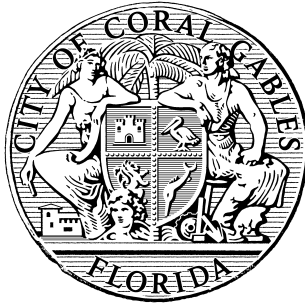


City of Coral Gables

*405 Biltmore Way
Coral Gables, FL 33134
www.coralgables.com*



Meeting Minutes

Tuesday, November 8, 2011

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

INVOCATION

[Note for the Record: Mayor Cason prefaced his remarks by stating that the City Commission was very happy to have Reverend Durwood Foshee, Senior Pastor from First United Methodist Church, where he was appointed in July. Reverend Foshee is a graduate of Florida Southern College where he majored in music and theology-later earning a Master of Divinity Degree from Emory University].

PLEDGE OF ALLEGIANCE

Mayor Cason led the Pledge of Allegiance.

A. PRESENTATIONS AND PROCLAMATIONS

- A.-1.** [11-1174](#) Presentation of a Proclamation declaring November 8, 2011 as Coral Gables: Playful City USA Day.

[Note for the Record: Mayor Cason stated that “Playful City USA Day” is an application based national recognition program honoring cities and towns that make play a priority and use innovative programs to be active, playing and healthy; further adding that in 2011, a non-profit organization dedicated to saving play and building playgrounds for America’s children-KABOOM has recognized 157 cities (including the City of Coral Gables) and towns in 38 states and 1 territory, for their commitment to play; whereby he read a proclamation into the public record declaring Tuesday, November 8, 2011 as “Playful City USA Day.”].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

A.-2. [11-1175](#)

Presentation of a Proclamation declaring November 26, 2011 as Small Business Saturday in Coral Gables.

[Note for the Record: Mayor Cason stated that “Small Business Saturday” will take place on Saturday, November 26, 2011-further adding that Coral Gables was chosen as one of 15 communities to be featured during this program created by American Express-noting that this is the day that people pledge to support small businesses-adding that the slogan for this event is “Pledge to Shop Small;” further reading a proclamation into the public record proclaiming Saturday, November 26, 2011 as “Small Business Saturday” in Coral Gables.

Coral Gables Chamber of Commerce Executive Director Mark Trowbridge upon being asked to provide his comments regarding the “Burgerliscious” event thanked the Mayor and members of the City Commission for their support; further inviting Coral Gables Chamber of Commerce President Drew Kearns to further elaborate on the “Burgerliscious” event, which was one of his initiatives, whereupon Mr. Kearns stated that the “Burgerliscious” initiative is one of those initiatives that represents a vital part of our City and of our community; further mentioning that the preceding Friday of November 25, 2011 will be billed as “Black Friday;” and the following Monday will be recognized as “Cyber Monday.”

Mr. Trowbridge further pointed out that nothing personifies Coral Gables better than small businesses, and that they are asking people to think big and shop small on Saturday, November 26, 2011.

Mr. Trowbridge further reflected on the success of the second annual “Burgerliscious” event, thanking the City Commission for its support in putting the spotlight on its restaurant community; further explaining that this partnership with the Greater Miami Convention and Visitors Bureau truly was aimed at showcasing our restaurant community; further thanking our City’s Parks and Recreation Department staff, along with other City staff, particularly Mrs. Cindy Birdsill, which resulted in a turnout of an estimated 800 people and 20 participating restaurants, an event which really brought out the young people and lots of energy into our community; further acknowledging that the restaurant that was the recipient of this year’s “Best in Bun” recognition was the 1862 Room at the Westin Colonnade, further citing that Morton’s placed second in the competition; finally stating that the date for next year’s event, entitled “Burgerliscious” has been scheduled for November 1, 2012. Mayor Cason pointed out that he consumed 19 burgers while sitting as a judge in the competition, whereby Mr. Trowbridge reminded him that he didn’t have to consume such a large volume].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

- A.-3. [11-1181](#) Presentation of 25 years service pin to Antonio Silió, Development Services Department.

Attachments: [CM_Silio](#)

[Note for the Record: City Manager Salerno requested of Human Resources Director Elsa Jaramillo-Velez to approach the podium in connection with Agenda Item A-3-presentation of a 25 year service pin to Antonio Silio, from the Department of Development Services; further reflecting on Mr. Silio's tenure with the City, which began as a Mason in the Public Works Department (1986); being promoted to a Code Enforcement Officer (1997); and finally being promoted to a Plans Processor (March 2003), a position he has held until this day; further acknowledging Mr. Silio's many attributes, including but not limited to being very industrious, displaying an accurate, well researched and thought out work product; further demonstrating his knowledge and experience and cooperation, traits that has made him a valuable employee in the department; finally acknowledging that Mr. Silio has received the Employee of the Month recognition previously- once in January of 2003, and again in December of 2008.

In accepting this accolade, Mr. Silio stated that he is pleased to serve the residents, the City Commission and the small businesses in the City, and that he will continue to do his job as well as he can.

Vice Mayor Kerdyk further acknowledging that Mr. Silio deserves a special recognition-adding that he handles his job and challenging situations with a degree of difficulty, always courteous and with a smile-further thanking him for all that he has done for the City].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

- A.-4. [11-1185](#) Congratulations to Officer Nelson Rodriguez, Jr., recipient of the City of Coral Gables Officer of the Month Award, for the month of October 2011.

Attachments: [COMMISSION COVER MEMO - OFFICER OF THE MONTH - OCTOBER NOMINATION - NELSON RODRIGUEZ - OCTOBER](#)

[Note for the Record: City Manager Salerno asked Police Chief Weiner to approach the podium in connection with Agenda Item A-4- Congratulations to Officer Nelson Rodriguez, Jr.-recipient of the City of Coral Gables "Officer of the Month Award" for the month of October 2011.

Chief Weiner stated that one the afternoon in September, a resident while engaged in a walk came across a suspicious person standing in front of a residence in his neighborhood; further stating that he engaged the juvenile in a conversation, who said

he was there looking for his friend.

