

# **City of Coral Gables**

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



## **Meeting Minutes**

**Tuesday, May 26, 2009**

**9:00 AM**

**City Hall, Commission Chambers**

### **City Commission**

*Mayor Donald D. Slesnick, II  
Vice Mayor William H. Kerdyk, Jr.  
Commissioner Maria Anderson  
Commissioner Rafael "Ralph" Cabrera, Jr.  
Commissioner Wayne "Chip" Withers*

*Patrick G. Salerno, City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

*The use of cell phones in the commission chambers is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings.*

**ROLLCALL**

**Present:** 5 - Mayor Slesnick II, Vice Mayor Kerdyk Jr., Commissioner Withers, Commissioner Anderson and Commissioner Cabrera Jr.

[Note for the Record: Prior to deliverance of the Invocation, Reverend Eric Kahl stated that today, beginning 11 a.m. at St. Phillips Episcopal Church, there will be a Memorial Service for the late Kaye Montgomery, the widow of John Montgomery, former Mayor of the City of Coral Gables].

**INVOCATION**

Reverend Eric Kahl from St. Philip's Episcopal Church gave the Invocation.

**PLEDGE OF ALLEGIANCE**

Vice Mayor Kerdyk 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) Ordinance(s) adopted (Ordinance No. 2009-25); (b) Resolution(s) adopted (Resolution No. 2009-126 through Resolution No. 2009-131); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [09-0362](#) Presentation of Certificates of Recognition to the members of the Public Safety Committee.

[Note for the Record: Mayor Slesnick invited the following herein below listed members of the recently dissolved Public Safety Committee to the dais to accept Certificates of Appreciation:

Bruce Hornik (appointed by the Business Improvement District)  
Omar Pasalodos (appointed by Vice Mayor Kerdyk)  
Rhonda Anderson (appointed by Commissioner Anderson)  
Admiral Jay Carmichael (appointed by mayor Slesnick)  
Chairman Renee Alvarez (appointed by Commissioner Cabrera)  
Blackie Stieglitz (Not present)

In closing, Mayor Slesnick collectively thanked each board member for their service to the City; further expressing his appreciation on behalf of the Commission for their service rendered].

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

City Clerk Item No. 1

**A.-2. [09-0343](#)**

Presentation of Government Finance Officers Association Distinguished Budget Presentation Award presented to City of Coral Gables, Florida for the Fiscal Year Beginning October 1, 2008.

[Note for the Record: Mayor Slesnick invited City Manager Pat Salerno to present a special recognition to our Finance Department, whereupon Mr. Salerno stated that it was his pleasure to present to the City Commission the Governmental and Financial Officers Association Distinguished Budget Presentation Award for the Fiscal Year beginning October 1, 2008.

Mayor Slesnick extended his congratulations to Don Nelson and his staff. Finance Director Don Nelson in accepting this accolade, stated that it is a great privilege and honor to accept this award for the 19th consecutive year; further stating that it is a comprehensive award that included a 443-page budget document that is reviewed by international and national reviewers; further stating that there are 35,933 cities in the United States; and only 2% or 722 are recipients of this honor in the U.S.

In closing, Mayor Slesnick thanked Mr. Nelson and his department for the good performance in earning this accolade on behalf of the City].

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

City Clerk Item No. 3

**A.-3. [09-0368](#)****Proclamation declaring 2nd Annual Restaurant Week in Coral Gables**

[Note for the Record: Commissioner Maria Anderson, prior to presenting a proclamation declaring "Restaurant Week" in Coral Gables, acknowledged the exemplary work performed by the Business Improvement District, in bringing attention to the downtown area of the City of Coral Gables; further inviting Business Improvement District Director Mari Molina to join her and introduce those representatives of restaurants whom were in attendance in support of the Second Annual Restaurant Week in Coral Gables, as more particularly described herein below:

- 1) Chef John Pierre, Le Provençal Restaurant
- 2) France Guillow, Owner, Le Provençal Restaurant
- 3) Joseph Thomas Russo, Executive Chief, Westin Colonnade Hotel
- 4) Jennifer McDonough, Food and Beverage Director, Westin Colonnade Hotel
- 5) Erik Guanche, Marketing Manager, Bicardi USA
- 6) Denise Erwin, Sales Marketing Manager, Morton's Steakhouse
- 7) Ashley Norman, Cheryl Anderson Marketing, does all of the public relations related activities for the Business Improvement District
- 8) Mike Wurster, Westin Colonnade General Manager
- 9) Fabian Basabe, Da Vittorio Restaurant.

Mayor Slesnick thanked the aforementioned group of restaurant representatives for being in attendance; further stating that our restaurant community is one of the highlights of the Coral Gables downtown area; further encouraging the group to keep up the good work, and hopefully, they may see members of our governing body visit their respective places of dining real soon].

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

City Clerk Item No. 2

**A.-4. [09-0352](#)**

Congratulations to Fernando Figueredo, Police Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of June 2009.

**Attachments:** [EOM June 09](#)  
[Employee of the Month Cover Memo](#)

[Note for the Record: Marj Adler in acknowledging the efforts of Fernando Figueredo, Police Department, as recipient of the City of Coral Gables Employee of the Month Award, for the month of June, 2009, stated that Fernando joined the City as a Communications Operator in August of 2006, later assuming the title of Police Records Clerk before joining the Property and Evidence Division team, as a Property Clerk in 2006, and was later nominated, along with the entire Property and Evidence Team group, and became finalist for the 2008 LEO Support Services Award, which is the most prestigious award in Miami-Dade County Law Enforcement; further acknowledging Fernando's keen understanding of the role of property support staff in making his supervisor's job easier.

Commissioner Withers in jest, queried Fernando, regarding whether there was any truth to the claim that his mother named him Fernando?-further questioning him as to what prompted him to get back on stage and seek the employee award recognition, following his failure to receive the Employee of the Year Recognition in 2007?-whereby Mr. Figuerdo responded that all good things come to those who wait; further adding that he knew that said recognition would be special today; further stating that today is his 25th Wedding Anniversary; further explaining that this means that his wife can return the dress that she bought for today's event, since she is at home sick].

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

City Clerk Item No. 4

**B. APPROVAL OF MINUTES**

B.-1. [09-0364](#) Regular City Commission Meeting of May 12, 2009

**Attachments:** [CCMtg May 12 2009 Agenda Item H-4 - Extension of trolley route](#)  
[CCMtg May 12 2009 Agenda Item E-2 - Terms of Members](#)  
[Meeting Minutes](#)  
[CCMtg May 12 2009 Agenda Item H-3 - Replacement shuttle buses for trolley pro](#)

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

**Yeas :** 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 5

**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 Vice Mayor Kerdyk, Jr., to Adopt the Consent Agenda. The motion carried by the following vote:**

**Yeas :** 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

**RESOLUTION NO. 2009-126**

- C.-1. [09-0348](#) Resolution authorizing the acceptance of Miami-Dade County's Parking Fines Reimbursement in the amount of \$13,037.00 to be used for the construction of sidewalk extensions throughout the City of Coral Gables to improve accessibility and equal opportunity to persons who have disabilities.

