

City of Coral Gables

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



Agenda

Tuesday, July 11, 2017

9:00 AM

**Pre-meeting presentations will be held in the
City Hall Courtyard at 8:30am.**

City Hall, Commission Chambers

City Commission

*Mayor Raul J. Valdes-Fauli
Vice Mayor Patricia Keon
Commissioner Vince Lago
Commissioner Michael Mena
Commissioner Frank C. Quesada*

*Cathy Swanson-Rivenbark, City Manager
Craig E. Leen, City Attorney
Walter J. Foeman, City Clerk*

Pre-meeting presentations will be held in the City Hall Courtyard at 8:30 am.
Agenda Items A-1 through A-3.

INVOCATION

Jeff Sullivan, Executive Pastor, Granada Presbyterian Church

PLEDGE OF ALLEGIANCE

A. PRESENTATIONS AND PROTOCOL DOCUMENTS

- A.-1. [17-6212](#) Congratulations to Officer James Molina, recipient of the City of Coral Gables "Officer of the Month Award," for the month of April, 2017.
- A.-2. [17-6213](#) Congratulations to Sergeant Maurice Sikes, recipient of the City of Coral Gables "Officer of the Month Award," for the month of May, 2017.
- A.-3. [17-6224](#) Congratulations to Sally Ola Ola, Assistant Finance Director for Financial Reporting and Operations, who has been awarded the "2016-2017 Certified Government Finance Officer (CGFO) of the Year Award," by the Florida Government Financial Officers Association (FGFOA).
- A.-4. [17-6231](#) Congratulations to Mitranand Bhagirathi, who holds the title Senior Budget Analyst, recipient of the "Employee of the Month Award," for the month of July, 2017.

B. APPROVAL OF MINUTES

- B.-1. [17-6184](#) Regular City Commission Meeting of May 9, 2017.
- B.-2. [17-6257](#) Regular City Commission Meeting of May 30, 2017.
- B.-3. [17-6306](#) Regular City Commission Meeting of June 13, 2017.

C. MAYOR'S COMMENT

- C.-1. [17-6225](#) A Status Update on the Underline Project.
(Sponsored by Mayor Raúl Valdés-Fauli)
- C.-2. [17-6226](#) Desire to be City Commission Representative for Coral Gables Museum.
- C.-3. [17-6253](#) A Resolution of the City Commission of the City of Coral Gables, Florida, in support of establishing a goal of 100 percent clean, renewable energy in the City of Coral Gables and across the United States.
(Sponsored by Mayor Valdes-Fauli)

- C-4.. [17-6117](#) Announcement of Mayor's Council on Innovation and Industry.
(Sponsored by Mayor Valdes-Fauli)

D. 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.

- D.-1. [17-6232](#) A Resolution authorizing Unlimited Sales Group, Inc. to sell alcoholic beverages on Alhambra Circle between Le Juene Road and Salzedo Street from 2:00 p.m. to 8:00 p.m. on Saturday, August 5, 2017 and from 2:00 p.m. to 7:00 p.m. on Sunday, August 6, 2017 as part of Grill Fest which will benefit the Fire Benevolent Fund, subject to Florida Department of Professional Regulation requirements.
- D.-2. [17-6239](#) A Resolution authorizing the City of Coral Gables and the Coral Gables BID to sell alcohol on the south side of the 0 block of Miracle Mile on Friday, July 28, 2017, from 11:00 a.m. to 2:00 p.m. and from 6:00 p.m. to 9:00 p.m., during the "0 Block Celebration" event, subject to Florida Department of Professional Regulation Requirements.
- D.-3. [17-6235](#) A Resolution renewing the parking lease agreement with the University of Miami for municipal parking lots 42 and 43 for an additional twelve (12) months beginning September 1, 2017, and ending August 31, 2018, at the rate of \$68,805.22 annually, payable in equal monthly installments.
- D.-4. [17-6238](#) A Resolution authorizing the City of Coral Gables to enter into a Parking Management Agreement with PONCECAT MIRACLE MILE, LLC in which the City would accept appointment as manager of the SunTrust Building's parking lot, whose address is 101-121 Andalusia Ave, Coral Gables, Florida.
- D.-5. [17-6248](#) A Resolution authorizing the City of Coral Gables to enter into a Parking Management Agreement with ARAGON PARKING LLC, in which the City would accept appointment as the exclusive manager of the parking lot located at 125 Aragon Ave, Coral Gables, Florida.
- D.-6. [17-6254](#) A Resolution ratifying an amendment to the Fiscal Year 2016-2017 Annual Budget, to recognize as revenue a \$145,401 transfer from Storm Water fund balance, and to appropriate such funds to put toward the cost of the Storm Water/Sanitary Sewer Cross Connection Removal project.
- D.-7. [17-6242](#) A Resolution amending Ordinance No. 2015-17, as amended, and Resolution 2016-148, as amended, to adjust the Storm Water Fee and Sanitary Sewer Charges, providing for severability, and an effective date.

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

- 1.-1. [17-6211](#) Construction Regulation Board Meeting of June 12, 2017.
- 1.-2. [17-6149](#) Coral Gables Advisory Board on Disability Affairs Meeting of May 3, 2017.
- 1.-3. [17-6233](#) Coral Gables Advisory Board on Disability Affairs Meeting of June 7, 2017.
- 1.-4. [17-6204](#) Cultural Development Board Meeting of April 4, 2017.
- 1.-5. [17-6222](#) Cultural Development Board Meeting of May 2, 2017.
- 1.-6. [17-6234](#) Historic Preservation Board Meeting of May 25, 2017.
- 1.-7. [17-6210](#) Library Advisory Board Meeting of April 12, 2017.
- 1.-8. [17-6312](#) Parks and Recreation Advisory Board Meeting of April 28, 2017.
- 1.-9. [17-6313](#) Parks and Recreation Advisory Board Meeting of May 4, 2017.
- 1.-10. [17-6236](#) Property Advisory Board Meeting of May 25, 2017.
- 1.-11. [17-6227](#) Retirement Board Meeting of April 13, 2017.
- 1.-12. [17-6228](#) Retirement Board Meeting of May 11, 2017.
- 1.-13. [17-6217](#) School and Community Relations Committee Meeting of May 18, 2017.

2. **Presentation of Boards and/or Committees draft/final minutes requesting action from the City Commission [Note: A vote to accept the minutes does not mean approval of the substance within the minutes]:**

Time Certain 10:30 am Agenda Items 2-1, 2-2, and G-1 are related)

- 2.-1. [17-6133](#) A Resolution by the Coral Gables Advisory Board on Disability Affairs recommending that the City of Coral Gables develop a citywide incentive program recognizing businesses and organizations in the City that have demonstrated a commitment to the principles of inclusion and that have enhanced opportunities for disabled persons to fully and effectively participate in everyday community life.
- 2.-2. [17-6134](#) A Resolution by the Coral Gables Advisory Board on Disability Affairs identifying a need to combat social and physical isolation of post-secondary aged adults with disabilities and urging the City of Coral Gables to facilitate cooperation with businesses, universities, disability agencies, organizations and other entities and to actively engage resources toward the development of a multi-dimensional cultural, social and recreational opportunities and programs in the City for post-secondary school aged adults with disabilities.
- 2.-3. [17-6259](#) A Resolution by the Cultural Development Board increasing the budget allocation for FY2017-2018 Cultural Grant Funds, and further recommending an increase of ten (10) percent every year thereafter. (Unanimously approved; 5 to 0). Update to follow in Budget.

E. PERSONAL APPEARANCES

None

F. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in. Presentations made to the City Commission are subject to the City's False Claims Ordinance, Ch. 39 of the City of Coral Gables Code.

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 Commissioners Lago and Keon, during the day of the City Commission Meeting.

ORDINANCES ON SECOND READING

- F.-1. [17-6165](#) An Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 62, of the City of Coral Gables Code, to authorize the City Manager to declare and establish Play Streets, providing for a repealer provision, severability clause, codification, and providing for an effective date.
(Sponsored by Commissioner Lago)
- F.-2. [17-6187](#) An Ordinance of the City Commission of Coral Gables, Florida, identifying the duties and powers of the Mayor, consistent with Section 6 of the City Charter, creating Section 2-28 of the Code of the City of Coral Gables entitled "Mayor; Duties and Powers" establishing the function, duties, and responsibilities of the Office of the Mayor; providing for a repealer provision, severability clause, codification, and providing for an effective date.
(Sponsored by Mayor Valdes-Fauli)

ORDINANCES ON FIRST READING

- F.-3. [17-6218](#) An Ordinance of the City Commission of Coral Gables, Florida, amending section 101-182, Qualifications and Removal of Officers, of the Code of the City of Coral Gables, Florida, and providing for a repealer provision, severability clause, codification and providing for an effective date.
- F.-4. [17-6223](#) An Ordinance of the City Commission of Coral Gables, Florida, creating Section 82-5, under Article I, Chapter 82, Vegetation, of the City of Coral Gables Code, providing for maintenance of hedges on private property, providing for a repealer clause, severability clause, codification, enforceability and providing for an effective date.
(Sponsored by Vice Mayor Keon).
- F.-5. [17-6252](#) An Ordinance of the City Commission of Coral Gables, Florida, creating Section 14-219, Chapter 14, Article VII, of the City of Coral Gables Code to prohibit medical marijuana treatment center dispensing facilities within the City and to supersede all other zoning and business regulations of medical marijuana treatment center dispensing facilities as long as section 14-219 remains in effect; directing the City Attorney to include a notice provision in the corresponding sections of the Zoning Code; and providing for a repealer provision, severability clause, codification, and providing for an effective date.
(Sponsored by Commissioner Lago)

RESOLUTIONS**Time Certain 9:30 am (Agenda Items F-6 and J-2 are related)**

- F.-6. [17-6058](#) A Resolution of the City Commission of Coral Gables, Florida granting site plan approval pursuant to Zoning Code Article 3, "Development Review," Division 4, entitled "Conditional Uses," Section 3-402, entitled "General procedures for conditional uses," for an Amendment to the Village of Merrick Park Site Plan for the development project referred to as "Merrick Park Hotel" on the property legally described as Lots 12-22, Block 6, Industrial Section (4241 Aurora Street), Coral Gables, Florida; including required conditions and providing for an effective date. (05 10 17 PZB recommended approval, Vote: 6-0)

G. CITY COMMISSION ITEMS**Time Certain 10:30 am (Agenda Items 2-1, 2-2, and G-1 are related)**

- G.-1. [17-6256](#) A Resolution of the City Commission of Coral Gables, Florida accepting recommendations of the Disability Affairs Board, and directing study and action in accordance therewith.
(Sponsored by Vice Mayor Keon)

Time Certain 1:00 pm (Agenda Item G-2)

- G.-2. [17-6298](#) Proposed settlement between the City and Randy Hoff.
(Sponsored by Commissioner Lago)
- G.-3. [17-6214](#) A discussion regarding bike sharing programs in the City of Coral Gables.
(Sponsored by Commissioner Lago)
- G.-4. [17-6216](#) A discussion regarding smart parking technology.
(Sponsored by Commissioner Lago)
- G.-5. [17-6246](#) A discussion related to unfulfilled Waste Management service commitment.
(Sponsored by Vice Mayor Keon)
- G.-6. [17-6250](#) A discussion regarding Coral Gables Elementary and update as it pertains to the proper window installation.
(Sponsored by Vice Mayor Keon)
- G.-7. [17-6263](#) A Resolution of the City Commission of the City of Coral Gables, Florida, requesting that Miami-Dade County amend its Code Section 5-16 to recognize Municipal Authority to regulate peafowl.
(Sponsored by Commissioner Lago)

- G.-8. [17-6296](#) A discussion regarding the City's participation in Bloomberg Philanthropies Mayor's Challenge.
(Sponsored by Commissioner Lago)
- G.-9. [17-6300](#) A discussion regarding the Special Olympics.
(Sponsored by Vice Mayor Keon)
- G.-10. [17-6301](#) A discussion regarding Residential Parking Zone on Edgewater and Biltmore Way.
(Sponsored by Vice Mayor Keon)
- G.-11. [17-6302](#) A discussion regarding a Valet Parking Plan for Downtown .
(Sponsored Vice Mayor Keon)
- G.-12. [17-6303](#) A discussion regarding Kerdyk Tennis Center Capital Plan.
(Sponsored by Vice Mayor Keon)
- G.-13. [17-6304](#) A discussion regarding a School Protection Zone Plan.
(Sponsored by Vice Mayor Keon)
- G.-14. [17-6308](#) Update regarding transfer of special taxing districts.
(Sponsored by Commissioner Mena)

H. **BOARDS/COMMITTEES ITEMS**

[Note for the Record: Board Appointments are an Administrative Act not a Legislative Act, therefore, the City Clerk has requested of the Mayor to have a motion made have the City Clerk accept each elected and appointed officials list of appointees].

I. CITY MANAGER ITEMS

- I.-1. [17-6240](#) A Resolution ratifying an amendment to the Fiscal Year 2016-2017 Annual Budget to recognize as revenue a \$5.2M transfer from Capital Improvement fund balance, and to appropriate such funds to put toward the cost of the Trolley Depot/Fire Station 2 Building Construction project.
- I.-2. [17-6251](#) A Resolution ratifying an amendment to the Fiscal Year 2016-2017 Annual Budget to recognize as revenue a \$1,700,000 transfer from the Coral Gables Impact Fee Fund, and to appropriate such funds to put toward the cost of the Public Safety Building Construction project.
- I.-3. [17-6247](#) Building Permit Presentation.
(Sponsored by Mayor Valdes-Fauli)

J. CITY ATTORNEY ITEMS**Time Certain 11:00 am (Agenda Item J-1)**

- J.-1. [17-6220](#) Report and Commission review regarding Biltmore Bridges.

Time Certain 9:30 am (Agenda Items F-6 and J-2 are related)

- J.-2. [17-6314](#) A Resolution approving general terms and authorizing the City Manager and City Attorney to negotiate and execute conveyance and lease agreements with Merrick Park Hotel, LLC for the development of a project referred to as the "Merrick Park Hotel."
- J.-3. [17-6221](#) Ratification of six-month extension of the Zoning in Progress related to the Giralda Overlay District.
- J.-4. [17-6258](#) Presentation by the City Attorney and the ACM/Building Official regarding statutory changes, including First Amendment concerns relating to corporate logo requirements, and City Attorney Opinion regarding permissibility of change of color pallet zoning permits/approvals for residences as an aesthetic matter.
- J.-5. [17-6260](#) A Resolution of the City Commission of the City of Coral Gables implementing Chapter Law 2017.149 as it relates to painting permits, recognizing that Coral Gables has a long history of regulating color pallets as a zoning matter independent of building code requirements relating to painting, continuing to require color pallet zoning permits under its home rule authority as changes in the color pallet of a residence have not been preempted or otherwise addressed by Chapter Law 2017.149, removing any administrative fee related thereto, recognizing authority of the City Architect to grant administrative approval where color pallet is the same or pre-approved, and recognizing the administrative process to appeal or seek review of decisions related to the color pallet zoning process, including ultimately to the City Commission.

- J.-6. [17-6266](#) A Resolution of the City Commission of Coral Gables, Florida issuing a Zoning In Progress, in accordance with Article 3, "Development Review", Division 7, "Moratorium", Section 3-703, "Zoning In Progress Request" and 3-704, "City Commission Zoning In Progress Resolution Review And Decision" for the consideration of Zoning Code Text Amendments to Article 5, Division 20 "Telecommunications," addressing Wireless Communications Facilities, and Article 8 "Definitions," to implement recently passed Florida Legislation known as the "Advanced Wireless Infrastructure Deployment Act" addressing access to the Public Rights-Of-Way for Wireless Communications Facilities; providing for an effective date.

- J.-7. [17-6085](#) Request for an Executive Session (if any).

K. CITY CLERK ITEMS

- K.-1. [17-6299](#) A Resolution of the City Commission of Coral Gables, Florida supporting the continued existence of the Business Improvement District of Coral Gables.

L. DISCUSSION ITEMS

This time is for informal discussion among the City Commissioners, the City Manager and the City Attorney

ADJOURNMENT**NOTE**

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Interested persons should, therefore, take the necessary steps to ensure that a verbatim record of the proceedings is made which contains the testimony and evidence upon which the appeal is based.

Any person making impertinent or slanderous remarks or who become boisterous while addressing the Commission, shall be barred from further audience before the Commission by the Chair, unless permission to continue or again address the Commission is granted by the majority vote of the Commission Members present. Clapping, applauding, heckling or verbal outbursts or any remarks in support or opposition to a speaker shall be prohibited. Signs or placards shall not be permitted in Commission Chambers.

Any person who needs assistance in another language in order to speak during the public hearing or public comment portion of the meeting should contact the City 's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service) in order to attend or participate in the meeting should contact the City's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail : relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

**Walter J. Foeman
City Clerk**