The resident indicated that he was skeptical of the juvenile's motives and further observed two other juveniles coming up from the rear of the same residence, carrying property and running.

Police were called and one of the offenders was stopped trying to flee in a vehicle. Officer Rodriguez quickly responded and began searching the area for two offenders who had run out of the back and were on foot. He located two individuals fitting the description and when he approached they ran, attempting to escape. Officer Rodriguez pursued them, taking one of them into custody-later backup officers arrived to assist Officer Rodriguez, along with responding officers and involved citizens who located and apprehended the other suspect; the stolen property was retrieved and taken back to the victims.

Chief Weiner further relayed to the City Commission that in the month of October, a resident observed a man standing in his backyard peering into his window, whereupon he confronted the subject who had already rang the doorbell and knocked on the door.

The subject appeared to be looking as if he was attempting to break into the residence, but fled after stating that he was trying to find his lost dog.

Police were called, and again Officer Rodriguez responded quickly, taking decisive action-searching methodically and finding that the subject was coming out of another person's driveway. The subject was in a car with another man. Officer Rodriguez stopped the car and arrested the man for loitering and prowling; further noting that among Officer Rodriguez' attributes were his positive attitude and enthusiasm-citing his diligence as a member of the Traffic Enforcement Unit, along with his diligence and courage, and through the use of his experience and knowledge has resulted in the arrest of four subjects- making him most deserving of the Officer of the Month for October 2011 recognition].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

- A.-5. [11-1182](#) Congratulations to Captain John Curry, recipient of the City of Coral Gables Firefighter of the Month Award, for the month of November 2011.

Attachments: [Cover Memo, FF of the Month, November 2011.pdf](#)
[Notification Letter, FF of the Month, November 2011.pdf](#)

[Note for the Record: City Manager Salerno requested of Fire Chief Walter Reed to approach the podium in connection with the acknowledgement of Captain John Curry as Firefighter of the Month for November 2011.

Chief Reed stated that Captain Curry was selected as November's Firefighter of the Month for his outstanding display of individual initiative surpassing job requirements and expectations, specifically for his steadfast commitment to the Coral Gables Fire Department, ensuring that it remains one of the premier departments in the country; further noting that Captain Curry's dedication to the department is displayed daily by consistently making himself available to anyone in need of help and support, as well as by being one of the primary instructors for the City's community wide CPR/First Aid Program, a program which he help establish; further pointing out that Captain Curry, as the Coral Gables Fire Explorer Program leader, has dedicated many hours to the success of the program, while mentoring young and upcoming firefighters of the future-further noting that Captain Curry drives the NTP Pumper float during the Jr. Orange Bowl Parade festivities.

Chief Reed further acknowledged the attendance of John's father, retired Chief Deputy Fire Chief John Curry, Sr., along with his mother. In summation Chief Reed stated that it was because of his allegiance and loyalty to the City and Fire Department, all of these reasons and more that Captain Curry is worthy of this long overdue recognition].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 5

A.-6. [11-1188](#)

Congratulations to Robert Garcia, Parking Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of December 2011.

Attachments: [Dec. 2011 EOM Letter](#)
[Cover Memo](#) [EOM Dec2011](#)

[Note for the Record: City Manager Salerno requested of Department of Human Resources Director Elsa Jaramillo-Velez to again approach the podium in connection with recognition of Robert Garcia, Parking Department, as the recipient of the City of Coral Gables Employee of the Month Award, for the month of December, 2011.

Mrs. Jaramillo prefaced her remarks by stating that Mr. Garcia, who has been with the City for three years, and whom she has seen in the hallways, as well as in mutual areas within the Department of Human Resources has always been very positive and professional. During the video presentation segment of the Employee of the Month Recognition, Parking Department Director Kevin Kinney stated that he was happy to acknowledge Robert Garcia for the Employee of the Month Award recognition; further noting Robert's willingness to help out whenever there is a need to do so; further stating that he has a great attitude, and that he has learned a lot of administrative functions, in furtherance of boosting assistance to the office when there is a need to fill in.

Mr. Kinney further pointed out that Robert has completed the Ambassador Program, and often walks Miracle Mile providing information to merchants, residents and visitors alike, noting that in his spare time he has even assisted the Police Department (i.e. notifying them by providing information in furtherance of apprehending a suspect who had allegedly committed a crime-(i.e. breaking into a vehicle); further offering his congratulations in making Coral Gables a happier place-stating that he does not know of any other event wherein the City's Parking Enforcement Specialist are not on the streets writing tickets (laughter).

In accepting this Award recognition, Robert thanked the City Commission, as well as his department for always being there for him, along with the City's workforce as evidenced by their daily work attendance in delivering a high level of service to its residents.

Mayor Cason in closing informed Robert that this award recognition carries with it diplomatic immunity (laughter)].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 6

B. APPROVAL OF MINUTES

- B.-1. [11-1189](#) Regular City Commission Meeting of October 25, 2011.

Attachments: [Meeting Minutes.pdf](#)
[Verbatim Transcript - Item I-1 - Resolution settlement CCG v Quantum Leap.pdf](#)
[Verbatim Transcript - Agenda Items C-1 - C-7.pdf](#)
[Verbatim Transcript - Agenda Item I-3 - Discussion and-or actions regarding Biltm](#)

A motion was made by Commissioner Anderson, seconded by Commissioner Quesada, that this motion be approved. 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. 7

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 Commissioner Anderson, seconded by Commissioner Quesada, to Adopt the Consent Agenda. The motion carried by the following vote:

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

RESOLUTION NO. 2011-269

C.-1. [11-1163](#)

Resolution confirming Pat Keon to serve as a member of the Planning and Zoning Board (appointed by the Board-As-A-Whole) for a two (2) year term beginning June 1, 2011 through May 31, 2013.

Attachments: [R-2011 - Draft - Appointment - Pat Keon - Planning and Zoning Board](#)
[C-1 Signed Cover Memo](#)
[Signed Resolution 2011-269](#)

RESOLUTION CONFIRMING PAT KEON (APPOINTED BY THE BOARD-AS-A-WHOLE) TO SERVE AS A MEMBER OF THE PLANNING AND ZONING BOARD FOR A TWO (2) YEAR TERM, BEGINNING JUNE 1, 2011 THROUGH MAY 31, 2013.