**Attachments:** [Fines Resolution](#)  
[General Affidavit](#)  
[Fines County letter](#)  
[C-1 Cover Memo](#)  
[Signed Resolution 2009-126.pdf](#)

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF MIAMI-DADE COUNTY'S PARKING FINES REIMBURSEMENT IN THE AMOUNT OF \$13,037.00 TO BE USED FOR THE CONSTRUCTION OF SIDEWALK EXTENSIONS THROUGHOUT THE CITY OF CORAL GABLES TO IMPROVE ACCESSIBILITY AND EQUAL OPPORTUNITY TO PERSONS WHO HAVE DISABILITIES.

**This Matter was adopted by Resolution Number 2009-126 on the Consent Agenda.**

City Clerk Item No. 6

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

- C.-29. [09-0340](#) International Affairs Coordinating Council Meeting of April 28, 2009

**Attachments:** [IACC042809minutes](#)  
[IACC042809](#)

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

City Clerk Item No. 7

- C.-30. [09-0341](#) Board of Adjustment Meeting of May 4, 2009

**Attachments:** [Recap May 2009](#)  
[BOADJ Summary 5-4-09](#)  
[Notice 5-04-09](#)  
[Cover Memo -5-4-09](#)

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

City Clerk Item No. 8



- C.-31. [09-0342](#) Retirement Board Meeting of April 22, 2009

**Attachments:** [Minutes.04-22-09](#)  
[CC.05-26-2009.April 22, 2009](#)

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

City Clerk Item No. 9

- C.-32. [09-0346](#) Landscape Beautification Advisory Board Meeting of May 7, 2009

**Attachments:** [Minutes BC 5-7-09](#)  
[BC Cover Sheet 5-7-09 na](#)  
[LBAB Minutes 5-7-09 signed.pdf](#)

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

City Clerk Item No. 10

- C.-33. [09-0349](#) Parks and Recreation Youth Advisory Board Meeting of April 7, 2009

**Attachments:** [Cover Memo YAB 4-7-09.pdf](#)  
[Min 4-7-2009.pdf](#)

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

City Clerk Item No. 11

- C.-34. [09-0356](#) Parks and Recreation Youth Advisory Board Meeting of May 12, 2009

**Attachments:** [Cover Memo YAB 5-12-09.pdf](#)  
[Min 5-12-2009.draft.pdf](#)

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

City Clerk Item No. 12

- C.-35. [09-0357](#) Cultural Development Board Meeting of April 20, 2009

**Attachments:** [04a Commission cover no action 05-26-09](#)  
[04 CDB Minutes APRIL 20 2009](#)

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

City Clerk Item No. 13

- C.-36. [09-0358](#) Senior Citizens Advisory Board Meeting of May 4, 2009

**Attachments:** [Cover Sheet.Minutes 05-04-09.pdf](#)  
[Min 05-04-2009 draft.pdf](#)

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

City Clerk Item No. 14

- C.-37. [09-0359](#) Coral Gables Advisory Board on Disability Affairs Meeting of March 4, 2009

**Attachments:** [Disability Cover](#)  
[Disability Minutes](#)

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

City Clerk Item No. 15

**Non Agenda Item**

**RESOLUTION NO. 2009-127**

- Non** [09-0417](#) A Resolution of the City Commission to defer Consent Agenda Items:C-1 through C-28),  
**Agenda** until the June 2, 2009 City Commission Meeting.

**Attachments:** [Signed Resolution 2009-127.pdf](#)

A RESOLUTION OF THE CITY COMMISSION TO DEFER CONSENT AGENDA ITEMS: C-1 THROUGH C-28), UNTIL THE JUNE 2, 2009 CITY COMMISSION MEETING.

[Note for the Record: (Agenda Items C-2 through C-28), Boards/Committees Appointments, were deferred by Resolution No. 2009-127].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-127. The motion passed unanimously.**

**Yeas :** 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 16

**Pulled From Consent Agenda****RESOLUTION NO. 2009-162****C.-2. [09-0371](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Board of Adjustment for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Jorge Mora  
Vice Mayor Kerdyk: Tony Bello  
Commissioner Cabrera: Katherine de Blij  
Commissioner Anderson: Vivian de las Cuevas-Diaz  
Commissioner Withers: John Lukacs  
City Manager: Joseph W. Briggie

**Attachments:** [Cover Memo - Board of Adjustment Board Appointments](#)  
[Draft Resolution - Board of Adjustment](#)  
[Signed Resolution 2009-162.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 17

**RESOLUTION NO. 2009-139****C.-3. [09-0372](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Budget/Audit Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Luis "Wicho" Hernandez  
Vice Mayor Kerdyk: Roland Sanchez-Medina  
Commissioner Anderson: Ofelia Fernandez  
Commissioner Cabrera: Gene Gutierrez  
Commissioner Withers: John Lindsay

**Attachments:** [Cover Memo - Budget Audit Advisory Board Appointments](#)  
[Draft Resolution - Budget Audit Advisory Board](#)  
[Signed Resolution 2009-139.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 18

**RESOLUTION NO. 2009-140****C.-4. [09-0373](#)**

Resolution appointing the following herein below listed individuals to serve as members of the City of Coral Gables Health Facilities Authority for a (4) four year term, beginning June 1, 2009 through May 31, 2013:

Mayor Slesnick: Manuel Marino  
Commissioner Anderson: George Andrews  
Commissioner Cabrera: Nicole E. Mestre

**Attachments:** [Cover Memo - Health Facilities Authority Board Appointments](#)  
[Draft Resolution - City of Coral Gables Health Facilities Authority](#)  
[Signed Resolution 2009-140.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 19

**RESOLUTION NO. 2009-141****C.-5. [09-0374](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Citywide Traffic Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Ian Martinez  
Vice Mayor Kerdyk: Frank Quesada  
Commissioner Anderson: Larry Kries  
Commissioner Cabrera: Deborah Swain  
Commissioner Withers: Chris Zoeller  
City Manager: Al Smith

**Attachments:** [Cover Memo - Citywide Traffic Advisory Board Appointments](#)  
[Draft Resolution - Citywide Traffic Advisory Board](#)  
[Signed Resolution 2009-141.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 20

**RESOLUTION NO. 2009-163****C.-6.     [09-0375](#)**

Resolution appointing the following herein below listed individuals to serve as members of the City of Coral Gables/University of Miami Community Relations Committee for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Robert "Bob" Berman  
Vice Mayor Kerdyk: Tamara Hartnett  
Commissioner Anderson: Ricardo Munarriz  
Commissioner Cabrera: Rene Alvarez  
Commissioner Withers: Bruce Steinberger  
City Manager: Sydney Josepher

**Attachments:**   [Cover Memo - University of Miami Community Relations Committee Appointments](#)  
[Draft Resolution - City of Coral Gables University of Miami Community Relations \(](#)  
[Signed Resolution 2009-163.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 21

**RESOLUTION NO. 2009-142****C.-7.     [09-0376](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Communications Committee for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Leslie Pantin  
Vice Mayor Kerdyk: David Stiefel  
Commissioner Anderson: Samuel Joseph  
Commissioner Cabrera: Maria Garcia  
Commissioner Withers: Vivian More

**Attachments:**   [Cover Memo - Communications Committee Appointments](#)  
[Draft Resolution - Communications Committee](#)  
[Signed Resolution 2009-142.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 22

**RESOLUTION NO. 2009-164****C.-8. [09-0377](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Construction Regulation Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Ignacio Lizama  
Vice Mayor Kerdyk: John Oramas  
Commissioner Cabrera: Carlos Nunez  
Commissioner Withers: Jorge E. Otero

**Attachments:** [Cover Memo - Construction Regulation Board Appointments](#)  
[Draft Resolution - Construction Regulation Board](#)  
[Signed Resolution 2009-164.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 23

**RESOLUTION NO. 2009-165****C.-9. [09-0378](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Coral Gables Advisory Board on Disability Affairs for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Vice Mayor Kerdyk: Bonnie Blaire  
Commissioner Anderson: Josefina Ramirez  
Commissioner Cabrera: Dr. Andy Gomez

**Attachments:** [Cover Memo - Advisory Board on Disability Affairs Board Appointments](#)  
[Draft Resolution - Coral Gables Advisory Board on Disability Affairs](#)  
[Signed Resolution 2009-165.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 24

**RESOLUTION NO. 2009-143****C.-10. [09-0379](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Coral Gables Merrick House Governing Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Barbara Reese  
Vice Mayor Kerdyk: Margaret Steele  
Commissioner Anderson: Susan Stanton  
Commissioner Cabrera: Michelle Moskowitz  
Commissioner Withers: Laura Yusko  
City Manager: Sondra Space

**Attachments:** [Cover Memo - Merrick House Governing Board Appointments](#)  
[Draft Resolution - Coral Gables Merrick House Governing Board](#)  
[Signed Resolution 2009-143.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 25

**RESOLUTION NO. 2009-144****C.-11. [09-0380](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Coral Gables Retirement Board (General Employees) for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Steven Naclerio  
Commissioner Anderson: Thomas Huston Jr.  
Commissioner Cabrera: Salvatore Geraci  
Commissioner Withers: Les Space

**Attachments:** [Cover Memo - Coral Gables Retirement Board \(General Employees\)](#)  
[Draft Resolution - Coral Gables Retirement Board General Employees](#)  
[Signed Resolution 2009-144.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 26

**RESOLUTION NO. 2009-145****C.-12. [09-0381](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Cultural Development Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Jose Garrigo  
Vice Mayor Kerdyk: Bobbi Litt  
Commissioner Anderson: Bernice Matalon  
Commissioner Cabrera: Carol Damian  
Commissioner Withers: Beatrice Pereira  
City Manager: Ginger Jochem

**Attachments:** [Cover Memo - Cultural Development Board](#)  
[Draft Resolution - Cultural Development Board](#)  
[Signed Resolution 2009-145.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 27

**RESOLUTION NO. 2009-146****C.-13. [09-0382](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Economic Development Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Bertram "Chico" Goldsmith  
Vice Mayor Kerdyk: Ray Zomerfeld  
Commissioner Anderson: John M. Thomson  
Commissioner Cabrera: Haydee Polo  
Commissioner Withers: Jim Casey

**Attachments:** [Cover Memo - Economic Development Board](#)  
[Draft Resolution - Economic Development Board](#)  
[Signed Resolution 2009-146.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 28



**RESOLUTION NO. 2009-147****C.-14. [09-0383](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Emergency Management Division for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Sean Pendray  
Mayor Slesnick: James "Jay" Carmichael  
Mayor Slesnick: Mark Miranda  
Vice Mayor Kerdyk: John Sorgie  
Vice Mayor Kerdyk: Bennet Taylor  
Vice Mayor Kerdyk: Al Perez  
Vice Mayor Kerdyk: Ed Boen  
Vice Mayor Kerdyk: Francisco Cuello  
Vice Mayor Kerdyk: Jeff Devin  
Commissioner Anderson: James T. Hill  
Commissioner Anderson: Jose M. de la Hoz  
Commissioner Anderson: James Smith  
Commissioner Anderson: Ana Gonzalez  
Commissioner Anderson: Julian Hoffman  
Commissioner Anderson: Danny Rosario  
Commissioner Cabrera: Manuel Morales  
Commissioner Cabrera: Lonnie Hayes  
Commissioner Cabrera: Raymond Poblocki  
Commissioner Cabrera: Ricardo P. Perez  
Commissioner Cabrera: Jose Amezaga  
Commissioner Withers: Lettie Bien  
Commissioner Withers: Douglas Hafner  
Commissioner Withers: Al Pereira  
Commissioner Withers: Worth Carson

**Attachments:** [Cover Memo - Emergency Management Division](#)  
[Draft Resolution - Emergency Management Division](#)  
[Signed Resolution 2009-147.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 29

**RESOLUTION NO. 2009-148****C.-15. [09-0384](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Historic Preservation Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Dorothy Thomson  
Vice Mayor Kerdyk: Peggy Rolando  
Commissioner Anderson: Ernesto Santos  
Commissioner Cabrera: Venny Torre  
Commissioner Withers: Frances "Dolly" MacIntyre  
City Manager: Joyce Meyers

**Attachments:** [Cover Memo - Historic Preservation Board Appointments](#)  
[Draft Resolution - Historic Preservation Board](#)  
[Signed Resolution 2009-148.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 30

**RESOLUTION NO. 2009-149****C.-16. [09-0385](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Insurance Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Roger Serola  
Vice Mayor Kerdyk: Ivan Brannon  
Commissioner Anderson: Ignacio Borbolla  
Commissioner Cabrera: Juan Carlos Diaz-Padron  
Commissioner Withers: Ruben Acosta

**Attachments:** [Cover Memo - Insurance Advisory Board Appointments](#)  
[Draft Resolution - Insurance Advisory Board](#)  
[Signed Resolution 2009-149.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 31

**RESOLUTION NO. 2009-150****C.-17. [09-0386](#)**

Resolution appointing the following herein below listed individuals to serve as members of the International Affairs Coordinating Council for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Commissioner Anderson: Allan Rosenbaum  
Commissioner Cabrera: Sylvester Luckis  
Commissioner Withers: Luba DeWitt  
City Manager: Arthur De Nunzio

**Attachments:** [Cover Memo - International Affairs Coordinating Council](#)  
[Draft Resolution - International Affairs Coordinating Council](#)  
[Signed Resolution 2009-150.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 32

**RESOLUTION NO. 2009-151****C.-18. [09-0387](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Landscape Beautification Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Barbara Katzen  
Vice Mayor Kerdyk: Jack Elmore  
Commissioner Anderson: Maria Cristina Longo  
Commissioner Cabrera: George Blet  
Commissioner Withers: Linda Lawrence  
City Manager: Robert "Bob" Parsley

**Attachments:** [Cover Memo - Landscape Beautification Advisory Board Appointments](#)  
[Draft Resolution - Landscape Beautification](#)  
[Signed Resolution 2009-151.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 33

**RESOLUTION NO. 2009-152****C.-19. [09-0388](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Library Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Vice Mayor Kerdyk: Ileana Davis  
Commissioner Anderson: Pamela Admire  
Commissioner Cabrera: Kendell Turner  
Commissioner Withers: Nancy Leslie

**Attachments:** [Cover Memo - Library Advisory Board Appointments](#)  
[Draft Resolution - Library Advisory Board](#)  
[Signed Resolution 2009-152.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 34

**RESOLUTION NO. 2009-153****C.-20. [09-0389](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Parking Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: J.C. Cabrera  
Vice Mayor Kerdyk: Carlos Halley  
Commissioner Anderson: Brad Rosenblatt  
Commissioner Cabrera: Aida Holian  
Commissioner Withers: Hendrikus Vanderveldt

**Attachments:** [Cover Memo - Parking Advisory Board Appointments](#)  
[Draft Resolution - Parking Advisory Board](#)  
[Signed Resolution 2009-154.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 35

**RESOLUTION NO. 2009-154****C.-21. [09-0390](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Parks and Recreation Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Joan Valdez  
Commissioner Anderson: Emilio Monte  
Commissioner Cabrera: Jorge Quirch  
Commissioner Withers: Marty Steinberger  
City Manager: Martha Serola

**Attachments:** [Cover Memo - Parks and Recreation Advisory Board](#)  
[Draft Resolution - Parks and Recreation Advisory Board](#)

**This Resolution was Deferred**

City Clerk Item No. 36

**RESOLUTION NO. 2009-155****C.-22. [09-0391](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Parks and Recreation Youth Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Margaret Cookson  
Vice Mayor Kerdyk: Ramon Diaz  
Commissioner Cabrera: Alexandra Morales  
Commissioner Withers: Kyle Parker  
City Manager: Bria Dewberry

**Attachments:** [Cover Memo - Parks and Recreation Youth Advisory Board Appointments](#)  
[Draft Resolution - Parks and Recreation Youth Advisory](#)  
[Signed Resolution 2009-155.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 37

**RESOLUTION NO. 2009-156****C.-23. [09-0392](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Pinewood Cemetery Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Vice Mayor Kerdyk: Michael "Tim" Crowther  
Commissioner Anderson: Sandra Cummings  
Commissioner Cabrera: Thomas Edward Lodge  
Commissioner Withers: Sean O'Sullivan

**Attachments:** [Cover Memo - Pinewood Cemetery Advisory Board Appointments](#)  
[Draft Resolution - Pinewood Cemetery Advisory Board](#)  
[Signed Resolution 2009-156.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 38

**RESOLUTION NO. 2009-157****C.-24. [09-0393](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Planning and Zoning Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Jack Coe  
Vice Mayor Kerdyk: Javier Salman  
Commissioner Anderson: Jeffrey Flanagan  
Commissioner Cabrera: Robert Behar  
City Manager: Eibi Aizenstat

**Attachments:** [Cover Memo - Planning and Zoning Board Appointments](#)  
[Draft Resolution - Planning and Zoning Board](#)  
[Signed Resolution 2009-157.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 39

**RESOLUTION NO. 2009-158****C.-25. [09-0394](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Property Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Mary Young  
Commissioner Anderson: Maurice Donsky  
Commissioner Cabrera: James Hinrichsen  
Commissioner Withers: Luis M. Padron  
City Manager: Ed Mazzei

**Attachments:** [Cover Memo - Property Advisory Board Appointments](#)  
[Draft Resolution - Property Advisory Board](#)  
[Signed Resolution 2009-158.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 40

**RESOLUTION NO. 2009-159****C.-26. [09-0395](#)**

Resolution appointing the following herein below listed individuals to serve as members of the School and Community Relations Committee for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Pat Morris Andrew Yagoda  
Vice Mayor Kerdyk: Doug Austin  
Commissioner Anderson: Joan Reitsma  
Commissioner Cabrera: Barbra Harley  
Commissioner Withers: Deborah Korge  
City Manager: Victor Shabanah

**Attachments:** [Cover Memo - School and Community Relations Committee](#)  
[R-2009-Resolution - School and Community Relations](#)  
[Signed Resolution 2009-159.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 41

**RESOLUTION NO. 2009-160****C.-27. [09-0396](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Senior Citizens Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Catherine Fahringer  
Vice Mayor Kerdyk: Norma Lemberg  
Commissioner Anderson: Esther Castiglia  
Commissioner Cabrera: William Schiff  
Commissioner Withers: Frank Lynn  
City Manager: Evelyn Budde

**Attachments:** [Cover Memo - Senior Citizens Advisory Board Appointments](#)  
[R-2009-Resolution - Senior Citizens Advisory Board](#)  
[Signed Resolution 2009-160.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 42

**RESOLUTION NO. 2009-161****C.-28. [09-0397](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Board of Architects for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

City Manager: David M. Dayan  
City Manager: Burton Hersh  
City Manager: Nelson de Leon  
City Manager: Aramis Alvarez  
City Manager: Glenn Pratt

**Attachments:** [Aramis Alvarez Resume](#)  
[David Dayan Resume](#)  
[Glenn Pratt Resume](#)  
[Cover Memo - Board of Architects](#)  
[Draft Resolution - Board of Architects Appointments](#)  
[Signed Resolution 2009-161.pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 43



**D. PERSONAL APPEARANCES**

None

City Clerk Item No. 44

**E. PUBLIC HEARINGS****ORDINANCES ON SECOND READING****ORDINANCE NO. 2009-25****E.-1. 09-0335**

An Ordinance of the City of Coral Gables amending Chapter 2, Article III, Section 2-60 of the Code of the City of Coral Gables, Florida, as amended, entitled "Terms of Members"; providing for repealer, severability, codification and an effective date. (Passed on First Reading on May 12, 2009)

**Attachments:** [boards retirementboard exempt termlimits](#)  
[comm memo retirement termlimit exempt](#)  
[agendacover boards term retirementbdexempt](#)  
[comm memo retirement termlimit exempt](#)  
[E-1 Cover Memo](#)  
[Signed Ordinance 2009-25.pdf](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES AMENDING CHAPTER 2, ARTICLE III, SECTION 2-60 OF THE CODE OF THE CITY OF CORAL GABLES, FLORIDA, AS AMENDED, ENTITLED "TERMS OF MEMBERS"; PROVIDING FOR A REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

[Note for the Record: Following Acting City Attorney Lynn Dannheiser's reading of the title to Agenda Item E-1 into the public record, there being no public testimony proffered, nor there being any deliberation by members of the City Commission, Mayor Slesnick instructed the City Clerk to call the roll on Agenda Item E-1].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2009-25. The motion passed by the following vote:**

**Yeas :** 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 45

**ORDINANCES ON FIRST READING****ORDINANCE NO. 2009-30****E.-2. [09-0350](#)**

An Ordinance of the City Commission of Coral Gables pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations", providing for the vacation of a twenty (20') foot alley between Lots 1-4 and a portion of Lot 44, Lots 45 - 48 inclusive, Block 34, Coral Gables Section "K" and establishment of a new vehicular turnaround on Lots 42-44; and creation of two (2), sixteen (16') foot public access easements on Lots 12-16, Block 34, Coral Gables Section "K," to accommodate public access to the remaining portions of the twenty (20') foot alley within Block 34; the vacation is necessary to allow for the construction of various improvements for the City owned property known as the "Coral Gables Museum", legally described as Lots 1-4, 42-48, and vacated portion of the alley, Block 34, Coral Gables Section "K" (285 Aragon Avenue), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date (all legal descriptions on file for review). (Passed on First Reading May 26, 2009).

**Attachments:** [05 26 09 Exhibit A: Ordinance - City Museum alley vacation 1st reading](#)  
[05 26 09 Exhibit C: 05 13 09 Excerpts of PZB Verbatim Meeting Minutes](#)  
[05 26 09 Exhibit B: 05 13 09 PZB Staff Report with attachments](#)  
[05 26 09 Exhibit B: Submittal Package \(part of Staff Report\)](#)  
[E-2 Cover Memo](#)  
[06 02 09 CC Cover Memo re: City Museum alley vacation 2nd reading](#)  
[07 07 09 CC Cover Memo re: City Museum alley vacation 2nd reading](#)  
[07 07 09 Exhibit A: Ordinance - City Museum alley vacation revised 2nd reading](#)  
[07 07 09 Exhibit B: 07 01 09 Public Works Memo](#)  
[07 07 09 Exhibit C: Public Works survey sketch](#)  
[E-1 Museum Alley Cover Memo](#)  
[Ordinance 2009-30.pdf](#)

[Note for the Record: Following Acting City Attorney Lynn Dannheiser's reading of the title to Agenda Item E-2 into the public record, Planning and Zoning Director Eric Riel stated that at the Planning and Zoning Board Meeting of May 13, 2009, the Board recommended approval of the proposed alleyway vacation and easement dedications by a 6-0 vote.

Historic Preservation Officer Kara Kautz stated that the proposed request for public right-of-way vacation and easement dedications for the City owned property referred to as "The Coral Gables Museum" (legally described as Lots 1-4, 42-48) and adjacent alleyway (285 Aragon Avenue), Block 34, Section "K," Coral Gables, is attributable to a new gallery building and urban plaza being built, as part of the museum complex across from the existing alleyway on Parking Lot #2; further noting that the museum building and gallery are now proposed to be joined by an enclosed walkway connector which crosses the alleyway that separates the two parcels of the project.

Architect George Hernandez presented to the Commission certain exhibits (i.e. including but not limited to "Proposed Portion of Alley to be Vacated and Dedicated Areas") which shows graphically what the proposed ordinance says verbally; further

showing a chart of the lot and block series of dedicated areas through the City's parking lots and turnarounds through City property; another illustration showing certain highlighted areas-plans showing the breezeway as enclosed; further stating that said illustration shows a vast improvement in the types of exhibits that will be shown, because of insurance coverage and the like, which will provide for better improvements, because of the endless flow between the galleries; also plans which depict certain elevations-breezeway with an iron gate, roof of the breezeway with the walls glazed in, etc.

**Questions, Answers, Inquiries and Concerns by the City Commission:**  
Commissioner Withers inquired of Architect Hernandez if the alleyway should be turned toward the east?-whereupon Mr. Hernandez stated that the alleyway has been closed for approximately seven months, without any problems or complaints.

Vice Mayor Kerdyk stated that the proposed alleyway vacation and easement dedications as proposed by the Historic Preservation Department were a necessity as far as he sees it, and he therefore stands by his motion].

**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 :** 4 - Commissioner Withers, Commissioner Anderson, Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

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

City Clerk Item No. 46

**ORDINANCE NO. 2009-28****E.-3. 09-0351**

An Ordinance of the City of Coral Gables amending Zoning Code Article 4, Section 4-204, "Special Use (S) District" and Article 8, "Definitions", providing for a "Country Club" use classification and definition thereof, providing severability, providing for codification thereof, and providing for an effective date. (Passed on First Reading on May 26, 2009.)

**Attachments:** [05 26 09 Exhibit A: Ordinance - Country Club Ordinance - 1st Reading](#)  
[05 26 09 Exhibit B: 05 13 09 PZB Staff Report with attachments](#)  
[05 26 09 Exhibit C: 05 13 09 Excerpts of PZB Verbatim Meeting Minutes E-3 Cover Memo](#)  
[06 02 09 CC Cover Memo re: Country Club ZC text amendment 2nd reading](#)  
[06 02 09 Exhibit A: Ordinance - Country Club Ordinance - 2nd Reading Ordinance 2009-28.pdf](#)

[Note for the Record: Following City Manager Pat Salerno's reading of the title to Agenda Item E-3 into the public record, Planning and Zoning Director Eric Riel stated that the proposed ordinance represents a change in the text of the Zoning Code; further providing for a County Club Use, putting in a Conditional Use Section, whereby any changes, amendments, new Country Club Sections would have to come before the Planning and Zoning Board (thereby amending Zoning Code Article 4, Section 4-204, "Special Use(s) District and Article 8, "Definitions", providing for a Country Club Use Classification and definition thereof, etc.); further stating that at the Planning and Zoning Board Meeting of April 13, 2009, said Board approved this matter by a 6-0 vote].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., 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 Withers and Mayor Slesnick II

City Clerk Item No. 47

**F. CITY COMMISSION ITEMS**

None

City Clerk Item No. 48

**G. BOARDS/COMMITTEES ITEMS**

None

City Clerk Item No. 49

**H. CITY MANAGER ITEMS****RESOLUTION NO. 2009-128****H.-1. 09-0354**

Resolution authorizing the execution of a one-year lease agreement, plus five one-year options with the State of Florida, for 3,355 square feet for the operation of a Driver License Bureau at 4520 Ponce de Leon Boulevard commencing June 1, 2009 at the rate set forth in the agreement.

**Attachments:** [Driver License back-ups](#)  
[Driver License Res](#)  
[H-1 Cover Memo](#)  
[R-2007-92](#)  
[Signed Resolution 2009-128.pdf](#)

A RESOLUTION WITH ATTACHMENT (INCLUDING ADDENDUM V) AUTHORIZING THE EXECUTION OF A ONE-YEAR LEASE AGREEMENT, PLUS FIVE ONE-YEAR RENEWAL OPTIONS WITH THE STATE OF FLORIDA, FOR 3,355 SQUARE FEET OF RENTABLE SPACE IN CONNECTION WITH THE OPERATION OF A DRIVER LICENSE BUREAU, LOCATED AT 4520 PONCE DE LEON BOULEVARD, COMMENCING JUNE 1, 2009 AT THE RATE SET FORTH IN THE ATTACHED AGREEMENT.

[Note for the Record: Following City Manager Pat Salerno's reading of the title to Agenda Item H-1 into the public record, there being no public input proffered by any member of the public, 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 Slesnick requested of City Clerk Walter Foeman to call the roll on this item].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-128. The motion passed by the following vote:**

**Yeas :** 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 50

**H.-2. [09-0330](#)**

Presentation providing an update on expenditures and current balances of Forfeited Asset Funds.

**Attachments:** [FAF Summary for CM Commission 05-26-09](#)  
[POWER POINT - FAF Summary](#)  
[H-2 Cover Memo](#)

[Note for the Record: Following City Manager Pat Salerno's reading of the title to Agenda Item H-2 into the public record, Chief Naue was requested to provide the City Commission with an update on expenditures and current balances of Forfeited Asset Funds, whereby Chief Naue proceeded with a slide presentation of the following data: Current Balances of Federal, State and State 15% Set Aside Forfeited Asset Funds; further stating that said funds were a result of different expenditure request, both externally and internally generated, not only by his staff, but by the entire department (Slide One); further stating that regarding the Description of the Forfeited Asset Fund Expenditure Approval Process (i.e. expenditures being evaluated by the Chief of Police, includes a presentation being made before the Forfeited Asset Fund Committee, which was established in Calendar Year 2002, comprised of our City Attorney, City Manager, Internal Auditor, Finance Director and Police Chief; further clarifying the Committee's deliberation process, to either accept, deny, send back said request for further clarification, etc.; further adding that once a request has been approved by the Committee, it is then prepared as an agenda item for the City Commission's consideration, review and approval (Slide Two); further explaining that the current available balance contains three categorical areas, which are as follows: State Forfeited Asset Fund Balance (\$249,014.14); Encumbered State 15% "Set Aside" (\$14,990.47), which includes crime prevention and other related project undertakings, etc., and Federal Forfeited Asset Balance (\$101,234.46), for a grand total of \$365,239.39; further stating that the different asset classifications reflect those operations that the Coral Gables Police Department has worked on, including on a state and federal level, with state and federal partners to address crime, obtaining those assets that are from those drug dealers in our community (Slide Three); finally, the slide representing the FT 2009 FAF Approved Expenditures to date, includes a description of each item of expenditure, which coincides with the appropriate legislation (in resolution form), with the date of passage of same, along with the amount of expenditure; further stating that this documentation represents a cross section of different expenditures used for a variety of undertakings to offset non operational expenses, covering such areas as equipment programs, overtime, etc.]

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 51

**RESOLUTION NO. 2009-129****H.-3.    [09-0345](#)**

Resolution amending the annual budget of estimated revenues and expenses of the City of Coral Gables, Florida, for the fiscal year 2008-2009.

**Attachments:**    [RESmid2009.pdf](#)  
                          [2008-2009 Mid Year Budget Report for Commission.pdf](#)  
                          [H-3 Cover Memo](#)  
                          [Signed Resolution 2009-129.pdf](#)

A RESOLUTION AMENDING THE ANNUAL BUDGET OF ESTIMATED REVENUES AND EXPENSES OF THE CITY OF CORAL GABLES, FLORIDA FOR FISCAL YEAR 2008-2009.

[Note for the Record: A copy of the verbatim transcript for Agenda Item H-3 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 Withers, that this motion be adopted by Resolution Number 2009-129. The motion passed by the following vote:**

**Yeas :**    5 -    Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 52

**RESOLUTION NO. 2009-130****H.-4. [09-0360](#)**

Resolution authorizing the execution of the Joint Participation Agreement between Miami-Dade County and the City of Coral Gables for disbursement of Road Impact Fee funds to the City, for the construction of the Segovia Street Median Project along Segovia Street from Bird Road (S. W. 40th Street) to Biltmore Way, Coral Gables, Florida.

**Attachments:** [JPA Segovia cover 2](#)  
[JPA Segovia](#)  
[Segovia Resolution](#)

A RESOLUTION AUTHORIZING THE EXECUTION OF THE JOINT PARTICIPATION AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES FOR DISBURSEMENT OF ROAD IMPACT FEE FUNDS TO THE CITY, FOR THE CONSTRUCTION OF THE SEGOVIA MEDIAN PROJECT ALONG SEGOVIA STREET FROM BIRD ROAD (S.W. 40TH STREET) TO BILTMORE WAY, IN CORAL GABLES, FLORIDA.

[Note for the Record: A copy of the verbatim transcript for Agenda Item H-4 is available for public inspection in the Office of the City Clerk and in Legistar].

**A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2009-130. The motion passed by the following vote:**

**Yeas :** 5 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

City Clerk Item No. 53

**I. CITY ATTORNEY ITEMS****I.-1. [09-0367](#)**

Pending Litigation Report.

**Attachments:** [PENLIT 5 26 09](#)

**This Litigation was Discussed**

City Clerk Item No. 54

**J. CITY CLERK ITEMS**

**None**

City Clerk Item No. 55



**K. DISCUSSION ITEMS**

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: Yes, I have a couple of items. I received an e-mail this past Monday from the Board of Directors of Kings Bay Guardhouse, the issue of the guardhouse. They are very unhappy for a variety of reasons; the completion of the guardhouse is beyond the scheduled date. They are complaining about communications between the City and the County, getting back with them, the issue of landscaping, building structure, signs, and they are just not happy right now; and the word is out that the natives are getting restless. So I would ask that staff communicate with them with where we're at, what's up, and a realistic time schedule, and communicate. Ms. Harlow is the one that signed on behalf of the Kings Bay Board of Directors, and if you need the e-mail, I will gladly forward along. I had passed it along to the City Manager, but I'm glad to do that. At a future Commission meeting I'd like the status report of our activities, the ones that generate the noise. We got a couple of complaints throughout the years about noise, and I had a couple of comments a few months ago whether we were staging a lot of special events, which are good things in the same places over and over again, and thereby affecting neighborhoods continually. What I'd like to find out at a Commission meeting, the number of activities we've had, let's say take a period of time over the last year whatever, where its been located and for the thought would be, how can we minimize the noise into the residential neighborhoods?- knowing that we can't really eliminate it all; and whether there are better ways to design, where the stage is put, how we enforce the noise codes and things like that? So I'd like that as a status report for a future Commission meeting. I would also like a status report about the whole thing about the FPL transmission lines. I know there was an article, and I'd...I know there was some e-mails back and forth, and I'd like at some point in the summer to what have been our actions to date, and what we are planning to do. I know we discussed it a few months ago, but I'd like an update on that.

Commissioner Cabrera: Can I tell you that I had done the same thing; I actually asked for it to be on the agenda today, but the Manager was quick to point out to me that the City Clerk, that the City Attorney is spearheading that project, and so I believe its going to be on the agenda on the 2nd of June; but just an FYI for all of us, I met with Commissioner Gimenez last week, and he continues to have very strong concerns over it, and there is going to be a lot of issues with this particular project, and I can tell you that one of the things that he's contemplating asking FPL to do is to bury the lines and/or work with the Metro-Rail to have the lines attached to Metro-Rail some how, but I just don't know how practical that particular process is. The good news is one of our County Commissioners is taking a strong position on that.

Commissioner Anderson: Perfect and I appreciate that. And one last item; I'd like a

report - one of my interest has been to always find out how we can be better in our environmental efficiencies here, and we had a couple of residents approach us about forming a committee; and while I agreed to look at it, I want to get some preliminary information first in order to have a better idea before I present an idea. I'd like to know what the City has done in its processes and practices to be more energy efficient, in its Code, which probably not, it's Building and Zoning Codes, and its purchases. I know we've done it piecemeal at times, as far as fuel and things like that, but I'd like a comprehensive report in order to have better information in order to give these to the residents that have been interested in forming that type of a "green" committee, and that's it for me.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: I wanted to thank the Manager's office for providing us with a memorandum that outlines the outstanding rent of City properties that are leased out to external entities; and I don't necessarily need to see this every month, but just like we talked about quarterly, I think this would be a good document that we at least see on a quarterly basis, Mr. Manager, for just a while just to see how this process is improving or needs some help, because it was very, the memo was forwarded from Mrs. Spain's office was very informational for me, I'd never seen anything like this, so it was very helpful, and first and foremost want to commend you and your staff, and secondly tell you that I would be interested in seeing these on a quarterly basis if possible. That's all I have this morning.

Mayor Slesnick: Mr. Kerdyk.

Vice Mayor Kerdyk: A few items. First of all just to piggyback on Commissioner Anderson's clean cities initiative or "green" issues; I had an opportunity to talk to Patty Asseff, who is a Hollywood City Commissioner, and she also chairs the Clean Cities Initiative, and they apparently have funding that they give out to municipalities, a substantial amount of funding...

Commissioner Anderson: The energy grants?

Vice Mayor Kerdyk: They do grants and we have not been participating in those grants. I think I forwarded it over to Dona Lubin, which I'm sure you are looking at it, but please look at this; I think there are some good funding opportunities for the City in this particular case.

Mayor Slesnick: You know we have a two hundred thousand dollar grant we are working on, sustainability; Mr. Manager I don't know where that is.

Assistant City Manager Jimenez: That is one that we are vying for, its one of our

initiatives for energy conservation, and the application due date is in June...

Mr. Delgado: June 26th - we are currently applying for that, its two hundred and twelve thousand dollars that we will be getting for energy conservation, our buildings and....

Vice Mayor Kerdyk: And it's coming through the clean cities that I just...

Mr. Delgado: Yes that's the one that I was referring to.

Vice Mayor Kerdyk: Because apparently they just awarded a bunch of grant money.

Mayor Slesnick: We've actually been awarded the two hundred and twelve thousand (\$212,000), we just have to make the application and fulfill their needs.

Vice Mayor Kerdyk: The second issue is that, Mr. City Manager, we have a development that was proposed to the City Commission maybe two years ago on 72nd Avenue, the Police range, gun range, and I would just like to have an update of where that stands from staff; are we building it now?- is that on hold?

Commissioner Cabrera: That the PBA?

Vice Mayor Kerdyk: PBA - yeah; whatever happened to that?

Assistant City Manager Jimenez: You want it now?

Vice Mayor Kerdyk: Yeah, if you've got it now that would be great. It was with Murphy Construction.

Assistant City Manager Jimenez: Right - I think the application you saw was with Coastal Construction, and I don't believe that's moving forward, and matter of fact we had just recently met with our City Attorney and outside counsel on the issue of the PBA site and some other initiatives that might be underway between the PBA, that will be presented to the Commission in the future, but I think the economic situation is kind of like not allowing this development, the one with Coastal to move forward. So we are interested in seeing from PBA what's coming up.

Mayor Slesnick: I think what we need to look at, and thank you for bringing this up, is where do we go from here because we are talking about how to earn extra money for the City and here's a piece of land, a very, very important piece of land on a major artery of the City sitting fallow, and I think at some point in time the PBA has to give up their rights to it if they don't use it, I mean, I don't even know why we've sat around for three or four years doing nothing, and pushing to get it done; either they get

it done or we get it back or something.

Assistant City Manager Jimenez: That's a good point Mr. Mayor, and that's kind of like what we have been talking about also. So we are going to be meeting with the PBA in the near future and hopefully bring something up soon.

Mayor Slesnick: OK.

Vice Mayor Kerdyk: Thank you. And then you may have received some of these phone calls because I have from residents. AT&T is soliciting residents to change their cable into digital systems, and what that entails is signing up; and once they sign up then they get the AT&T service. The issue as far as I'm concerned is, one, can they solicit neighbors by going door to door (a); and (b) is when they do get the service they do not provide this cable channel to our residents, which is a big problem. I've had several residents call up and say, guess what?- I just took AT&T and I can't see you again, I can't see you anymore. Please have somebody look at first of all, can AT&T go door to door and solicit the neighborhoods?- and secondly what about this not being able to provide cable television for this cable network for these individuals?

Commissioner Withers: The additional issue is they don't offer it in all areas, but the voice over internet for phone, I think, we will eventually start taking some hits on our franchise fees.

Vice Mayor Kerdyk: Yes, good point.

Commissioner Cabrera: And just to give you some information; I had a citizen who was very active in trying to get AT&T to include us, and he was completely unsuccessful; a young man who has a lot of energy and very intelligent, and he was simply unable to get AT&T to even contemplate.

Commissioner Withers: I tried my best and I just couldn't do it.

Commissioner Cabrera: I said young man, I said young man (laughter). Come on gramps.

Mayor Slesnick: The fact of the matter is Channel 77 is a Comcast product; it is a Comcast owned and operated, not operated; we get Channel 77 because of Comcast, they are not going to share it with AT&T and AT&T can't have access to it; but also, I think people ought to know that we get these calls; you all have shared with me these e-mails and calls complaining about the big AT&T boxes going in our City, and people ought to understand as they sign up for AT&T, that is what it will bring, is the large ugly and obtrusive boxes that AT&T has to install in order to provide the services, so there is a quid pro quo here, and so people are going to sign up for it, they better be

prepared for boxes.

Vice Mayor Kerdyk: That's it.

Commissioner Withers: I have two very quick issues. We voted on an ordinance today on E-3, where we basically redefined the definition of the Country Club, and in that ordinance was the prohibition of night clubs within that Country Club, and I don't know if our new Country Club agreement is going to be in jeopardy, do we have a clear and clean definition of a night club? I don't know if that's something we want to send to the Planning and Zoning Board, I don't know that night club activities would interfere with our new operating agreement with our new Country Club.

Assistant City Manager Jimenez: It will not, it will not, that's not one use...that's part of the Liberty lease with the City, that's not a use that's being contemplated.

Commissioner Withers: What is a night club? Do we have a definition of a night club in our Zoning Code?- because I couldn't find one. I'm just saying we might want to go back to the....before we run into issues especially with a brand new tenant, I think we should clearly define what we think a night club is.

Assistant City Manager Jimenez: We will certainly look at what the night club definition is, but I can tell you from the Liberty lease what they intend to have is a restaurant; restaurant café with outdoor/indoor dining and the banquet facility, but the night club, and I understand what you are saying, and I'm hearing that we don't have a definition, but I don't believe that restaurant which is what the lease calls for is contemplated to be night club.

Commissioner Withers: Is a night club drinks after dinner with music?

Assistant City Manager Jimenez: Well I can tell you that there is time limited associated with restaurant use.

Commissioner Withers: We don't need to discuss it now, but I just think we need to define what that is. Secondly, and maybe while you are here, I know that Lourdes Academy is planning on going to the Community Board in June, and the last time we went, the City did not voice a position, and I thought this Commission had clearly said that we wanted to voice as a Commission our concern about the growth of Lourdes Academy into the residential neighborhoods, especially if we are looking at annexing those areas, and we did not want to inherit that problem. So I don't know if we are planning on going in June to the next meeting, are we going to voice our concern; we were silent the last time Eric.

Mr. Riel: Well, the Commission really didn't indicate as-a-whole that we are

monitoring the proceedings; we met with the County staff, but we don't inspect unless you direct us to. So obviously we can do that.

Commissioner Withers: I can tell you how I feel and you can ask those-I think the plan is very egregious; I think parking on green surfaces, unimproved surfaces, is totally against our Code; I think allowing a parking variance that they are allowing is totally against our Code; I think the penetration of a height variance is totally against our Code; I think using residential homes for commercial use and school use is totally against our Code. So I don't know how the rest of the Commission feels, but if those issues are so diametrically opposed to our Code, I would be surprised that we would not at least express our concern. Maybe you can meet with each individual and show them...I know that you met with Stanley Price, and he gave you the "dog and pony show", and County staff is against it. So I just would encourage you before the meeting to meet with each Commissioner, see how they feel about it, because if annexations do go through this will be a major issue for us and the neighbors in the south.

Mr. Riel: Typically, what the Commission has done in the past is, passed a resolution and that resolution has then been presented to the appropriate Board, that's what you've done in the past.

Mayor Slesnick: Well, our problem there is though, that we, us, usually pass resolutions on projects that border our City, this doesn't at the moment, and that's the problem. I appreciate everything Chip said, but I don't know, do we take positions on things that are happening exterior to our City and not even bordering our City?-even though we may have some future concern?-it's an interesting question.

Commissioner Withers: Well, it's a concern I have and if it is....

Mayor Slesnick: It's probably a concern we all have because we wouldn't allow it in our City.

Commissioner Withers: And it's also the High Pines neighbors; it's in their neighborhood obviously, we've reached out to them and accepted them, or at least reached out to them about accepting them into our community. So I am very concerned about it, and I really would encourage each of you to look at the project and see how you feel about it because....

Mayor Slesnick: What if we express concern?

Commissioner Withers: Well that's all I want to do Don.

Mayor Slesnick: That's what I'm saying, well what if we do that tomorrow.

Commissioner Withers: That's all I want to do; I'm not saying we oppose it, I just think the City needs to be vocally represented.

Mayor Slesnick: Would you like to make a motion for the reasons you have stated that this Commission go on record as being concerned about the project, and let Eric work with that?

Commissioner Withers: I'll move that.

Mayor Slesnick: Moved by Mr. Withers, do I have a second?

Commissioner Anderson: I'll second.

Mayor Slesnick: Second by Mrs. Anderson. This is an expression of concern about the project for the reasons so stated by Mr. Withers; all those in favor say aye.

All: Aye.

Mayor Slesnick: Opposed like sign.

Commissioner Withers: But I would still like for you to submit to the Commission the plans so they can see.

Mr. Riel: We can make copies; we have the previous memo to make copies.

Commissioner Withers: Thanks Eric; that's all I have.

Mayor Slesnick: Mr. Salerno do you have anything extra.

Mr. Salerno: Nothing Mayor.

Mayor Slesnick: Well I am then pleased...well let me say this, I would like to just say that I appreciate what the staff is doing, and Mr. Salerno what you are doing to call attention to our economic challenges in this year, and set us on the road to aggressively and assertively addressing those challenges. I know its tough for you; it's going to be tough for this Commission as we go through the year. I would like to remind people that watch us and read articles in the newspaper, that this is no different than the challenges being faced by other municipalities throughout the nation, other counties; there are counties throughout the nation, states throughout the nation, many of whom are facing much more difficult challenges than we, and much deeper areas of economic depression and lack of income. So this Commission I know, having listened to each of the comments is committed to making sure; and I think Ms. Anderson hit the nail on the head too, and that is that we have a brand to keep up, its the Coral Gables image

and brand; its not just a PR image, it is an actual living image of quality of life and its one that we are going to have to work with as far as...we just don't want to have a bargain basement city, we want a great city, that's what we will have to shoot for in getting through this to keep our city at the top of its game. I know that each of us is committed to that, and as is the Manager. I thank you all for your...you can bear with us and work with us during the coming two years while we see through this economic challenge period. With that I'm proud to say, I think I am beating Cabrera's record and adjourning the meeting before eleven o'clock (laughter).

Commissioner Cabrera: [Inaudible]

Mayor Slesnick: Out of order. Adjourn.

City Clerk Item No. 56

**RESOLUTION NO. 2009-131**

**Non     09-0418  
Agenda**

Resolution of the City Commission of Coral Gables proffering an expression of concern regarding the proposed Epiphany Church/ Lourdes Academy Project to increase the size of the school and the potential impacts on the surrounding residential neighborhood.

**Attachments:**    [Signed Resolution 2009-131.pdf](#)

RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES PROFFERING AN EXPRESSION OF CONCERN REGARDING THE PROPOSED EPIPHANY CHURCH/LOURDES ACADEMY PROJECT TO INCREASE THE SIZE OF THE SCHOOL AND THE POTENTIAL IMPACTS ON THE SURROUNDING RESIDENTIAL NEIGHBORHOOD; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF SAID LEGISLATION TO MIAMI-DADE COUNTY FOR INCLUSION IN ITS PUBLIC HEARING APPLICATION PROCESS, IN FURTHERANCE OF SAID MATTER.

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-131. The motion passed unanimously.**

**Yeas :** 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 57



## 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 10:58 am on May 26, 2009. The next regular meeting of the City Commission has been scheduled for June 2, 2009, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK