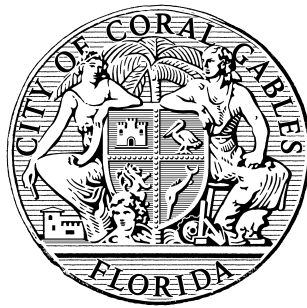


# **City of Coral Gables**

*405 Biltmore Way  
Coral Gables, FL 33134  
[www.coralgables.com](http://www.coralgables.com)*



## **Meeting Minutes**

**Tuesday, October 16, 2012**

**9:00 AM**

**City Hall, Commission Chambers**

### **City Commission**

*Mayor Jim Cason  
Vice Mayor William H. Kerdyk, Jr.  
Commissioner Maria Anderson  
Commissioner Rafael "Ralph" Cabrera, Jr.  
Commissioner Frank C. Quesada*

*Patrick G. Salerno, City Manager  
Craig E. Leen, City Attorney  
Walter J. Foeman, City Clerk*

## ROLL CALL

**Present:** 5 - Mayor Cason, Commissioner Anderson, Commissioner Cabrera Jr., Vice Mayor Kerdyk Jr. and Commissioner Quesada

[Note for the Record: Prior to the beginning of the meeting, Mayor Cason stated that Commissioner Quesada would be leaving at approximately 9:45 a.m., prior to the adjournment of the meeting in order to attend the funeral of the late Luis Espino, on the occasion of his untimely passing].

## INVOCATION

Dr. Lawrence Boudon, Pastor from St. James Evangelical Lutheran Church gave the invocation.

## PLEDGE OF ALLEGIANCE

Commissioner Maria Anderson 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) Resolution(s) adopted (Resolution No. 2012-185 through Resolution No. 2012-196); (b) Video; (c) Audio Recording; (d) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [12-1950](#)** Presentation of a Proclamation declaring October 2012 as Disabilities Month in Coral Gables.

[Note for the Record: Mayor Cason read a proclamation into the public record declaring the month of October 2012 as “Disabilities Month in Coral Gables.”].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 2

- A.-2. [12-1952](#)** Presentation of a Proclamation declaring October 16, 2012 as Actor's Playhouse 25th Anniversary Day in Coral Gables.

[Note for the Record: Mayor Cason read a proclamation into the public record declaring October 16, 2012 as “Actors’ Playhouse 25th Anniversary Day” in Coral Gables. Commissioner Quesada congratulated Actors’ Playhouse on reaching this milestone, noting that they have been a tremendous part of this community for many years.

In acknowledging said achievement Actors’ Playhouse Executive Director Barbara Stein thanked the Mayor, City Commission, City Manager very much, stating that she is very proud to be a part of the community, and that she pledges that she will continue to enrich the cultural vitality and quality of life in Coral Gables and its economic wellbeing for years to come; further pointing out that she on behalf of the Actors’ Playhouse is so pleased to have reached this milestone, which is pretty unusual in this industry; further noting that she has 25 more years to go, continuing to do wonderful things for Coral Gables. A photo session followed said presentation].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 7

- A.-3. [12-1974](#)** Presentation of a Proclamation declaring October 24, 2012 as World Polio Day in Coral Gables.

[Note for the Record: Mayor Cason read a proclamation into the public record proclaiming October 24, 2012 as World Polio Day in Coral Gables].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 3

**A.-4. [12-1997](#)**

Presentation of a Proclamation declaring October 25, 2012 as Chamber Day in Coral Gables.

[Note for the Record: Mayor Cason read a proclamation into the public record declaring October 25, 2012 as Chamber Day in Coral Gables; further stating that he would be presenting the outgoing Chairperson of the Coral Gables Chamber, namely Drew Kern with a City seal.

Commissioner Quesada in mentioning the outgoing Chairperson of the Coral Gables Chamber, pointed out that if one has had the opportunity to know Drew Kern, that one would probably like him- noting that he is great advocate on behalf of the City, citing that Drew is responsible for starting the Burgerlicious event under his leadership, further noting that said event is scheduled to come up on November 8th, 2102; also noting that Drew played a significant role in bringing back the Fourth of July event, also pointing to the fact that membership is up for the Coral Gables Chamber].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 5

**A.-5. [12-1949](#)**

Presentation of a Proclamation declaring November 11, 2012 as Out of the Darkness Suicide Prevention Walk Day in Coral Gables.

[Note for the Record: Mayor Cason read into the public record a proclamation declaring November 11, 2012 as Out of the Darkness Suicide Prevention Walk Day in Coral Gables. Following the reading of the proclamation, City Attorney Leen acknowledged Jim Allen, Esquire, informing the City Commission that Mr. Allen is an Assistant County Attorney and a Chief in Miami-Dade County Attorney's Office, who has dedicated countless number of hours to this cause and has helped a number of people, and that he just wanted to say hello and thank him for coming out on this occasion].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 6

**A.-6. [12-1954](#)**

Presentation of a Proclamation declaring October 2012 as Fire Prevention Month in Coral Gables.

[Note for the Record: Mayor Cason read into the public record a proclamation declaring October 2012 as Fire Prevention Month in Coral Gables].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 4

- A.-7. [12-1951](#) Congratulations to Firefighter Keith Taylor, recipient of the City of Coral Gables Firefighter of the Month Award, for the month of October 2012.

**Attachments:** [Cover Memo - FF OF THE MONTH - OCT 2012.doc.pdf](#)  
[FF of the Month Notification Letter.pdf](#)

[Note for the Record: Prior to the start of the City Commission meeting, Agenda Item A-7 (Congratulations to Firefighter Keith Taylor, Firefighter of the Month for the month of October 2012, was deferred].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 1

- A.-8. [12-1973](#) Congratulations to Detective Andrew Cachinero, recipient of the City of Coral Gables Officer of the Month Award, for the month of August 2012.

**Attachments:** [COMMISSION COVER MEMO - OFFICER OF THE MONTH](#)  
[OFFICER OF THE MONTH - AUGUST - Cachinero](#)

[Note for the Record: City Manager Salerno called upon Interim Police Chief Scott Masington to present Detective Andrew Cachinero, as the Coral Gables Officer of the Month, for the month of August, 2012- further citing that one of Detective Cachinero's many talents includes taking care of a family of four kids; further explaining that being a detective requires a lot of dedication and self-motivation, taking a lot of little parts and putting them together from scarce leads, similarly to a puzzle; further noting that Detective Cachinero has shown a propensity to become successful in performing his tasks within the department and within his division; pointing out that in this month alone Detective Cachinero cleared seven cases- taking physical custody of suspects involved with recovery of stolen vehicles- further stating that he has an incredible dedication to his job and that he and the department are thrilled to have recognized him as Employee of the Month, for the month of August, 2012].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 8

**A.-9. [12-1968](#)**

Congratulations to Rebeca Dantin, Police Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of October 2012.