This Matter was adopted by Resolution Number 2011-269 on the Consent Agenda.

City Clerk Item No. 8

RESOLUTION NO. 2011-270

- C.-2. [11-1164](#) Resolution appointing Ani Ortiz to serve as a member of the Coral Gables Merrick House Governing Board (nominated by Mayor Cason) for a two (2) year term beginning June 1, 2011 through May 31, 2013.

Attachments: [R-2011 - appointment Ani Ortiz Draft](#)
[C-2 Signed Cover Memo](#)
[Signed Resolution 2011-270](#)

RESOLUTION APPOINTING ANI ORTIZ, (NOMINATED BY MAYOR CASON) TO SERVE AS A MEMBER OF THE CORAL GABLES MERRICK HOUSE FOR A TWO (2) YEAR TERM, BEGINNING JUNE 1, 2011 THROUGH MAY 31, 2013.

This Matter was adopted by Resolution Number 2011-270 on the Consent Agenda.

City Clerk Item No. 9

RESOLUTION NO. 2011-271

- C.-3. [11-1161](#) Resolution granting permission to The St. Patrick's Day Committee, Inc. to sell alcoholic beverages from noon until 6:00 p.m. on Saturday, March 10, 2012, at Fred B. Hartnett/ Ponce Circle Park as part of the St. Patrick's Day Festival, subject to Florida Department of Professional Regulation requirements.

Attachments: [Draft Resolution.pdf](#)
[C-3 Signed Cover Memo](#)
[Signed Resolution 2011-271](#)

RESOLUTION GRANTING PERMISSION TO THE ST. PATRICK'S DAY COMMITTEE, INC. TO SELL ALCOHOLIC BEVERAGES FROM NOON TO 6:00 P.M. ON SATURDAY, MARCH 10, 2012, AT FRED B. HARTNETT PONCE CIRCLE PARK AS PART OF THE ST. PATRICK'S DAY FESTIVAL, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2011-271 on the Consent Agenda.

City Clerk Item No. 10

RESOLUTION NO. 2011-272

- C.-4. [11-1142](#) Resolution authorizing the execution of an Interlocal Agreement between the City of Coral Gables and Miami-Dade County allowing the City to operate a transit shuttle system along the Ponce de Leon Boulevard corridor.

Attachments: [Proposed Interlocal Agreement](#)
[Draft Resolution](#)
[C-4 Signed Cover Memo](#)
[Signed Resolution 2011-272](#)

RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND MIAMI-DADE COUNTY ALLOWING THE CITY TO OPERATE A TRANSIT SHUTTLE SYSTEM ALONG THE PONCE DE LEON BOULEVARD CORRIDOR.

This Matter was adopted by Resolution Number 2011-272 on the Consent Agenda.

City Clerk Item No. 11

RESOLUTION NO. 2011-273

- C.-5. [11-1183](#) Resolution extending the towing services contract with Downtown Towing Company, pursuant to Section 2-829 of the Procurement Code entitled "Approval of Change Orders and Contract Modifications" on a month-to-month basis from December 1, 2011 for a period not to exceed three (3) months to provide additional time for a new towing contract to be executed.

Attachments: [Draft Resolution.pdf](#)
[C-5 Signed Cover Memo](#)
[Signed Resolution 2011-273](#)

RESOLUTION EXTENDING THE TOWING SERVICES CONTRACT WITH DOWNTOWN TOWING COMPANY, PURSUANT TO SECTION 2-829 OF THE PROCUREMENT CODE ENTITLED "APPROVAL OF CHANGE ORDERS AND CONTRACT MODIFICATIONS" ON A MONTH TO MONTH BASIS FROM DECEMBER 1, 2011 FOR A PERIOD NOT TO EXCEED THREE (3) MONTHS TO PROVIDE ADDITIONAL TIME FOR A NEW TOWING CONTRACT TO BE EXECUTED.

This Matter was adopted by Resolution Number 2011-273 on the Consent Agenda.

City Clerk Item No. 12

RESOLUTION NO. 2011-274

- C.-6. [11-1179](#) Resolution authorizing the placement of a temporary banner at the First Church of Christ, Scientist, located at 410 Andalusia Avenue, Coral Gables, Florida.

Attachments: [C-6 Signed Cover Memo](#)
[First Church of Christ Church Banner Resolution](#)
[Church Letter](#)
[Signed Resolution 2011-274](#)

A 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 2011-274 on the Consent Agenda.

City Clerk Item No. 13

RESOLUTION NO. 2011-275

- C.-7. [11-1184](#) Resolution authorizing a temporary public art display by Fairchild Tropical Botanic Garden, Inc., of work by Will Ryman in Cartagena Plaza.

Attachments: [Resolution - 11-8-11 \(Fairchild Art\).pdf](#)
[10 AAP a Minutes OCTOBER 6 2011 Excerpts.pdf](#)
[10 CDB a Minutes October 18, 2011 exerpts.pdf](#)
[C-7 Signed Cover Memo](#)
[Signed Resolution 2011-275](#)

RESOLUTION AUTHORIZING A TEMPORARY PUBLIC ART DISPLAY BY FAIRCHILD TROPICAL BOTANIC GARDEN, INC.OF WORK BY WILL RYMAN IN CARTAGENA PLAZA.

This Matter was adopted by Resolution Number 2011-275 on the Consent Agenda.

City Clerk Item No. 14

RESOLUTION NO. 2011-276

- C.-8. [11-1191](#) Resolution accepting the recommendation of the Chief Procurement Officer to approve continuing contracts with C3TS, Inc., Ferguson Glasgow Shuster Soto, Inc., AECOM Technical Services, Inc., and M.C. Harry & Associates, Inc., for architectural consulting services pursuant to Florida Statute 287.055, known as the "Consultants Competitive Negotiation Act" and Request for Qualifications (RFQ) 2011.05.20 for an initial two (2) year period with an option for one (1) additional two (2) year period.

Attachments: [Draft Reso.pdf](#)
[C-8 Signed Cover Memo](#)
[Contract 1](#)
[Contract 2](#)
[Contract 3](#)
[Contract 4](#)
[Signed Resolution 2011-276](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO APPROVE CONTINUING CONTRACTS WITH C3TS, INC., FERGUSON GLASGOW SHUSTER SOTO, INC., AECOM TECHNICAL SERVICES, INC., AND M.C. HARRY & ASSOCIATES, INC., FOR ARCHITECTURAL CONSULTING SERVICES PURSUANT TO FLORIDA STATUTE 287.055, KNOWN AS THE "CONSULTANTS COMPETITIVE NEGOTIATION ACT" AND REQUEST FOR QUALIFICATIONS (RFQ) 2011.05.20 FOR AN INITIAL TWO (2) YEAR PERIOD WITH AN OPTION FOR ONE (1) ADDITIONAL TWO (2) YEAR PERIOD.

This Matter was adopted by Resolution Number 2011-276 on the Consent Agenda.

City Clerk Item No. 15

RESOLUTION NO. 2011-277

- C.-9. [11-1192](#) Resolution accepting the recommendation of the Chief Procurement Officer to authorize negotiations with C3TS, Inc., ADA Engineering, Inc., and AECOM Technical Services, Inc., of continuing contracts for General Engineering Consulting Services pursuant to Florida Statute 287.055, known as the "Consultants Competitive Negotiation Act" and Request for Qualifications (RFQ) 2011.08.19B.

Attachments: [Draft Reso.pdf](#)
[C-9 Signed Cover Memo](#)
[Signed Resolution 2011-277](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AUTHORIZE NEGOTIATIONS WITH C3TS, INC., ADA ENGINEERING, INC., AND AECOM TECHNICAL SERVICES, INC., OF CONTINUING CONTRACTS FOR GENERAL ENGINEERING CONSULTING SERVICES PURSUANT TO FLORIDA STATUTE 287.055, KNOWN AS THE "CONSULTANTS COMPETITIVE NEGOTIATION ACT" AND REQUEST FOR QUALIFICATIONS (RFQ) 2011.08.19B.

This Matter was adopted by Resolution Number 2011-277 on the Consent Agenda.

City Clerk Item No. 16

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

- C.-10. [11-1160](#) Landscape Beautification Advisory Board Meeting of October 6, 2011

Attachments: [BC Cover Sheet 10-6-11](#)
[Minutes BC 10-6-11](#)
[LBAB Minutes 10-6-11signed.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

- C.-11. [11-1162](#) International Affairs Coordinating Council Meeting of October 18, 2011

Attachments: [Microsoft Word - cover letter 10-18-11](#)
[Microsoft Word - IACC-MinutesOCT2011](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

- C.-13. [11-1173](#) City of Coral Gables/University of Miami Community Relations Committee Meeting of October 3, 2011

Attachments: [Community Relations Comm-October 3 2011 MINUTES](#)
[Cover Memo October 3, 2011 \(Commission\)](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 19

- C.-14. [11-1177](#) Disability Affairs Advisory Board Meeting of September 7, 2011

Attachments: [Disability Affairs Board 9-7-11 MINUTES](#)
[Disability Affairs Board 9-7-11 COVER](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 20

C.-15 [11-1178](#) Green Task Force Meeting of September 28, 2011

Attachments: [Green Task Force 9-28-11 MINUTES](#)
[Green Task Force 9-28-11 COVER](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 21

C.-16. [11-1186](#) Communications Committee Meeting of October 20, 2011

Attachments: [Microsoft Word - Agendaitemnovember2011.pdf](#)
[Microsoft Word - minutes october 2011.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 22

Pulled from Consent Agenda

- C.-12. [11-1172](#) Library Advisory Board Meeting of October 12, 2011

Attachments: [LB Cover Sheet 10-12-11](#)
[Library Minutes 10-12-11](#)
[LAB Minutes 10-12-11 signed](#)

[Note for the Record: Commissioner Cabrera stated that he pulled Agenda Item C-12 (Library Advisory Board Meeting of October 12, 2011); further explaining the relationship between the City and the Library, which in his opinion he describes as that of a landlord, said library facility, being within the jurisdictional boundary of Miami-Dade County; further introducing Library Chairperson Lisa Bennett (who was also joined by fellow Board members, including former Chairperson Kendall Turner and Sylvia Hernandez) in support of this request, who further states that the Library Advisory Board works diligently with the library staff to ensure that the library continues as a thriving venue on a daily basis; further proffering certain comments regarding the Library Board itself- including the fact that the Library Board function as a liaison between Miami-Dade County and the City in all matters relating to the functioning of the Library, adding the City owns the real estate, the County leases the Library, provides staff and programming on many issues as contained in the Inter-local Agreement between the City and Miami-Dade County (i.e. improvements to the Library Building; Maintenance to the Building/Property; the Library has been instrumental in doing new projects: art exhibits; History of the Library was written (by Kendall Turner); further stating that in the opinion of the Library Board, the Library is one of the most important resources in our community- it is in the heart of our community.

Ms. Bennett further said that because of budgetary constraints, and technology changes, there are certain segments of our community who think that the library is less important than what it used to be; further dismissing such views as they pertain to the library, urging those friends of the library to be vigilant in protecting our library and in ensuring that it continues to thrive as a resource in our community; further stating that following her review of the City's 31 Boards and Committees, that she has found that there are seven other Boards with a composition of five members; further stating that most have a Board composition between seven and nine members; further observing that if a Board member is absent, then the conduct of the board meeting is held with a minimum quorum (3), adding that it is difficult to hold an energetic complete meeting with such limited participation; further proffering a recommendation that either an amendatory resolution or ordinance, subject to the City Attorney's ruling on said matter be drafted to change the composition of the Board's membership from five to

seven members, said new appointees to be made by the City Manager and the latter one to be made by the Board-As-A-Whole-further stating that additional input, expertise, creativity and ideas are needed; further observing that the Pinewood Cemetery Board has a seven members, and that she feels that the Library Board is equally as important.

Commissioner Cabrera, following Ms. Bennett's comments inquired of his colleagues as to whether they were in agreement with the recommendation of the Library Advisory Board, as it pertained to increasing its composition- whereby Commissioner Anderson stated that it was no problem; further stating that she has been of the opinion that less boards are better; less people are better, but who is to know better than the Board members themselves; Vice Mayor Kerdyk stated that it is important to listen to the Board members- further citing that the Board members give of their time freely; further stating that since the recommendation is to increase the composition to seven, he is supportive; Commissioner Quesada reiterated that he is also supportive of the recommended increase in the composition of the Board to seven members; Commissioner Cabrera stated that having served on four City Boards, possessing the kind of talent, such as that found on the Library Board like Lisa Bennett, this is the opportunity where we can derive from that additional talent, therefore he supports the recommended increase in Board composition.

Mayor Cason added that if what has been proffered is the Board's recommendation, it doesn't cost any extra money, then it is better in terms of bringing forth creativity and talent.

Commissioner Cabrera further added that the City Manager can instruct City staff to review said matter, and bring back draft legislation to the City Commission for a formal change in the composition of the Library Advisory Board membership, from five to seven members].

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

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

City Clerk Item No. 23

D. PERSONAL APPEARANCES

None

City Clerk Item No. 24

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.

RESOLUTION**RESOLUTION NO. 2011-278**

- E-1. [11-1187](#) Resolution authorizing staff to proceed with implementation of the Neighborhood Renaissance Program street resurfacing initiative.

Attachments: [NRP Street Paving - RESOL E-1 Signed Cover Memo](#)
[NRP street resurfacing survey](#)
[NRP street resurfacing survey map](#)
[E-1 - Correspondence - Neighborhood Renaissance Program - Gables Renaissance Signed Resolution 2011-278](#)

RESOLUTION AUTHORIZING STAFF TO PROCEED WITH IMPLEMENTATION OF THE NEIGHBORHOOD RENAISSANCE PROGRAM STREET RESURFACING INITIATIVE.

[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 Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2011-278. The motion passed by the following vote:

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

Nays : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 25

ORDINANCES ON FIRST READING**Items E.-2., E.-3. and E.-4. are related****ORDINANCE NO. 2011-12**

- E.-2.** **11-1165** Change of Land Use for the Coral Gables Museum. An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Small Scale Amendment procedures subject to ss. 163.3187 as amended, Florida Statutes, from "Public Buildings and Grounds" to "Commercial, Low-Rise Intensity" on Lots 1-4 and the north half (1/2) of a vacated alleyway and "Commercial, Mid-Rise Intensity" on lots 42-48 and the south half (1/2) of a vacated alleyway for the property commonly known as the Coral Gables Museum, legally described as Lots 1-4 and 42-48 and a portion of a vacated alleyway, Block 34, Section "K" (285 Aragon Avenue), Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date. (PZB/LPA recommended approval, vote: 5-0) (Passed on First Reading November 8, 2011)

Attachments: [11 08 11 CC Cover Memo re: Coral Gables Museum 1st reading](#)
[11 08 11 Exhibit D: Draft ZC Provisions](#)
[11 08 11 Exhibit E: 10 19 11 Staff Report](#)
[E-2, E-3 & E-4 Signed Cover Memo](#)
[11 08 11 Exhibit A: Ordinance re Change of Land Use](#)
[11 08 11 Exhibit B: Ordinance re Change in Zoning](#)
[11 08 11 Exhibit C: Ordinance re ZC Text Amend Museum](#)
[11 08 11 Exhibit F: 10 19 11 PZB Meeting Minutes](#)
[12 13 11 Exhibit A: Coral Gables Museum Change of Land Use Ordinance - 2nd r](#)
[12 13 11 Exhibit B: Coral Gables Museum rezoning Ordinance - 2nd reading](#)
[12 13 11 Exhibit C: Coral Gables Museum ZC text amend. Ordinance - 2nd readi](#)
[12 13 11 CC Cover Memo re: Coral Gables Museum cover memo 2nd reading](#)
[E-1, E-2&E-3 Signed Cover Memo](#)
[Signed Ordinance 2011-12](#)

[Note for the Record: The verbatim transcript for Agenda Item E-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 motion 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. 26

ORDINANCE NO. 2011-13

- E.-3. [11-1166](#) Change of Zoning for the Coral Gables Museum. An Ordinance of the City Commission of Coral Gables, Florida amending the City of Coral Gables Official Zoning Map providing for a Change of Zoning from Special Use (S) District to Commercial (C) District for the property legally described as Lots 1-4 and 42-48 and portion of vacated alleyway, Block 34, Section "K" (285 Aragon Avenue), Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 5-0) (Passed on First Reading November 8, 2011)

Attachments: [11 08 11 Exhibit D: Draft ZC Provisions](#)
[11 08 11 Exhibit E: 10 19 11 Staff Report](#)
[11 08 11 CC Cover Memo re: Coral Gables Museum 1st reading E-2, E-3 & E-4 Signed Cover Memo](#)
[11 08 11 Exhibit A: Ordinance re Change of Land Use](#)
[11 08 11 Exhibit B: Ordinance re Change in Zoning](#)
[11 08 11 Exhibit C: Ordinance re ZC Text Amend Museum](#)
[11 08 11 Exhibit F: 10 19 11 PZB Meeting Minutes](#)
[12 13 11 Exhibit A: Coral Gables Museum Change of Land Use Ordinance - 2nd reading](#)
[12 13 11 Exhibit B: Coral Gables Museum rezoning Ordinance - 2nd reading](#)
[12 13 11 Exhibit C: Coral Gables Museum ZC text amend. Ordinance - 2nd reading](#)
[12 13 11 CC Cover Memo re: Coral Gables Museum cover memo 2nd reading E-1, E-2&E-3 Signed Cover Memo](#)
[Signed Ordinance 2011-13](#)

[Note for the Record: Following the title to Agenda Item E-3 being read into the public record, there being no public testimony proffered, nor there being any deliberation by any member of the City Commission, on a motion being made by Vice Mayor Kerdyk and seconded by Commissioner Anderson, Mayor Cason instructed the City Clerk to call the roll on Agenda Item E-3].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading. 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. 27

ORDINANCE NO. 2011-14**E.-4. [11-1167](#)**

Zoning Code Text Amendment for the Coral Gables Museum. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts", adding "Museum" as a permitted use in Commercial (C) District and Industrial (I) District and as a conditional use in Commercial Limited (CL) District and Special Use (S) District, and Article 8, "Definitions", creating a definition for "Museum", and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 5-0) (Passed on First Reading November 8, 2011)

Attachments: [11 08 11 Exhibit D: Draft ZC Provisions](#)
[11 08 11 Exhibit E: 10 19 11 Staff Report](#)
[11 08 11 CC Cover Memo re: Coral Gables Museum cover memo 1st reading E-2, E-3 & E-4 Signed Cover Memo](#)
[11 08 11 Exhibit A: Ordinance re Change of Land Use](#)
[11 08 11 Exhibit B: Ordinance re Change in Zoning](#)
[11 08 11 Exhibit C: Ordinance re ZC Text Amend Museum](#)
[11 08 11 Exhibit F: 10 19 11 PZB Meeting Minutes](#)
[12 13 11 Exhibit A: Coral Gables Museum Change of Land Use Ordinance - 2nd r](#)
[12 13 11 Exhibit B: Coral Gables Museum rezoning Ordinance - 2nd reading](#)
[12 13 11 Exhibit C: Coral Gables Museum ZC text amend. Ordinance - 2nd reading](#)
[12 13 11 CC Cover Memo re: Coral Gables Museum cover memo 2nd reading E-1, E-2&E-3 Signed Cover Memo](#)
[Signed Ordinance 2011-14](#)

[Note for the Record: Following the title to Agenda Item E-4 being read into the public record, there being no public testimony proffered, nor there being any deliberation by any member of the City Commission, on a motion being made by Vice Mayor Kerdyk and seconded by Commissioner Anderson, Mayor Cason instructed the City Clerk to call the roll on Agenda Item E-4].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading. The motion passed by the following vote:

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

City Clerk Item No. 28

ORDINANCE NO. 2011-15

- E.-5. [11-1168](#) Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 3, "Development Review", Division 10, "Transfer of Development Rights", to update and clarify the provisions; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 5-0) (Passed on First Reading November 8, 2011)

Attachments: [11 08 11 CC Cover Memo re: TDRs 1st reading](#)
[11 08 11 Exhibit A: TDR Draft ZC Provisions](#)
[11 08 11 Exhibit B: Ordinance Draft](#)
[11 08 11 Exhibit C: 10 19 11 Staff Report](#)
[E-5 Signed Cover Memo](#)
[11 08 11 Exhibit D: 10 19 11 PZB Meeting Minutes](#)
[12 13 11 CC Cover Memo re: TDRs 2nd reading](#)
[12 13 11 Exhibit A: TDR Ordinance - ZC Text Amendment CC - 2nd Reading](#)
[E-4 Signed Cover Memo](#)
[Signed Ordinance 2011-15](#)

[Note for the Record: Following the title to Agenda Item E-5 being read by the City Attorney into the public record, Eric Riel, Planning Division, Development Services Department informed the viewing public that this agenda item basically is to clarify the provisions regarding issuance of the Transfer of Development Rights (TDRs); further stating that there are no content changes- the only change in content is the addition of a two year time limitation for the Issuance of the Certificate of TDR's and City Commission approvals; further stating that the Planning and Zoning Board did review this matter and recommended approval by a 5-0 vote.

Questions, Inquiries, Comments and Concerns from the City Commission: Vice Mayor Kerdyk inquired as to the issue of whether when one has stricken the reference to Central Business District, as more particularly found on page 3, Zoning Code, Section 3-100224(B)(2) and has inserted designated commercial district, is the City expanding the Central Business District where the TDR's are allowed?- whereby Mr. Riel responded in the negative, saying that it is still the Central Business District.

Vice Mayor Kerdyk further inquired as to whether TDR's are from descending site, as we have allowed establishment of a square footage of the descending site?- and that the multiplier that one is using, that is still in place is still 3.0?- whereby Mr. Riel responded that the multiplier the City is using is and has always been 3.5. Kerdyk differed in his view, questioning as to whether the 3.5 multiplier being used by the City represents a material change?- further instructing through the City Manager that this matter be checked between first and second reading of the Ordinance].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading. 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. 29

ORDINANCE NO. 2011-16

- E.-6. [11-1169](#) Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 5, "Development Standards", Division 19, "Signs", creating new sign code provisions allowing for "Signature event signs" and "Art in Public Place signs" and Article 8, "Definitions", creating new definitions; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with modifications, vote: 5-0) (Passed on First Reading November 8, 2011)

Attachments: [11 08 11 CC Cover Memo re: Signs & Art in Public Places 1st reading](#)
[11 08 11 Exhibit A: Draft ZC Provisions](#)
[11 08 11 Exhibit B: Ordinance Draft](#)
[11 08 11 Exhibit C: 10 19 11 Staff Report](#)
[E-6 Signed Cover Memo](#)
[11 08 11 Exhibit D: 10 19 11 PZB Meeting Minutes](#)
[12 13 11 CC Cover Memo re: Signs 2nd reading](#)
[12 13 11 Exhibit A: Ordinance - ZC Text Amendment - Signature Event Signs 2nc](#)
[E-5 Signed Cover Memo](#)
[Signed Ordinance 2011-16](#)

[Note for the Record: City Manager Salerno requested of Planning Director Eric Riel to approach the podium to present Agenda Item E-6. Mr. Riel prefaced his remarks by informing the City Commission that there are two new sign code provisions, namely Signature Events Signs and Art in Public Places Signs-the former sign shall only advertise events at the facility where the sign is located, and said signs can be erected 90 days in advance of the event-further citing last month wherein the City Commission approved a banner to be placed on top of the Coral Gables Museum-the new sign provisions allow for Signature Events Signs at museums, on screen cinemas and theaters.

Mr. Riel further explained that Art in Public Places Signs allows for the placement of two (2) permanent signs per public art piece and one (1) temporary sign per art piece with the ability of the Board of Architects to have the discretion to allow or deny for the placement of the second permanent sign. The Planning Advisory Board provided for a reduction in the size of the permitted signs from three hundred twenty-four to one hundred -and- twenty-one inches. Currently, there are no provisions within the City's Zoning Code providing for signs for signature events or public art.

Questions, Comments, Inquiries and Concerns by the City Commission

Vice Mayor Kerdyk inquired through the City Manager as to how long can the banners at the Coral Gables Museum stay up?-further referencing the matter of size of the banners, more particularly stating that they must be five percent of the mass of the building (Coral Gables Museum). Mr. Riel stated that the banners currently on the Coral Gables Museum pretty much represent the maximum size of what will be allowed- further adding that the only exceptions are the ones existing on Salzedo, those

that are on the columns of the Coral Gables Museum, one can put two (2) to three (3) times more than that; further pointing out that in terms of the time frame, the banners may stay up for the duration of the entire event.

Vice Mayor Kerdyk further inquired as to whether the banners can remain up to six months?- Mr. Riel responded that since the Coral Gables Museum continually has events, the banners may stay up accordingly. Vice Mayor Kerdyk asked how does one measure where the cinema is, since it is a part of the parking garage?- finally querying Mr. Riel as to whether in his opinion, he feels that this is starting a precedent?- whereby Mr. Riel responded that if one looks at the definition, it does not include the side of the parking garage, further stating that it is not precedent setting since it is only available to the City and cultural organizations, pointing out that said matter has to go through the Board of Architects and the Historic Preservation Board. Vice Mayor Kerdyk responded that once one absorbs the foundation of the overall ordinance, then said legislation will be implemented; stating that he will not support said measure, adding that he is conservative, having a preference for allowing banners to exist for a time certain, not in perpetuity, noting that he does not think that this is a good policy decision for the City of Coral Gables.

Mayor Cason added that he believed that the Signature Events Signage allows for signs to exist at facility where the event is taking place, citing an example of a movie to be held at a movie facility before said movie event.

Mr. Riel further explained that there are illustrations on each of these issues that gives one some idea on the types of signs, examples of same].

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

Yeas : 3 - Commissioner Anderson, Commissioner Quesada and Mayor Cason

Nays : 2 - Commissioner Cabrera, Jr. and Vice Mayor Kerdyk, Jr.

City Clerk Item No. 30

ORDINANCE NO. 2011-20

- E.-7. [11-1170](#) Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-201, "Mixed Use District (MXD)", amending ground floor office use provisions for MXD projects; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 5-0) (Passed on First Reading November 8, 2011)

Attachments: [E-7 Signed Cover Memo](#)
[11 08 11 CC Cover Memo re MXD office 1st reading](#)
[11 08 11 Exhibit A: ZC Draft Provisions](#)
[11 08 11 Exhibit B: Ordinance Draft](#)
[11 08 11 Exhibit C: 10 19 11 Staff Report](#)
[11 08 11 Exhibit D: 10 19 11 PZB Meeting Minutes](#)
[12 13 11 CC Cover Memo re: MXD office 2nd reading](#)
[12 13 11 Exhibit A: Ordinance - Density ZC Text Amendment - CC 2nd Reading](#)
[E-6 Signed Cover Memo](#)
[Signed Ordinance 2011-20](#)

[Note for the Record: Following the reading of the title to Agenda Item E-7 by the City Attorney into the public record, Planning Director Eric Riel informed the City Commission that the proposed amendment to amend the ground floor office use provisions of the Mixed Use District Projects represents a minor change. Currently, in the Mixed Use Districts/Mixed Use Buildings, one is not allowed to have office space unless one fronts on a right-of-way that has 100-foot width- further stating that the number of 100 foot-right-of ways is limited within the City (i.e. Alhambra Circle/Alhambra Plaza, US-1, etc.) stating that the proposed ordinance would allow ground floor uses within the mixed use projects and removes the Right of Way limitation.

Vice Mayor Kerdyk queried Mr. Riel regarding the percentage of the ground floor that has to be for retail uses?- further questioning Mr. Riel as to his personal views regarding same, whereby Mr. Riel stated that 8 percent of the ground floor has to be used for retail uses; further stating that currently the City is allowing for Ground Floor Office Uses; further pointing out that the City conducted a test regarding same approximately 6-7 years ago; further citing that there are limitations pertaining to frontage, but he does not have a problem with this-further pointing to the fact that it was his office that proffered this amendment. Mr. Riel also explained that with Retail Office, there will be pedestrian activity or animation on the street.

Finally, Mr. Riel stated that the Mixed Use Projects comes before the City Commission for its consideration, review and approval, and also is reviewed by the Planning Advisory Board].

A motion was made by Commissioner Anderson, seconded by Commissioner Quesada, that this motion be approved as an Ordinance on First Reading. 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. 31

ORDINANCE NO. 2011-19

E.-8. [11-1171](#)

Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-201, "Mixed Use District (MXD)", amending the residential unit density for MXD projects; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 5-0) (Passed on First Reading November 8, 2011)

Attachments: [E-8 Signed Cover Memo](#)
[11 08 11 CC Cover Memo re MXD density 1st reading](#)
[11 08 11 Exhibit A: ZC Draft Provisions](#)
[11 08 11 Exhibit B: Ordinance Draft](#)
[11 08 11 Exhibit C: 10 19 11 Staff Report](#)
[11 08 11 Exhibit D: 10 19 11 PZB Meeting Minutes](#)
[12 13 11 CC Cover Memo re: MXD density 2nd reading](#)
[12 13 11 Exhibit A: Ordinance - Density ZC Text Amendment - CC 2nd Reading](#)
[E-7 Signed Cover Memo](#)
[Signed Ordinance 2011-19](#)

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

Yeas : 4 - Commissioner Quesada, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Cason

Nays : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 32

F. CITY COMMISSION ITEMS

None

City Clerk Item No. 33

G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 34

H. CITY MANAGER ITEMS

RESOLUTION NO. 2011-279

- H.-1. [11-1146](#) Resolution accepting the recommendation of the Chief Procurement Officer pursuant to Section 2-583 of the Procurement Code entitled "Application of the Code" to waive the Procurement Code to lease from Peterson's Harley-Davidson of Miami, LLC eleven (11) 2012 Harley-Davidson FLHP Motorcycles for a term of twenty-four (24) months with the total lease amount not to exceed \$125,400 for all leased motorcycles.

Attachments: [Draft Resolution.pdf](#)
[H-1 Signed Cover Memo](#)
[Signed Resolution 2011-279](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER PURSUANT TO SECTION 2-583 OF THE PROCUREMENT CODE ENTITLED "APPLICATION OF THE CODE" TO WAIVE THE PROCUREMENT CODE TO LEASE FROM PETERSON'S HARLEY-DAVIDSON OF MIAMI, LLC ELEVEN (11) 2012 HARLEY-DAVIDSON FLHP MOTORCYCLES FOR A TERM OF TWENTY-FOUR (24) MONTHS WITH THE TOTAL LEASE AMOUNT NOT TO EXCEED \$125,400 FOR ALL LEASED MOTORCYCLES.

[Note for the Record: Following the reading of the title to Agenda Item H-1 into the public record, City Manager Salerno informed the City Commission that this matter was before them, because in accordance with Section 2-583 of the Procurement Code, it authorizes the City Commission to waive the Procurement Code upon a four-fifths vote, where it finds such waiver to be necessary in order to proceed with the issuance of a contract, proposal or bid which is in the best interest of the City-further stating that the Coral Gables Police Department is on a two year replacement cycle, regarding replacement of eleven (11) 2011 Harley-Davidson Motorcycles for the Police Department with 2012 models; further stating that the amount not to exceed \$125,400 or \$425 per month for a term of two years (from January 2012 or until such date that the City accepts delivery of the new motorcycles) is the same charge that Harley Davidson Motorcycles from Peterson's Harley Davidson of Miami, LLC charges all of the municipal Police Departments engaged in a leasing arrangement with said vendor].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2011-279. 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. 35

I. CITY ATTORNEY ITEMS

- I.-1. [11-1190](#) Commission discussion and/or actions regarding Biltmore matters.

This Agenda Item was Discussed and Filed

City Clerk Item No. 36

J. CITY CLERK ITEMS

None

City Clerk Item No. 37

K. DISCUSSION ITEMS

Mayor Cason: Let's move on then to the City Discussion Items, do you have anything, Maria?

Commissioner Anderson: I just have two quick nice things. A member of my church showed me this program for the Catholic Charities Refugee Program, and I just wanted to note that our Mayor was the keynote speaker, and as a result of that sold out the place and they were very pleased. So he was thrilled, and that's a great cause, something that would have made my Mom really proud; and there was another quick thing, on the Art Circuit Guide that the City put out, I just wanted to say that was a great production of the Economic Sustainability Department to the Art Guide, so I wanted to give kudos to that, and that's it for me.

Mayor Cason: Ralph?

Commissioner Cabrera: Nothing.

Mayor Cason: Bill?

Vice Mayor Kerdyk: I'm fine thank you.

Mayor Cason: Frank?

Mayor Cason: I have one item and I would ask my colleagues to support me on this. As you know, I come from the State Department, the Office of Foreign Missions is in

Coral Gables and they are the organization that supports all of the consulates and trade centers really in South Florida, there are quite a few, I think we have 17 consulates and 4 trade centers; they would like to do their Christmas party this year for all of the consulates in Coral Gables, they'd like to do it at the Venetian Pool, and being the federal government and what's happening with the federal government they need a waiver of \$800 for the normal fees and the deposits that they would make; and I would ask if you all would support me on that so that we can show our City to all of the consulates, and hopefully get more of them to agree to move into Coral Gables.

Commissioner Cabrera: Most certainly.

Mayor Cason: Everybody agree with that.

Commissioner Cabrera: Does that create any problem?- because we love saying this, does that create any problem from a precedent setting standpoint, Mr. City Attorney?

City Attorney Leen: No. Based upon what was stated it's completely within your discretion.

Commissioner Cabrera: OK.

Mayor Cason: The federal government has more....

Commissioner Cabrera: No, no, no, I just wanted to give it back because I get it all the time, so I wanted to give it back.

Mayor Cason: I appreciate it.

Commissioner Anderson: It's going to pass anyway, but where I do have a problem maybe it's not a precedent, but it is for me at the end of a Commission item, maybe this should be something that we should put these kinds of things might be put on the thing so I can think about it.

Mayor Cason: We just heard from them today, we thought they were going somewhere else...

Commissioner Anderson: Got it, got it, in general those kinds of requests I would appreciate - great go ahead.

Mayor Cason: OK then thank you very much....

City Attorney Leen: Mr. Mayor I did have one thing. At the last meeting you had asked me to come back to report on my office, I would like to ask that I be able to do that at the next meeting. I spent all of my time the last two weeks working on the Biltmore, aside from also approving things for the agenda...

Mayor Cason: You want a vacation?

City Attorney Leen: No, no, no. I was taking my mandate from you very seriously, so I devoted my time to that, but I'll report back at the next meeting. I'd been working on a resolution related to settlement authority, an ordinance related to my office, I've been working with the Manager on that as well to look at the different ways that it would affect the different officeholders, it's been a fruitful dialogue. Also, I wanted to talk to you a little bit about my office in the long run, I mentioned all this, but I want more time to prepare that and give a presentation.

Commissioner Cabrera: You want to do it by the 13th or you want to do it at a later time?

City Attorney Leen: Well, I'm thinking of the next meeting, but I would like to have some discretion there.

Commissioner Cabrera: Yes.

City Attorney Leen: It's a major issue for me, so I want to be fully prepared when I come before you.

Mayor Cason: Whenever you are ready. OK - great. That concludes the meeting. Meeting adjourned.

City Clerk Item No. 38

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 12:40 pm on November 8, 2011. The next regular meeting of the City Commission has been scheduled for December 13, 2011, beginning 9 a.m.]

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK