendment Process has been ongoing since 2017 and the deficiencies in the process can be rectified with the additional time.

1. Lack of Transparency

The group was unanimous in its view that the City has failed to adequately inform the residents about the process used to develop these amendments. The Commissioners who have responded rely on the “sunshine meetings” held by city staff. The only way a resident could find out about these meetings was to regularly review the list of meetings buried in the Coral Gables website. As an example, it takes four clicks on the website to access the Zoom information about Monday’s meeting. However, you have to know the meeting is occurring to even bother going to the website to find details on joining in. It strains credulity to suggest that residents can only be informed by regularly visiting the website.

The inadequacy of the notice is apparent from the alternative methods the City has at its disposal to communicate with the residents. It has the e-mails of most residents, it can communicate through the city’s eNews and it can place the information on the Coral Gables page in the Neighbors section of the Miami Herald. Two recent examples prove that the city knows how to employ the Herald: the Town Hall about the rehabilitation of the Granada Pro Shop, and, informing the residents about Electronics Recycling Day.

The November 30th “Sunshine Meeting” continues the lack of transparency. Scheduling a meeting the first business day after one of the most important family holidays invariably is designed to limit preparation, coordination, and participation. Scheduling the commission vote 8 days later sends the clear message that this process is designed to dot the “i’s” but not accomplish anything substantive. Finally, given the complexity of this matter, one staff presentation primarily meant for commissioners with allowance for the public to listen in is totally inadequate considering the three year gestation period given this project.

2. Breach of Contract

Elected officials and Staff have an inherent obligation to keep residents informed. The city's contract with DPZ, the consultant hired for at least a quarter of a million taxpayer dollars, was contractually mandated to include residents in the process.

Section 2.2 of the Coral Gables RFP, which is incorporated into the contract, requires that DPZ “[d]esign and implement a **thorough process for public input to include stakeholders, residents and civic groups...**”(emphasis added). Another bullet point requires DPZ to: [p]repare staff reports, text, graphics and related amendments that **result from input** and priorities established during the **public participation process.**”

The Coral Gables Neighbors Association has been active before the Commission on development issues yet we were not asked to participate. Further, we are unaware of participation by any resident group not associated with developers or their professional advisors.

Coral Gables resident and CGNA member Leon Kellner reports that he has asked four Commissioners for the work product created pursuant to Section 2.2 and has not received a single response. The only conclusion that can be drawn is that there is no work product and, hence, no public input.

The bias inherent in the process is illustrated by the phraseology in Section 2.2 where it distinguishes between stakeholders and residents. We, the residents are the stakeholders, not the developers and their professional advisors. Hence, it appears we are the “opposition” that has to be overcome.

3. Lack of an Adequate Explanation of the Impact of the Amendments

Put simply, there has been no explanation of the impact of the changes either collectively or single. The Zoning Code is like a jigsaw puzzle where a seemingly innocuous provision can have a profound impact on the Community. One example is the remote parking which Staff characterized as a “minor” amendment. It has been asserted that the changes do not impact the height restrictions on Miracle Mile . While that may be true, the reason developers do not build multi-story buildings is that the cost of providing parking makes the development uneconomical. Remove the parking requirement and the formerly uneconomical plans become profitable and Miracle becomes another Brickell Canyon.

We, the residents, are entitled to an explanation of the 21 “major” amendments and 50 “minor” amendments set forth in an October 20 memo to the Commission by Staff. Are the residents going to receive, on Monday, an explanation of the impact of these changes? I highly doubt that this can be accomplished in one hour. Since no Staff member has asked what question the residents want answered, how are they preparing a useful presentation?

Finally, and probably most importantly, we have found no answer to the question of whether these Amendments either collectively or taken separately benefit the residents who are the *real* stakeholders.

4. Process has been ongoing for three years. Five more months will not be catastrophic

There is no good reason why these major amendments, as Staff has characterized them, cannot await the inauguration of a new Commission next April. We have survived with a three year gestation period and we should be able to survive another five months especially given the issues laid out earlier.

We would like this Letter of Memorandum included in any and all city files pertaining to the proposed Zoning Code changes, and, we await your response.

Sue Kawalerski and undersigned

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Debbie Register, Coral Gables Neighbors Association, Vice-President

Maria Cruz

JC Diaz-Padron

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