**Attachments:** [Cover Memo](#) [EOM October 2012](#)  
[EOM Notificat Ltr.](#)

[Note for the Record: City Salerno requested of Human Resources Director Elsa Jaramillo-Velez to present the Employee of the Month; whereby she deferred to David Lemon of the Coral Gables Police Department who stated that it was his pleasure to introduce Rebecca Dantin as the recipient of the Coral Gables Police Departments' Employee of the Month Award- adding that he has had the pleasure of supervising Ms. Dantin for the past 10 months while assigned to the Internal Affairs Section; further stating that it has been a pleasure to know that Ms. Dantin was selected as Employee of the month after being nominated by Interim Police Chief Scott Masington; further pointing out that he has placed a lot of trust and responsibility on Ms. Dantin, and that she has proven to be an outstanding employee and deserving of this prestigious award; continuing to note that Ms. Dantin has been tasked with many important functions within the Internal Affairs Section and routinely assists with functions outside the scope of her normal duties; adding that she is dedicated to her career and conducts herself in a professional manner; finally stating that he is truly proud of Rebecca's accomplishment and hopes that she continues to excel in her career and becomes a positive example for all].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 9

**B. APPROVAL OF MINUTES**

- B.-1.**     [12-2002](#)     City Commission Budget Workshop of July 25, 2012.

**Attachments:**     [Meeting Minutes](#)  
                              [Budget Workshop Transcript](#)

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

**Yeas :**   5 -   Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

City Clerk Item No. 13

- B.-2.**     [12-2003](#)     City Commission Impasse Hearing of September 11, 2012.

**Attachments:**     [Meeting Minutes](#)  
                              [Impasse Hearing - Complete transcript](#)

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

**Yeas :**   5 -   Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

City Clerk Item No. 14

- B.-3.**     [12-2004](#)     Regular City Commission Meeting of September 11, 2012.

**Attachments:**     [Meeting Minutes](#)

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

**Yeas :**   5 -   Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

City Clerk Item No. 15

- B.-4. [12-2005](#) Fire Assessment Hearing of September 13, 2012.

**Attachments:** [Meeting Minutes](#)

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

**Yeas :** 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

City Clerk Item No. 16

- B.-5. [12-2006](#) First Budget Hearing of September 13, 2012.

**Attachments:** [Meeting Minutes](#)  
[First Budget Hearing Transcript](#)

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

**Yeas :** 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

City Clerk Item No. 17

- B.-6. [12-2007](#) Regular City Commission Meeting of September 25, 2012.

**Attachments:** [Meeting Minutes](#)

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

**Yeas :** 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

City Clerk Item No. 18

B.-7. [12-2008](#) Second Budget Hearing of September 25, 2012.

**Attachments:** [Meeting Minutes](#)  
[Verbatim Transcript - Second Budget Hearing](#)

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

**Yeas :** 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

City Clerk Item No. 19

**C. CONSENT AGENDA**

All items listed within this section entitled "Consent Agenda" are considered to be self-explanatory and are not expected to require additional review or discussion, unless a member of the City Commission or a citizen so requests, in which case, the item will be removed from the Consent Agenda and considered along with the regular order of business. Hearing no objections to the items listed under the "Consent Agenda", a vote on the adoption of the Consent Agenda will be taken.

**Passed the Consent Agenda**

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, to Adopt the Consent Agenda. The motion carried by the following vote:**

**Yeas :** 5 - Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Cason

**RESOLUTION NO. 2012-185****C.-1. [12-1955](#)**

Resolution authorizing the acceptance and execution of an Assistance to Firefighters Grant award by the Department of Homeland Security, Federal Emergency Management Agency, Award Number EMW-2012-FO-01346; and amending the Fiscal Year 2012-2013 Annual Budget to recognize as revenue the grant award and a ten percent grant match from General Fund reserves, and to appropriate such funds to cover the project expenditures.

**Attachments:** [FEMA Award Package.pdf](#)  
[AFG Application #EMW-2012-FO-01346.pdf](#)  
[COVER MEMO - AFG GRANT CAD System 10-16-12.doc.pdf](#)  
[Draft Resolution, AFG Grant, 10-16-12.pdf](#)  
[C-1 Signed Cover Memo](#)  
[Signed Resolution 2012-185](#)

RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXECUTION OF AN ASSISTANCE TO FIREFIGHTERS GRANT AWARD BY THE DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, AWARD NUMBER EMW-2012--FO-01346; AND AMENDING THE FISCAL YEAR 2012-2013 ANNUAL BUDGET TO RECOGNIZE AS REVENUE THE GRANT AWARD AND A GRANT MATCH FROM GENERAL FUND RESERVES, AND APPROPRIATING SUCH FUNDS TO COVER THE PROJECT EXPENDITURES.

**This Matter was adopted by Resolution Number 2012-185 on the Consent Agenda.**

City Clerk Item No. 20

**RESOLUTION NO. 2012-186****C.-2. [12-1967](#)**

Resolution authorizing the City Manager and the Acting Chief of Police to execute a Voluntary Cooperation Mutual Aid Agreement with the South Florida Money Laundering Strike Force (SFMLSF), for multi-jurisdictional and cross-jurisdictional delivery of police services

**Attachments:** [MOU 2012 SFMLSF](#)  
[RESOLUTION - MUTUAL AID AGREEMENT- SFMLSF](#)  
[C-2 Signed Cover Memo](#)  
[Signed Resolution 2012-186](#)

RESOLUTION AUTHORIZING THE CITY MANAGER AND THE ACTING CHIEF OF POLICE TO EXECUTE A VOLUNTARY COOPERATION MUTUAL AID AGREEMENT WITH THE SOUTH FLORIDA MONEY LAUNDERING STRIKE FORCE (SFMLSF) FOR MULTI--JURISDICTIONAL AND CROSS-JURISDICTIONAL DELIVERY OF POLICE SERVICES.

**This Matter was adopted by Resolution Number 2012-186 on the Consent Agenda.**

City Clerk Item No. 21

**RESOLUTION NO. 2012-187****C.-3. [12-1971](#)**

Resolution authorizing an amount of \$2,500 as a contribution to the Florida International University (FIU) Writers Conference 2012, in furtherance of the City of Coral Gables' co-sponsorship and collaborative effort in supporting a hands-on workshop discussion session designed to assist writers at all stages of development; said event which is scheduled for October 25 through October 27, 2012.

**Attachments:** [R-2012- Draft - Authorization of \\$2,500 Writers Conference](#)  
[C-3 Signed Cover Memo](#)  
[Signed Resolution 2012-187](#)

RESOLUTION AUTHORIZING AN AMOUNT OF \$2,500.00 AS A CONTRIBUTION, TO THE FLORIDA INTERNATIONAL UNIVERSITY (FIU) WRITERS CONFERENCE 2012, IN FURTHERANCE OF THE CITY OF CORAL GABLES' CO-SPONSORSHIP IN CONNECTION WITH SAID EVENT AND ITS COLLABORATIVE EFFORT IN SUPPORTING A HANDS-ON WORKSHOP DISCUSSION SESSION DESIGNED TO ASSIST WRITERS AT ALL STAGES OF DEVELOPMENT; SAID EVENT WHICH IS SCHEDULED FOR OCTOBER 25 THROUGH OCTOBER 27, 2012.

**This Matter was adopted by Resolution Number 2012-187 on the Consent Agenda.**

City Clerk Item No. 22

**RESOLUTION NO. 2012-188****C.-4. [12-1979](#)**

Resolution authorizing the acceptance and execution of a financial assistance grant from the US Environmental Protection Agency (EPA), Grant Agreement No. XP-95480112-0, to co-fund the rehabilitation of City 2 Sanitary Sewer Pump Station; and amending the Fiscal Year 2012-2013 Annual Budget to recognize the grant award as revenue and to appropriate such funds to be put toward the total project cost.

**Attachments:** [Notice of Award](#)  
[EPA Grant Agreement](#)  
[C-4 Signed Cover Memo](#)  
[EPA Grant Resolution](#)  
[Signed Resolution 2012-188](#)

RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A FINANCIAL ASSISTANCE GRANT FROM THE US ENVIRONMENTAL PROTECTION AGENCY (EPA), GRANT AGREEMENT NO. XP-95480112-0, IN THE AMOUNT OF \$485,000 FOR THE REHABILITATION OF EXISTING CITY 2 SANITARY SEWER PUMP STATION; AND AMENDING THE FISCAL YEAR 2012-2013 ANNUAL BUDGET TO RECOGNIZE THE GRANT AWARD AS REVENUE AND TO APPROPRIATE SUCH FUNDS TO BE PUT TOWARD THE TOTAL PROJECT COST.

**This Matter was adopted by Resolution Number 2012-188 on the Consent Agenda.**

City Clerk Item No. 23

**RESOLUTION NO. 2012-189****C.-5. [12-1983](#)**

Resolution authorizing the sale of alcohol and the waiving of the cost of parking meter rentals after 5:30 p.m. on the 100 block of Giralda Avenue on the first Friday of each month from November 2012 through April 2013, for a total of six events, for the Giralda Under the Stars Street Festival, subject to Florida Department of Professional Regulation requirements.

**Attachments:** [Resolution-10.16.12 \(Giralda Under Stars\).pdf](#)  
[Letter from Mari Gallet \(Giralda Under Stars\).pdf](#)  
[C-5 Signed Cover Memo](#)  
[Signed Resolution 2012-189](#)

RESOLUTION AUTHORIZING THE SALE OF ALCOHOL AND THE WAIVING OF THE COST OF PARKING METER RENTALS AFTER 5:30 P.M. ON THE 100 BLOCK OF GIRALDA AVENUE ON THE FIRST FRIDAY OF EACH MONTH FROM NOVEMBER 2012 THROUGH APRIL 2013, FOR A TOTAL OF SIX EVENTS, FOR THE GIRALDA UNDER THE STARS STREET FESTIVAL, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**This Matter was adopted by Resolution Number 2012-189 on the Consent Agenda.**

City Clerk Item No. 24

**RESOLUTION NO. 2012-190**

**C.-6. 12-1995**

Resolution granting permission to the Coral Gables Firefighters Benevolent Association to sell Christmas trees, install a temporary chain link fence, and use an inflatable Santa Claus as a display at 5501 Granada Boulevard, the Coral Gables Baptist Church property, from November 22 through December 24, 2012.

**Attachments:** [Letter from CGFBA](#)  
[Lease Agreement](#)  
[Certificate of Liability Insurance](#)  
[Refundable deposit check in the amount of \\$400.00 covering a clean-up fee for the](#)  
[A list of philanthropic involvement by the Benevolent Association in the community](#)  
[Boundary Survey](#)  
[Resolution - Christmas Tree Sales](#)  
[C-6 Signed Cover Memo](#)  
[Signed Resolution 2012-190](#)

RESOLUTION GRANTING PERMISSION TO THE CORAL GABLES FIREFIGHTERS' BENEVOLENT ASSOCIATION TO SELL CHRISTMAS TREES, INSTALL A TEMPORARY CHAIN LINK FENCE AND USE AN INFLATABLE SANTA CLAUS AS A DISPLAY AT 5501 GRANADA BOULEVARD, THE CORAL GABLES BAPTIST CHURCH PROPERTY, FROM NOVEMBER 22, 2012 THROUGH DECEMBER 24, 2012.

**This Matter was adopted by Resolution Number 2012-190 on the Consent Agenda.**

City Clerk Item No. 25

**RESOLUTION NO. 2012-191**

**C.-7. 12-1996**

Resolution authorizing the placement of a temporary banner at the First Church of Christ, Scientist located at 410 Andalusia Avenue, Coral Gables, Florida.

**Attachments:** [Letter of Request](#)  
[Resolution - Thanksgiving Banner](#)  
[C-7 Signed Cover Memo](#)  
[Signed Resolution 2012-191](#)

RESOLUTION AUTHORIZING THE PLACEMENT OF A TEMPORARY BANNER AT THE FIRST CHURCH OF CHRIST, SCIENTIST LOCATED AT 410 ANDALUSIA AVENUE, CORAL GABLES, FLORIDA.

**This Matter was adopted by Resolution Number 2012-191 on the Consent Agenda.**

City Clerk Item No. 26

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

- C.-8. [12-1948](#) Landscape Beautification Advisory Board Meeting of September 6, 2012

**Attachments:** [BC Cover Sheet 9-6-12 2 .pdf](#)  
[LB Signed Minutes 9-6-12.pdf](#)  
[LB Signed Minutes 9-6-12](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 27

- C.-9. [12-1956](#) International Affairs Coordinating Council Meeting of August 21, 2012

**Attachments:** [IACC-Minutes August 2012](#)  
[cover letter 10-16-12](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 28

- C.-10. [12-1957](#) Parks and Recreation Advisory Board Meeting of September 21, 2012

**Attachments:** [Cover Sheet.Minutes 9-21-12](#)  
[Minutes 09-21-12](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 29

- C.-11. [12-1961](#) Board of Adjustment Meeting of October 1, 2012

**Attachments:** [Cover Memo - City Commission Meeting 10-16-12](#)  
[Public Notice October 1, 2012](#)  
[BOARD OF ADJUSTMENT RECAP 10-01-2012](#)  
[BA Summary Meeting October 1, 2012](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 30

- C.-12. [12-1962](#) Economic Development Board Meeting of September 5, 2012

**Attachments:** [EDB. 10.16.12 Commission Cover.pdf](#)  
[EDB Minutes 9-5-12.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 31

- C.-13. [12-1963](#) Cultural Development Board Meeting of September 27, 2012

**Attachments:** [CDB Commission cover CDB 10-16-12 b.pdf](#)  
[09 CDB a Minutes September 27 2012.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 32

- C.-14. [12-1964](#) Cultural Development Board Meeting and Mandatory Grant Workshop of August 29, 2012

**Attachments:** [08 CDB a Minutes August 29 2012.pdf](#)  
[CDB Commission cover CDB 10-16-12 a.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 33

- C.-15. [12-1966](#) Disability Affairs Board Meeting of September 5, 2012

**Attachments:** [Disability Affairs 9-5-12 Minutes COVER](#)  
[9-5-2012 minutes](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 34

- C.-16. [12-1969](#) Retirement Board Meeting of September 14, 2012

**Attachments:** [CC.10-16-2012.September 14, 2012](#)  
[Executive Summary.09-14-2012](#)  
[Minutes.09-14-2012](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 35

- C.-17. [12-1970](#) Historic Preservation Board Meeting of August 23, 2012

**Attachments:** [HPBMinutesAug23,2012](#)  
[HPB.08.23.12MinutesforCC010.16.12](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 36

- C.-18. [12-1988](#) City of Coral Gables/University of Miami Community Relations Committee Meeting of October 1, 2012

**Attachments:** [Cover Memo October 1, 2012 \(Commission\)](#)  
[Community Relations Comm-October 1 2012 Minutes](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 37

**D. PERSONAL APPEARANCES**

- D.-1. [12-1972](#) Miami-Dade School District official Raquel Regalado will present information regarding the referendum to improve school facilities.

**Attachments:** [Verbatim Transcript - Agenda Item D-1 - MDC School Board Member Raquel Regalado](#)

[Note for the Record: The verbatim transcript for Agenda Item D-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. 41

**E. PUBLIC HEARINGS**

Anyone who wishes to address the City Commission on an item to be considered for public hearing must fill out a Speaker Card and turn it in to the City Clerk. Speaker Cards can be obtained on the credenza located outside the Office of the Mayor, during the day of the City Commission Meeting.

**APPEAL****RESOLUTION NO. 2012-206**

- E.-1. [12-1994](#) Historic Preservation Board Appeal - Case File LHD 2003 -18 Revised (Continued from the October 16, 2012 meeting)

Lowell J. Kuvin, applicant, has reinstated an appeal to the Coral Gables City Commission from a decision of the Historic Preservation Board at its regular meeting of May 20, 2010.

**Attachments:** [E-1 Signed Cover Memo](#)  
[5-20-10HPBMtgVerbatimMinutes](#)  
[1044 Coral Way - Appeal Documents](#)  
[APRIL2009HPBPackage](#)  
[HPB Minutes May 20, 2010](#)  
[HPBMinutes.March2004-Dec2007](#)  
[JMeryesEmail](#)  
[LHD2003-18REV](#)  
[LKuvinAPRIL2010Pkg](#)  
[NAT'L TRUSTPRESERVINFO](#)  
[PaulMartin letter opposing dedesignation](#)  
[Report1044REVISITED](#)  
[Request for Special Certificate of Approp.](#)  
[Resolution No. 2010-198](#)  
[Verbatim Transcript of August 23, 2012 Historic Preservation Board meeting](#)  
[Letter dated September 19, 2012 to Lowell J. Kuvin from Historic Preservation Off](#)  
[Powerpoint - Historic Designation Case File LHD 2003-18 Revised](#)  
[E-1 Signed Cover Memo](#)  
[E-1 Signed Cover Memo 103012](#)  
[Signed Resolution 2012-206](#)  
[Verbatim Transcript 10/30/12- Agenda Item E-1 - Historic Preservation Board App](#)

RESOLUTION OF THE CITY COMMISSION, GRANTING A CONTINUANCE TO THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING OF TUESDAY, OCTOBER 30, 2012, TO LOWELL J. KUVIN, ESQUIRE, APPLICANT ON BEHALF OF J. C. AND WALDO TOYOS, III, PROPERTY OWNERS FOR PROPERTY LOCATED AT 1044 CORAL WAY, CORAL GABLES, FLORIDA 33134, IN CONNECTION WITH AN APPEAL FROM A DECISION OF THE HISTORIC PRESERVATION BOARD AT ITS REGULAR MEETING OF MAY 20, 2010.

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

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this matter be continued by Resolution Number 2012-206. The motion passed by the following vote.**

**Yeas :** 3 - Commissioner Anderson, Vice Mayor Kerdyk, Jr. and Mayor Cason

**Absent :** 2 - Commissioner Quesada and Commissioner Cabrera, Jr.

City Clerk Item No. 44

**ORDINANCE ON FIRST READING****ORDINANCE NO. 2012-14****E.-2. 12-2001**

An Ordinance amending Chapter 2 of the Code of the City of Coral Gables by adding Article XI, entitled "Domestic Partner Benefits"; recognizing domestic partnerships; defining domestic partners for purposes of City benefits; providing leave including, but not limited to, sick leave, family leave and bereavement leave, to City employees with domestic partners; providing City employees with insurance benefits for domestic partners and children of domestic partners; providing City employee domestic partners and children of such domestic partners with all other benefits available to City employee spouses and children of such spouses; providing for application of such benefits to other employees to the extent such employees' collective bargaining representative has included such benefits through the bargaining process; and, directing the City to amend the personnel rules and regulations to provide process and procedures for receipt of benefits in accordance with this Ordinance; providing for an effective date and a severability provision. (Passed on First Reading October 16, 2012)

**Attachments:** [DOMESTIC PARTNER ORDINANCE FINAL](#)  
[E-2 Signed Cover Memo](#)  
[E-2 Signed Cover Memo 103012](#)  
[Domestic Partner Ordinance 2nd Reading 103012](#)  
[Signed Ordinance 2012-14](#)  
[Verbatim Transcript - Agenda Item E-2 - Ordinance amending Chapter 2 Domestic](#)

[Note for the Record: Following the City Manager's reading of the title to Agenda Item E-2 into the public record, and following a motion being made by Commissioner Cabrera and seconded by Commissioner Anderson, the Mayor instructed the City Clerk to call the roll on said item; after beginning the roll call vote, Commissioner Cabrera inquired as to whether the public hearing portion of this item was opened, whereby the matter invited public testimony regarding same; hearing none, the City Attorney requested of the City Clerk to start the roll call again on said item].

**A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this matter be approved as an Ordinance on First Reading. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada and Mayor Cason

City Clerk Item No. 10

**RESOLUTION****RESOLUTION NO. 2012-192****E.-3. 12-1958**

Resolution confirming Preliminary Assessment Roll for Business Improvement District of Coral Gables Special Assessments.

**Attachments:** [Preliminary Tax Roll BID - 10-16-12 Public Hearing](#)  
[BID - Notice to Property Owners](#)  
[Preliminary Assessment Roll Agenda Cover 10-16-12](#)  
[Sec 170.08 FS](#)  
[Appeals for 10-16-12 Public Hearing](#)  
[Preliminary Assessment Roll Resolution 10-16-12](#)  
[Signed Resolution 2012-192](#)  
[Verbatim Transcript - Agenda Item E-3 - Reso confirmiing Preliminary Assessmen](#)

RESOLUTION CONFIRMING PRELIMINARY ASSESSMENT ROLL FOR  
BUSINESS IMPROVEMENT DISTRICT OF CORAL GABLES SPECIAL  
ASSESSMENTS.

[Note for the Record: 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 Quesada, seconded by Commissioner Cabrera, Jr., that this matter be adopted by Resolution Number 2012-192. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Quesada, Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Cason

City Clerk Item No. 38

**F. CITY COMMISSION ITEMS****RESOLUTION NO. 2012-193**

- F.-1. [12-1947](#)** Resolution of the City Commission appointing a Member of the the City Commission (Nominated by the Commission-As-A-Whole) to serve as Ex-Officio Member on the Business Improvement District Board of Directors for the remainder of a two year term, beginning June 1, 2011 through May 31, 2013.

**Attachments:** - [Commission as a Whole Appointment - Ex Officio BID](#)  
[Draft Resolution - Commission As A Whole - BID Ex Officio Member](#)  
[F-1 Signed Cover Memo](#)  
[Signed Resolution 2012-193](#)

RESOLUTION OF THE CITY COMMISSION APPOINTING COMMISSIONER FRANK C. QUESADA, (NOMINATED BY THE COMMISSION-AS-A-WHOLE) TO SERVE AS AN EX-OFFICIO MEMBER ON BUSINESS IMPROVEMENT DISTRICT BOARD OF DIRECTORS FOR THE REMAINDER OF A TWO-YEAR TERM, BEGINNING JUNE 1, 2011 THROUGH MAY 31, 2013.

[Note for the Record: Following a motion being made by Vice Mayor Kerdyk and seconded by Commissioner Anderson regarding this item, Commissioner Cabrera inquired as to whether the meetings of the Business Improvement District's (BID) Board of Directors are publicly noticed? - whereby Mari Gallet, the Executive Director of the BID responded that said notices are published on their website, but they are not published in a newspaper. However, she mentioned that the upcoming Annual Stakeholder's meeting (i.e. to be held on November 13, 2012) will be published in a newspaper very soon, and that the members of the City Commission are cordially invited to attend this event which will be held at the Westin Colonnade, beginning at 6:30 p.m.

Ms. Gallet further mentioned that the monthly board meetings of the BID take place on the third Wednesday of each month, beginning at 8:30 a.m.; said meetings are placed on the BID's website.

Commissioner Cabrera further stated that his inquiry was to ensure that if any member of the City Commission is desirous of attending a meeting of the BID, that he wants to make sure that it is acceptable, and that it is publicly noticed; further requesting of the City Clerk and the City Attorney to confirm same.

City Attorney Leen requested of Commissioner Cabrera if he could inform him as to when any two members are desirous of attending a BID meeting that he would ensure preparation of a notice is done in connection therewith. Finally, the City Attorney agreed to look into said matter, review the BID's noticing procedure to ascertain whether it is a Sunshine Meeting and report back to the City Commission regarding said matter at its next meeting which is scheduled for October 30, 2012.

Commissioner Cabrera finally stated that the context by which member(s) of the City Commission may be in attendance may require little conversation, however, there may be an occasion whereby the Commission appointed Ex-Officio member, namely Frank

Quesada, may make comments in connection with a particular issue before the BID board, wherein a member of the City Commission in attendance may also want to respond to same, or add some additional comments or information in connection with said matter].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this matter be adopted by Resolution Number 2012-193. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

City Clerk Item No. 39

**F.-2. [12-1976](#)**

Discussion regarding domestic partner benefits.  
Commissioner Rafael "Ralph" Cabrera, Jr.

**Attachments:** [F-2 Backup](#)

**This Agenda Item was Withdrawn**

City Clerk Item No. 11

**F.-3. [12-1998](#)**

Citizen Code Enforcement Concerns.  
Commissioner Maria Anderson

**This Agenda Item was Deferred**

City Clerk Item No. 12

**G. BOARDS/COMMITTEES ITEMS****RESOLUTION NO. 2012-194**

- G.-1. [12-1981](#)** Resolution accepting the recommendation of the Cultural Development Board to nominate John Stuart to the Arts Advisory Panel for a term beginning October 16, 2012 and ending May 31, 2013.

**Attachments:** [Resume 10.16.12 \(John Stuart Arts Advisory Panel\)](#)  
[Resolution 10.16.12 \(John Stuart Arts Advisory Panel\)](#)  
[Excerpt CDB Minutes 10.16.12 \(John Stuart Arts Advisory Panel\)](#)  
[Commission Cover 10.16.12 \(John Stuart Arts Advisory Panel\)](#)  
[G-1 Signed Cover Memo](#)  
[Signed Resolution 2012-194](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CULTURAL DEVELOPMENT BOARD TO NOMINATE JOHN STUART TO THE ARTS ADVISORY PANEL FOR A TERM BEGINNING OCTOBER 16, 2012 AND ENDING MAY 31, 2013.

[Note for the Record: Following a motion being made by Vice Mayor Kerdyk and seconded by Commissioner Quesada Commissioner Cabrera inquired as to whether nominee John Stuart was a resident of the city of Coral Gables?-whereby City Manager Salerno stated that he was not, however adding that the enabling legislation requires at least two out of five of the appointees to the Art Advisory Panel be residents, but have four out of five that are residents.

[Note: The original composition per R-2011-208 had four appointees whom were residents. Due to the resignation of Brian Dursum, the Board had three members, pending nomination of John Stuart for appointment to said Board.]

Commissioner Cabrera stated that it has been a long time policy of his to not appoint non-City residents to boards and committees; commenting that it does not mean that he doesn't support John Stuart].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Quesada, that this matter be adopted by Resolution Number 2012-194. The motion passed by the following vote.**

**Yeas :** 4 - Vice Mayor Kerdyk, Jr., Commissioner Quesada, Commissioner Anderson and Mayor Cason

**Nays :** 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 40

**H. CITY MANAGER ITEMS**

None

City Clerk Item No. 45

**I. CITY ATTORNEY ITEMS**

- I.-1. [12-1999](#) Presentation regarding Constitution Day for Students at Coral Gables High School.

[Note for the Record: Judge Don S. Cohn prefaced his remarks by stating that there is a nationwide program called "Law Day" that takes place annually during the month of May; further stating that each Court House is allowed to prepare a program and form it to get kids of high school age and younger ones involved in learning about the court system.

Judge Cohn pointed out that typically, there has been a nationwide theme, as presented by the American Bar Association, and that all of the local Court houses work off of that theme; further stating that the Coral Gables Court House has come up with what is known as "Justice Day," as opposed to "Law Day," and this represents a very specific program related to Coral Gables.

Judge Cohn informed the members of the City Commission that with the help of Andrea Hartley, the Coral Gables Courthouse has gotten Coral Gables Senior High school involved, adding that the top school officials in charge at Coral Gables Senior High will be providing to the Coral Gables Courthouse between 26-29 students, who are to participate in a mock trial -said kids have been chosen by the school to participate in this program; further mentioning that an essay contest will be a part of this event; Judge Cohn continued to explain that what distinguished this event from others is that this event represents a very localized situation.

Judge Cohn said that he firmly believes that our youth represents a strong presence in our existence today, as potential leaders of the world, therefore they should get involved with our judicial process. Judge Cohn also pointed out that what makes the upcoming event unique is that the children will be running the show-during the mock trial the children will be the witnesses, the judges and the attorneys.

He mentioned that the Court house is excited about the upcoming event-adding that it has the support of the Coral Gables Chamber, our City Attorney, along with other attorneys serving on the committee to make this a positive experience; further stating that "Justice Day" is presently scheduled for November 2, 2012.

Judge Cohn stated that he has received a lot of support, including that of the President of the Coral Gables Bar Association, namely Jane Muir, and that there is a lot of excitement surrounding the event; noting that Mayor Cason will be on the agenda to address the students. City Attorney Leen suggested that possibly, once "Justice Day" event has concluded, that the students may come to City Hall to receive Certificates (sic. Certificates of Appreciation), meet with the City Commission, and gain a better understanding of what the City Commission does in passing laws. Judge Cohn added

that the committee members involved with the “Justice Day” event also be included].

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 43

**RESOLUTION NO. 2012-195**

**I.-2.     [12-2000](#)     Status of Review of Retirement Board Action.**

**Attachments:**   [Signed Resolution 2012-195](#)  
                          [Verbatim Transcript - Agenda Item I-2 - Status of Review of Retirement Board Acti](#)

RESOLUTION OF THE CITY COMMISSION AUTHORIZING TO THE CITY ATTORNEY AN EXTENSION OF TIME UNTIL THE NEXT SCHEDULED CITY COMMISSION MEETING OF TUESDAY, OCTOBER 30, 2012, TO ENSURE SUFFICIENT TIME FOR HIS REVIEW OF THE FINAL DRAFT OF THE PENSION BOARD REPORT, AND SUBMITTAL OF SAME TO THE CITY MANAGER AND OTHER DESIGNATED PROFESSIONALS; ADDITIONALLY, THE CITY ATTORNEY WAS INSTRUCTED TO COME BACK WITH HIS RECOMMENDATIONS AND FINDINGS PERTAINING TO THE AUTHORITY OF THE CITY COMMISSION TO OVERRIDE THE RETIREMENT BOARD’S DECISION RELATING TO ITS ACTION TO EXTEND THE CONTRACT OF THE ACTUARY. FURTHER INSTRUCTING THE CITY ATTORNEY TO INVESTIGATE RESPONSIBILITY AND ERROR MADE AND TO DETERMINE WHAT ACTIONS CAN THE CITY COMMISSION TAKE TO RECOUP ANY LOSSES ASSOCIATED WITH SAID MATTER.

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

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this matter be adopted by Resolution Number 2012-195. The motion passed by the following vote.**

**Yeas :** 3 - Commissioner Anderson, Vice Mayor Kerdyk, Jr. and Mayor Cason

**Absent :** 2 - Commissioner Quesada and Commissioner Cabrera, Jr.

City Clerk Item No. 42

**J.     CITY CLERK ITEMS**

**None**

City Clerk Item No. 46

**K. DISCUSSION ITEMS**

Mayor Cason: I think we've covered everything except K - Discussion Items, why don't we start with Commissioner Anderson.

Commissioner Anderson: Just one quick item.

Mrs. Spain: I apologize; the City Clerk is asking that it (Agenda Item E-1) be continued so it doesn't have to be re-advertised.

Mayor Cason: Alright, to be continued then.

Mrs. Spain: Does that need any type of a vote?

Mayor Cason: We have a motion to continue it?

Vice Mayor Kerdyk: Yes, I so move.

Commissioner Anderson: I'll second it.

Mayor Cason: Vice Mayor makes the motion, Commissioner Anderson seconds it.

City Clerk

Commissioner Anderson: Yes

Vice Mayor Kerdyk: Yes

Mayor Cason: Yes

(Vote: 3-0)

Commissioner Quesada: Absent

Commissioner Cabrera: Absent

Commissioner Anderson: I was speaking to my Cultural Board member, Cultural Development Board member and they were all very happy about the increase in funding, but a concern was that we make sure to consider a policy for how we give the funding, because right now what they are is public/private partnership that we have, but we have to make sure when it comes time for budgeting and it will be for all of you in the future that it's not open-ended. So I'd like for us to - is it something that would interest you?- because it closes the loop hole.

Vice Mayor Kerdyk: Like a line item basically?

Commissioner Anderson: It basically sets parameters on what we did, because what the funding was, I believe now is going into a line item, the monies that we gave, I believe, and separate from the grant process, if I'm not mistaken.

Mayor Cason: I was confused on that because I thought we gave - we had an earmarker or it should go toward these two organizations, the 25 (\$25,000), 25 (\$25,000) and 10 (\$10,000), but I wasn't sure whether it was considered to be a line item.

Vice Mayor Kerdyk: The way I thought it was, we might be talking about the same thing, basically I thought we had agreed to give the Cultural Arts \$60,000 additional, and just with the caveat that \$25,000 was to the museum, \$25,000 to the Actor's Playhouse, and \$10,000 extra for them to divvy up; and then there was one other issue that we talked about was that we were not going to preclude those two entities from also having the opportunity of revisiting the majority of the pie and try to get additional funds, I thought that's how we had it.

Commissioner Anderson: And that's fine, and they understand that. What I'm trying to do is in the future if we make another decision is it going to be just for public/private partnership when we make those decisions?- because it opens the door, I mean, glad to get funds, but are we going to put Actor's Playhouse and the museum our City owned properties that we have agreements with, is there an interest to look at that as a policy to create that for any future things like that, because I do believe we might leave ourselves vulnerable for other people asking.

Mayor Cason: I wasn't clear whether the Cultural Committee is going to then decide what to do, how to spend those...?- if they are going to take an application for the 25 (\$25,000)...?

Commissioner Anderson: I think the grant process is separate from what I understand...

Vice Mayor Kerdyk: That's what I thought too.

Commissioner Anderson:...I just want us to think about it. I think what my

conversation was, and I could be wrong, with my Board member was that they are going to handle the cultural grant process as they normally do, and these entities, the Actor's Playhouse and whoever are not precluded from applying provided they meet the guidelines, but these extra monies are a different thing; my Board member was curious to know how this was going to be handled, and recommended that we look at, and we do or don't, but I thought that it would be really important and responsible of me to ask do we want to put parameters on these kind of future allocations of public monies.

Mayor Cason: I think it's a good point. I think we need to have a policy, for example is the Board going to decide whether they spend the money on programs?- they are going to go for facilities, what are the guidelines on how they are going to spend those monies, are they going to make the decision?

City Manager Salerno: No.

Commissioner Anderson: I don't think...

City Manager Salerno: Mr. Mayor they make recommendations to the City Commission, so ultimately their action is only a recommendation to you, you make the final decision so you can do with that, when you get the recommendation you can adopt it in whole or....

Commissioner Anderson: Those are the grant monies from what I understand, and that's separate. The extra monies that we gave, and maybe I'm misunderstanding it, but from my Board member she was concerned that we make sure that things that are outside the grant process, that we allocate and put in a line item, I think that's where they are, I'm not sure, I'm trying to do it from memory, if we do we have some type of process that delineates who we give monies to, because I remember early on in my tenure here there were people who would come to us but those were for the grant process. Now that we put an extra layer of cultural funding who are going to get those dollars if any in the future?- those folks but who else might come forward and ask for them? So that's the question I have, it's not to create a wrinkle, in fact they were very happy with the funding and just want to make sure that we don't expose ourselves and that we set clear guidelines as to who is able to receive those monies in the future, future budgets.

Mr. Volsky: Mr. Mayor as the creator of this issue, can I briefly address?

Mayor Cason: Well let me finish up here first and then - Bill you have any...?

Vice Mayor Kerdyk: I think she brings up a good point, I thought we were just adding to the - I'm missing something, I'm missing something, I thought we were just adding to whatever...

City Manager Salerno: The pot.

Vice Mayor Kerdyk:...the pot, the \$75,000 we just added \$10,000 more to it.

City Manager Salerno: The action of the Commission was to add \$60,000 to the \$75,000...

Vice Mayor Kerdyk: Right - and then 25 (\$25,000) and 25 (\$25,000) were....

City Manager Salerno: It was guidance to the Board, the Cultural Advisory Board, to allocate \$25,000 to each of the two entities mentioned and 10 (\$10,000), that was my recollection of the action of the Board, it was not a line item.

Commissioner Anderson: But - and I'm saying that just to put a placeholder on it, but when I spoke to my Board member who is Chair of it, and understands these cultural grants felt that they are happy with the monies, but the monies within the cultural grant process have certain specific parameters that they do points based you see that they have developed over the years. So these are additional monies, so how do we handle those, and it's just clarification because as you remember Bill and Ralph they had a process that was very arbitrary before and over the last 5, 6, 7, 8 years the Cultural Board has honed a process where they do point systems what we approved, but these are additional monies, so one of the entities may not have applied - I was talking to the Board member and one of the usual entities that applies, not one of these two didn't apply this year, so what happens if - or they don't qualify?- So what I'm trying to do is make sure the monies get to these folks, but also makes sure for the future that we understand who we are giving it to and is it just people who are folks that are public/private partnerships in our where we have partnerships in our public buildings. That's all, I don't want to make a big deal, but I think the Board needs clarification as well and for future reference for future Commissions to know the impact, the ramifications. Any...?

Mayor Cason: George very short please.

Mr. Volsky: Mayor, I agree with Commissioner Anderson, except that her timing is sort of off. About 15 years ago when someone from the cultural community would come to the individual members and ask for \$1,000, which would be approved and given to them without essentially any trade. So as a recommendation of the Coral Gables Cultural Affairs Council, this body created the Cultural Board which changed its name, and over the years the process was very strict, in other words for any amount of money that the Board would recommend to you to award there had to be a very concise questionnaire filed and spending of the money is regulated and monitored by the Board, whether they do it or not I don't know, but they have to do it. So in other words what you did with the \$60,000 you gave the money, you increased in effect the funding of the cultural operation by \$60,000; \$10,000 for whatever they want and \$25,000 each to two institutions, but since this is there - according to regulations which as I said we worked on it for quite some time, it has to be documented, in other words you cannot give money without saying what it is for. The only exception is the Junior League, not the Junior League, the Junior Orange Bowl, which is very precise spending 1.8, period. Now cultural spending can include many, many items, this is why an application has to be filled for those two \$25,000 to see what the money is being spent and how, and the Cultural Board has an obligation to monitor, whether the money given to specific items is really used for that and not any different action they can take if there is a problem, but this is a law which we passed, this body passed about 14 years ago.

Mayor Cason: Thank you very much. OK. Anything else Mrs. Anderson?

Commissioner Anderson: No, not at all.

Mayor Cason: When is the next meeting of the Cultural Board, maybe they ought to decide how they would like to handle these extra 25's.

Commissioner Anderson: I think that's a great idea.

Mayor Cason: And let them come back to us and tell us what their recommendation is.

Commissioner Anderson: Come back to us with a recommendation. It's a great idea.

City Attorney Leen: So that's the direction of the Commission, unanimously?

Mayor Cason: Yes. Ralph.

Commissioner Cabrera: I think over the last few years, I'd say the last three years or four perhaps, at least three we have gotten e-mails from residents, and particularly one resident living in the 1200 Block of Andalusia regarding a streetscape project affecting their neighborhood, because I've seen a number of e-mails with all our names on them, and I was just wondering if maybe staff could take a look at that and tell us if in fact there is any movement on that particular project or if it's going to be a project. I don't need staff to respond now, but maybe at some future date, if they could write an e-mail usually my requests all get an e-mail response which is perfectly fine. Maybe we can get an update on that for the entire Commission and it affects the 1200 Block of Andalusia. I wanted to ask the Commission, if you would be willing to have yet another "Shade" meeting regarding the general employees?- and I'll tell you why, I'm making this request, without divulging the discussions that take place in a "Shade" meeting. I came away that meeting thinking that we had given some direction to the management, only to see that, that direction didn't really come to pass. Maybe that direction, maybe management is still going in that direction, but I don't get the impression that, that's what happened; and I'm sorry I can't really divulge what we talked about because the City Attorney has advised me that a "Shade" meeting can't be discussed in public, so it puts me in an awkward position, but I was just wondering just to clarify the matter would the Commission be supportive of having another "Shade" meeting specifically on the general employees?

Vice Mayor Kerdyk: I've never turned down one yet - yes.

Commissioner Cabrera: I don't think it will take long, I don't think it will take long; I think it will take 30 minutes or less.

Mayor Cason: That's fine.

Commissioner Cabrera: So I have your support in asking the Manager to schedule one.

Mayor Cason: OK.

Commissioner Cabrera: The E-1 Item that was deferred today, lots of paper once again, and this one has minutes that is not going to be changed because they are

minutes from the Historic Preservation Board meeting; could staff recover these documents because again, look at the thickness of this and I hate to reproduce this at a later date, I know the cover page probably needs to be reproduced because of the date, but I'm going to leave this here and ask staff to be kind enough to pick this up from us and that concludes my comments for the day.

Vice Mayor Kerdyk: Just very briefly. I'm going to give a public service announcement, the Kiwanis Club of Coral Gables is sponsoring a fishing tournament on December 8, 2012, and the benefit of this is to assist the Coral Gables Boy Scout Troop 7 to retire debt that the troop owes the City. We've talked about them on numerous occasions, but anyway, so if anybody is interested you can go to the website [kiwaniscoralgables.org](http://kiwaniscoralgables.org) or you can contact Richard Martin at 305-439-9116, if anyone is watching. That's it. Thank you very much.

Mayor Cason: I have a couple of things. First of all, another public service announcement, the American Red Cross is going to have adult swim lessons and I've been asked to let people know that they start October 20th at the Venetian Pool. It's important not only for kids, but for adults to learn to swim, they'll be five sessions through November 17th, you can register by the 19th, this Friday at the front desk at the pool; and secondly, I'd like to pick up something that Commissioner Anderson I thought was going to speak about on code enforcement. There are a couple of things that have come up that I'd like the City Attorney to sort of brief the Commission on what we are doing. One related to the possibility of squatters on El Rado Street and another one is a general problem that we've been having with a bank that has not been sort of paying attention and we've gotten homes that are deteriorating, if you could explain. It's sort of complicated, but it's been like that for about a year, and I think it's just important for people to understand that we are not neglecting it, but that there are some difficulties.

City Attorney Leen: Our Code Enforcement Department has been identifying properties either through complaints or through their own actions that are troubled or abandoned and they have been attempting to take decisive action generally through ticketing and on some occasions ticketing to our abandoned property ordinance, which this Commission passed about a year ago, and we've seen a lot of success with that, but there are occasional properties where no matter what we do it seems that they just continue to be there in violation of the Code, so based on requests of different Commissioners as well as the City Manager, and Code Enforcement and our Development Services Director, my office is looking into additional actions that can be

taken. One issue that has come up that the Mayor alluded to was that Bank of America in a couple instances has been the mortgage holder or owner of a property where no action has been taken relating to the property and that was a standing request of the City, and we've had Code Enforcement reach out on several occasions to at least one of their property managers and try to get as high up the chain as we can, but have been unable to get Bank of America to agree to a high level meeting perhaps with the Mayor or with one of our Commissioners and their President or with me and their general counsel related to some of these properties and actions that can be taken to fix them. So the property you alluded to on El Rado Street we are still looking into, and I don't want to get too much into it because there are people who are living there; there has been a complaint that they are squatters, they don't have a legal right to live there, our Police Department is looking into it, so is our Code Enforcement Department. There is an issue though related to whether that dwelling, that house complies with our minimum housing standard because water has been turned off to the property, and it's my opinion that it doesn't comply with our minimum housing standards because it's very clear in our Code that you have to have running water, particularly hot water to a property. So this is a matter of public record. So yesterday, the Development Services Department with the consultation of my office, did provide a notice to that property indicating that they have to bring it into compliance with our minimum housing code within 10 days or else the property has to be placard and vacated. So we are in the process of looking at those types of measures and situations where houses are dangerous to people and the surrounding community, or where the house is a blight potentially on the community and is not being fixed...

Mayor Cason: The one on...has been years and years deteriorating.

City Attorney Leen: Yes, but what I want the Commission and the public to know is there is only so much we can do because under the - particularly in residence where someone lives there or it's a homestead because under the current state of Florida law, unless we have a special assessment lien our Code Enforcement liens are considered subordinate to a mortgage and so we can necessarily foreclose on the property and there are limitations on what we can do, but we have been vigorously enforcing based on the instructions of this Commission and the tradition of the City seeking compliance, and then once compliance is achieved with our Code we look at trying to mitigate the fines that, that accrued, but I just wanted to be clear that the City has been aggressively enforcing its Code and we continue to do so and I believe my mandate at this point is to look into additional techniques, additional things that we can do. We have retained an expert in Code Enforcement Law who is going to be assisting us with

potentially bringing court actions and things like that to get this moving.

Mayor Cason: I wanted to ask the Judge is here and go ahead.

City Attorney Leen: Yes, Judge Cohn.

Commissioner Cabrera: No, it had to do with this squatter's issue, because I'm very glad that Mr. Cason brought it up. One particular household has written the Commission, would you be kind enough to communicate with them of what you just communicated with us, so that they feel as though the City is taking some very aggressive and proactive stance on this matter.

City Attorney Leen: Yes, of course.

Commissioner Cabrera: And would you be kind enough to copy us?

City Attorney Leen: Yes.

Commissioner Cabrera: Thank you. I know the Judge is here, but we have public service announcements, can I just give a quick one? I just wanted to announce that this past weekend the Coral Gables Youth Center Under 13 Storm Team played in the ESPN Deportes Tournament, soccer tournament, and I'm happy to report that they were the champions of that tournament. These are under 13 girls who defeated one under 13 team, two under 14 teams, lost to an under 15 team, girls that are two years older by 1-0, and then came back and won the championship 1-0, and I will say there is a Cabrera on that team, so I wanted to get a plug in for her. So the girls of the Coral Gables Youth Center Storm Under 13 teams are the champions of the ESPN Deportes Tournament.

Commissioner Anderson: Congratulations.

Mayor Cason: Excellent. Judge thank you for coming.

Judge Cohn: I'm going to be very brief. Good morning Mr. Mayor, Council members, Mr. Leen, it's great to be here as always. I wanted to just mention something and I am going to be very brief, you may know that there is a nationwide program called Law Day, which takes place typically in the month of May, and basically each courthouse is allowed to prepare a program and form it the way they want in order to get children of

high school age and younger ages involved in learning about the legal system and things like that. Typically there is a nationwide theme that's presented by the American Bar Association, and basically all the local courthouses work off that theme. Well at the Coral Gables Courthouse we've come up with the idea of having something called Justice Day as opposed to Law Day, and this is a very specific program related to Coral Gables. Basically what we've done is with the help of Andrea Hartley, we've gotten the Coral Gables High School involved and basically the Coral Gables High School the ones in charge over there are going to be providing us with, I believe with I think it's a total of something around 26 to 29 students who are going to participate in a mock trial in the nature of a murder trial...

Mayor Cason: We don't have those in Coral Gables.

Judge Cohn: We don't have those, exactly right, but these children have been chosen by the school to participate in this particular program and it's going to be a mock trial. Additionally, we are having an essay contest that the students are going to be involved in, and once again the thing that distinguishes this in the sense of being different from the Law Day is it's a very localized type of situation. I firmly believe as a Judge and I know we all do that, our youth is where it's at, they are going to be leaders of the world and they need to get involved, really involved with the judicial process. The other thing that makes this unique is the children are going to be running the show, they are going to be doing the mock trial, they are going to be the witnesses, they are going to be the judges, they are going to be the lawyers, they are going to do it themselves, so we are very, very excited about it. We've gotten the support from the Chamber, your City Attorney has been on the committee that we established with some of the lawyers to make this a very, very positive thing. It is presently scheduled for November 2nd, at the Coral Gables Courthouse, it's going to be basically an all morning affair so to speak, and once again we're really looking forward to it. We've gotten a lot of support from a bunch of individuals, I forgot to also mention the President of the Coral Gables Bar Association, Jane Muir who actually was just installed a couple of weeks ago, was it a couple of weeks?- yes a couple of weeks ago, she is very excited about it, I know tomorrow the Coral Gables Bar has their monthly luncheon, I hear that someone very famous will be speaking there tomorrow, and there is going to be an announcement made at the Coral Gables Bar Association as to what we are doing. So, I just want to let you all know about it and I know Mr. Mayor is going to be speaking; he is going to be on the agenda in terms of speaking to the students. We are just simply very excited about it, it's a unique situation as opposed to the normal Law Day, we wanted to localize it to the City of Coral Gables,

I think it's important.

Mayor Cason: It's a great initiative.

City Attorney Leen: And when....after the Law Day is finished that some of the students...

Judge Cohn: Justice Day.

City Attorney Leen: Pardon me, Justice Day, we are also doing Law Day, but that will be next year.

Judge Cohn: Law Day we are going to be involved in, too.

City Attorney Leen: With the Justice Day students they could come here and maybe receive a certificate here as well and be able to meet all of you, and I think it would mean a lot to them and talk a little bit about what the City Commission does in passing laws, I thought it might be something fun we could do.

Judge Cohn: That was something we had talked about Craig, I think it would be great to have them all here, have everybody here who is going to be involved on the committee actually, I think it's going to be a great thing to do and hopefully you all are amenable to doing that.

Mayor Cason: Great initiative. Thank you very much.

Judge Cohn: Thank you all very much, good to see everybody.

Mayor Cason: OK. We have no more items then the meeting stands adjourned.

City Clerk Item No. 47

**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 10:39 am on October 16, 2012. The next regular meeting of the City Commission has been scheduled for October 30, 2012, beginning 9 a.m.]

JIM CASON  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK