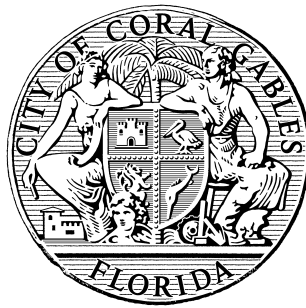


City of Coral Gables

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



Meeting Minutes

Tuesday, April 22, 2014

9:00 AM

City Hall, Commission Chambers

City Commission

*Mayor Jim Cason
Vice Mayor William H. Kerdyk, Jr.
Commissioner Patricia Keon
Commissioner Vince Lago
Commissioner Frank C. Quesada*

*Carmen Olazabal, Interim City Manager
Craig E. Leen, City Attorney
Walter J. Foeman, City Clerk*

ROLL CALL

Present: 5 - Mayor Cason, Commissioner Keon, Vice Mayor Kerdyk Jr., Commissioner Lago and Commissioner Quesada

INVOCATION

Reverend Arnold Perry from St. Mark's Lutheran Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Congresswoman Ileana Ros-Lehtinen 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. 2014-08); (b) Resolution(s) adopted (Resolution No. 2014-79 through Resolution No. 2014-87); (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. 14-3027** Recognition of the life achievements of Roxcy O'Neal Bolton by Congresswoman Ileana Ros-Lehtinen.

[Note for the Record: Following the reading of the title to Agenda Item A-2, Mayor Cason requested of Congresswoman Ileana Ros-Lehtinen to approach the podium, wherein she reminded the viewing public as to how precious life is, and how quickly it can be taken away from us; further stating that she was present on a happier occasion, whereby she acknowledged that she was glad that Roxcy Bolton was still here, stating that she has been a spark plug, but also pointing out that she does not have to tell the City Commission this; further thanking the Commission for allowing her to be part of the meeting for someone who has been a champion and a pioneer for the rights of women; someone who has been a constituent of her for many years; Congresswoman Ileana Ros-Lehtinen noted that not to long ago, that she had the distinct honor of recognizing Roxcy on the floor of the U.S. House of Representatives, as she was named a woman of character, courage and commitment and it was a little bookmark that was given out in commemoration of the National Womens' History Project, one of the many accolades that Roxcy has received in her lifetime-and that we are going to have her to kick around a little longer, she noted-further stating that she will not go away easily.

Congresswoman Ros-Lehtinen further recalled that during her efforts to lead women to an era of equality, that her fights for women rights were not limited to an era of equal opportunity and equal pay in the work place, it also involved instances wherein women found themselves in a moment of personal crisis; further requesting of her Aide, namely Debbie Musgrove Zimmerman to approach the podium, wherein she read that in 1972 Roxcy founded the Woman In Distress organization, which was the first women rescue shelter of the State of Florida to provide emergency housing rescue services and care to vulnerable women; adding that Roxcy has been at the front line advocating on behalf of abused women, during a time when no one talked about rape, nor did anything about alleviating the trauma of the victim; therefore when the victims of rape reported their crime, they were treated callously.

Such actions prompted Roxcy to the rescue, cited Congresswoman Ros-Lehtinen, recalling that Roxcy was unafraid to speak out against rape and on behalf of women; using her amazing presence, her force of will as aggressive tools for change, as witnessed by her march down Flagler Street with women, to make the community take notice, was the first time that women had taken to the street in Miami; further pointing out that in 1974, her efforts facilitated in the establishment of the first Rape Treatment Center Facility in the country at the Jackson Memorial Hospital

Congresswoman Ros-Lehtinen also referenced the fact that Roxcy was also known for organizing Florida's first Crime Watch in furtherance of curbing crime against women; further stating that in 1992 she helped form the Woman's Park, which is the first park in the U.S. dedicated to all women who have made contributions to our community. Congresswoman Ros-Lehtinen also acknowledged that Roxcy has been the recipient of an inordinate number of accolades, including but not limited to the Coral Gables Citizen of the Year Award, Florida Womens' Hall of Fame, Preservation and Womens' Rights in History, an acclaimed champion of liberty and voice of hope, etc; she continued by asking the Coral Gables Commission to join her on the dais, as she presented to Roxcy a copy of the Congressional record; further inviting Miami-Dade County School Board member Raquel Regalado to join the host of officials on the dais. School board Member Regalado pointed that both Roxcy and Congresswoman Ros Lehtinen are both an inspiration to her personally and to the entire community-adding that when one visits the Miami Museum, much of what has been donated has been donated by Roxcy Bolton-and that so much history of the Miami has been also dedicated by Roxcy to the Florida Archives].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

A.-2. 14-3028

Presentation of a Resolution of Condolence declaring April 22, 2014 as Eduardo Hernandez Day in Coral Gables.

[Note for the Record: Following the reading of the title to Agenda Item A-2 into the public record, Mayor Cason read a Resolution of Condolence into the public record, thereby declaring Tuesday April 22nd, 2014 as "Eduardo Hernandez Day"; further requesting that the family of the late Eduardo Hernandez join him on the dais.

The Parking Department director and staff joined Vice Mayor Kerdyk in presenting to the family of the late Eduardo Hernandez a plaque, recognizing his 20 years of dedicated service, thereby providing assistance to the public.

Mayor Cason presented the Key to the City to the family of the late Eduardo Hernandez, prefacing his statements by stating that the highest honor that the City can offer any one is the Key to the City for having been a tremendous public servant to all, pointing out that the highest service one can give any one is your life, and that Eduardo Hernandez gave his life trying to help other people, therefore it is fitting to give this key to his family.

Parking Department Director Kevin Kinney stated to the inquiring public that members of the staff wanted to share their thoughts about Eddie, adding that it has been his privilege to have been Eddie's boss for the past 7 years-pointing out that he could not have asked for a better supervisor or employee; further noting that every day when he

noticed Eddie, that he always had a smile on his face; his temperament was good, having dealt with angry people all of the time, he treated them with kindness. Mr. Kinney further pointing out that during his 7-year tenure with the City, there have been people who have spent their entire 20 years in the City with Eddie as their boss, who also wanted to reflect on their thoughts and experiences with him-whereupon the following comments were made:

Speaker One- mentioned that Eddie was her supervisor and co-worker, but most of all, he was a friend, a team player, always willing to help out when help was needed; he was a supervisor who joked, laughed and had lunch with members of the staff every day; further stating that they shared ideas about work as well as family stories-adding that the most important hat that he wore was one of being dubbed the "Family Man", because as seen in the eyes of all who knew him, that family was first.

Speaker Two- described Eddie as a wonderful man, a family man, stating that they loved him, they missed him and that he will never be forgotten, and will always remain in their hearts.

In closing Mayor Cason requested of the public a big round of applause for Eddie. Commissioner Vince Lago announced that on Saturday, April 26, 2014, from 9 am until 3 pm, at 525 South Dixie Highway (Fire Station No. 2), that there will be a carwash in support of the family of Eduardo Hernandez; further urging our Coral Gables family to come out and make a simple donation].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

B. APPROVAL OF MINUTES

None

City Clerk Item No. 3

C. CONSENT AGENDA

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

Passed the Consent Agenda

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

Yeas : 5 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

RESOLUTION NO. 2014-79**C.-1. 14-3005**

Resolution granting a one-day permit to The Globe Cafe to sell alcoholic beverages from 5:00 p.m. until 1:00 a.m. on Friday, May 16, 2014, on the 300 Block of Alhambra Circle, during the Cubalibre Block Party to benefit Miami's Regis House, subject to Florida Department of Professional Regulation Requirements.

Attachments: [Special Events Application and Permit Resolution for Cubalibre](#)
[C-1 Signed Cover Memo](#)

RESOLUTION GRANTING A ONE-DAY PERMIT TO THE GLOBE CAFÉ TO SELL ALCOHOLIC BEVERAGES FROM 5:00 P.M. UNTIL 1:00 A.M. ON FRIDAY, MAY 16, 2014, ON THE 300 BLOCK OF ALHAMBRA CIRCLE, AS PART OF THE ANNUAL CUBALIBRE BLOCK PARTY TO BENEFIT MIAMI'S REGIS HOUSE, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2014-79 on the Consent Agenda.

City Clerk Item No. 4

RESOLUTION NO. 2014-80**C.-2. 14-3006**

Resolution authorizing Satchmo Blues Bar and Grill, Inc. to sell alcoholic beverages from 12:00 p.m. to 10:00 p.m. at the Plaza located at 60 Merrick Way from Thursday, June 12, 2014 through Sunday, July 13, 2014, during the 2014 FIFA World Cup Celebration to benefit the Woody Foundation, subject to Florida Department of Professional Regulation Requirements.

Attachments: [Special Events Application and Permit Resolution](#)
[C-2 Signed Cover Memo](#)

RESOLUTION AUTHORIZING SATCHMO BLUES BAR AND GRILL, INC. TO SELL ALCOHOLIC BEVERAGES FROM 12:00 P.M. TO 10:00 P.M. AT THE PLAZA LOCATED AT 60 MERRICK WAY FROM THURSDAY, JUNE 12, 2014 THROUGH SUNDAY, JULY 13, 2014 AS PART OF THE 2014 FIFA WORLD CUP CELEBRATION TO BENEFIT THE WOODY FOUNDATION, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2014-80 on the Consent Agenda.

City Clerk Item No. 5

RESOLUTION NO. 2014-81**C.-3. 14-3018**

Resolution granting a one-day permit to The Sundari Foundation to sell alcoholic beverages from 12:00 p.m. until 2:30 p.m. on Sunday, May 4, 2014, at Merrick Park, during the 1st Annual Ride for Lotus House to benefit The Lotus House, subject to Florida Department of Professional Regulation Requirements.

Attachments: [Special Events Application and Permit Resolution](#)
[C-3 Signed Cover Memo](#)

RESOLUTION GRANTING A ONE-DAY PERMIT TO THE SUNDARI FOUNDATION TO SELL ALCOHOLIC BEVERAGES FROM 12:00 P.M. UNTIL 2:30 P.M. ON SUNDAY, MAY 4, 2014 AT MERRICK PARK, AS PART OF THE 1ST ANNUAL RIDE FOR LOTUS HOUSE TO BENEFIT THE LOTUS HOUSE, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION.

This Matter was adopted by Resolution Number 2014-81 on the Consent Agenda.

City Clerk Item No. 6

RESOLUTION NO. 2014-82

- C.-4. 14-3026** Resolution amending Resolution No. 2014-71, removing Gay Bondurant to serve as a member appointed to the Green Task Force.

Attachments: [Cover Memo - Rescinding Gay Bondurant - Green Task Force](#)
[R-2013-Draft- Rescinding Gay Bondurant - Green Task Force](#)
[C-4 Signed Cover Memo](#)

RESOLUTION AMENDING RESOLUTION NO. 2014-71, REMOVING GAY BONDURANT AS A MEMBER APPOINTED TO THE GREEN TASK FORCE.

This Matter was adopted by Resolution Number 2014-82 on the Consent Agenda.

City Clerk Item No. 7

RESOLUTION NO. 2014-83

- C.-5. 14-3025** Resolution appointing Howard Schachter (Nominated by Commissioner Keon) to serve as a member of the Insurance Advisory Committee, for the remainder of a two-year term, beginning June 1, 2013 through May 31, 2015.

Attachments: [R-2014-Draft- Howard Schachter - Insurance Advisory Committee](#)
[Howard Schachter Bio](#)
[C-5 Signed Cover Memo](#)

RESOLUTION APPOINTING HOWARD SCHACHTER (NOMINATED BY COMMISSIONER KEON) TO SERVE AS A MEMBER OF THE INSURANCE ADVISORY COMMITTEE, FOR THE REMAINDER OF A TWO-YEAR TERM, BEGINNING JUNE 1, 2013 THROUGH MAY 31, 2015.

This Matter was adopted by Resolution Number 2014-83 on the Consent Agenda.

City Clerk Item No. 8

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

C.-7. 14-3002 Senior Citizens Advisory Board Meeting of March 3, 2014

Attachments: [Cover Sheet Minutes 03-03-14](#)
[Min 03-03-2014](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 9

C.-8. 14-3003 Parks and Recreation Advisory Board Meeting of April 11, 2014

Attachments: [Minutes 03-14-14 draft](#)
[Cover Sheet.Minutes 03-14-14](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 10

C.-9. 14-3004 Economic Development Board Meeting of March 5, 2014

Attachments: [EDB. 4.22.14 Commission cover](#)
[EDB Minutes 3-05-14](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 11

C.-10. 14-3008 Board of Adjustment Meeting of March 3, 2014

Attachments: [Recap - Board of Adj. re 03 03 14](#)
[Exhibit A - Copy of Notice 03 03 14](#)
[Exhibit B - Recap 03 03 14](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 12

C.-11. 14-3012 Coral Gables Merrick House Governing Board Meeting of March 17, 2014

Attachments: [Merrick House Budget March 17 2014](#)
[3.17.14MinutesforCC4.22.14](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 13

- C.-12. 14-3015** Communications Committee Meeting of March 20, 2014

Attachments: [minutes march 2014](#)
[Agendaitemapril222014](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 14

- C.-13. 14-3016** International Affairs Coordinating Council Meeting of March 24, 2014

Attachments: [Microsoft Word - IACC-Minutes March 24 2014](#)
[Microsoft Word - cover letter 4-22-14](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

- C.-14. 14-3022** Retirement Board Meeting of February 13, 2014

Attachments: [CC.04-22-2014.February 13, 2014](#)
[Minutes.2-13-2014](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

- C.-15. 14-3023** Retirement Board Meeting of March 13, 2014

Attachments: [CC.04-22-2014.March 13, 2014](#)
[Minutes.3-13-2014](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

Pulled from Consent Agenda**RESOLUTION NO. 2014-84**

- C.-6. 14-3036** Resolution of the City Commission of Coral Gables amending Resolution 2009-97 providing for depositing of funds, to execute funds transfer agreement, and authorizing signing of checks and drafts, by the City Manager and Finance Director, as well as their designees.

Attachments: [City Manager and Finance Director Authorization for Bank transactions DOC](#)
[Resolution providing for depositing fund etc by city manager and finance director 4](#)
[Resolution 2009-97](#)
[C-6 Signed Cover Memo](#)

RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES AMENDING RESOLUTION 2009-97 (SECTION 4) PROVIDING FOR DEPOSITING OF FUNDS, TO EXECUTE FUNDS TRANSFER AGREEMENT, AND AUTHORIZING SIGNING OF CHECKS AND DRAFTS BY THE CITY MANAGER AND FINANCE DIRECTOR, AS WELL AS THEIR DESIGNEES.

[Note for the Record: Commissioner Keon requested that Agenda Item C-6 be pulled for clarification purposes; further informing her colleagues that she had previously spoken to Interim City Manager Carmen Olazabal about Agenda Item C-6, which states that:

”...authorizing signing of checks and drafts by the City Manager, Finance Director, as well as their designees;” however in the item itself (i.e. under the Brief History in the cover memo section, it does not talk about designees being authorized to sign checks, only the City Manager and Finance Director). Therefore, her question to the Interim City Manager is whether designees can sign checks?

Interim City Manager Carmen Olazabal stated that it was her understanding that when the City Manager and Finance Director are out, then someone is designated to be Interim City Manager and that designee can sign checks. Commissioner Keon further inquired as to the language in the legislation and whether it states the City Manager and Finance Director?-whereby Interim City Manager Olazabal stated it was and.

Commissioner Quesada stated that in the body of the resolution, Section 4, that it references designees, as well as in the title to the resolution].

A motion was made by Commissioner Quesada, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2014-84. The motion passed by the following vote.

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada, Commissioner Keon and Mayor Cason

City Clerk Item No. 18

Non Agenda Item**RESOLUTION NO. 2014-85****Non 14-3076
Agenda**

Resolution of the City Commission confirming the appointment of Sallye Jude to serve as a member of the Green Task Force.

RESOLUTION OF THE CITY COMMISSION CONFIRMING THE APPOINTMENT OF SALLYE JUDE TO SERVE AS A MEMBER OF THE GREEN TASK FORCE (NOMINATED BY THE UNIVERSITY OF MIAMI) FOR A TWO (2) YEAR TERM, WHICH BEGAN ON JUNE 1, 2013 AND CONTINUES THROUGH MAY 31, 2015.

A motion was made by Commissioner Quesada, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2014-85. The motion passed by the following vote.

Yeas : 5 - Commissioner Lago, Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr. and Mayor Cason

City Clerk Item No. 19

D. PERSONAL APPEARANCES**D.-1. 14-3014**

Raquel A. Regalado, District 6, Miami-Dade School Board Member, regarding Coral Gables schools issues.

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

This Agenda Item was Discussed and Filed

City Clerk Item No. 20

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.

E. PUBLIC HEARINGS

ORDINANCE ON SECOND READING

ORDINANCE NO. 2014-08

- E.-1. 14-2962** Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to Article III "Development Review" of the City of Coral Gables Official Zoning Code to modify existing procedures and create new procedures to resolve disputes and provide relief from the application of the Zoning Code; providing for severability, repealer, codification, and an effective date. (Passed on First Reading April 8, 2014)

Attachments: [04 08 14 Exhibit B 03 12 14 PZB Staff Report](#)
[04 08 14 Exhibit C 03 12 14 Excerpts of PZB Meeting Minutes](#)
[Exhibit A Draft Ordinance](#)
[E-3 Signed Cover Memo 4-8-14](#)
[E-1 Signed Cover Memo 4-22-14](#)
[Zoning Relief Ordinance - Second Reading](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO ARTICLE III "DEVELOPMENT REVIEW" OF THE CITY OF CORAL GABLES OFFICIAL ZONING CODE TO MODIFY EXISTING PROCEDURES AND CREATE NEW PROCEDURES TO RESOLVE DISPUTES AND PROVIDE RELIEF FROM THE APPLICATION OF THE ZONING CODE; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[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 Quesada, seconded by Commissioner Keon, that this matter be adopted by Ordinance Number 2014-08. The motion passed by the following vote.

Yeas : 5 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago and Mayor Cason

City Clerk Item No. 21

ORDINANCES ON FIRST READING

- E.-2. 14-3009** Comprehensive Plan Map Amendment. An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "University Campus" to "University Campus Multi-Use Area" for a parcel of land approximately 1.22 acres in size that would extend the existing designated University Campus Multi-Use Area south across the University Waterway Canal up to and including the Fred C. and Helen D. Flipse Building, located on the Coral Gables Campus, Coral Gables, Florida; and, providing for severability, repealer and an effective date.

Attachments: [Exhibit D - 04 09 14 PZB Staff Report w attachments](#)
[Exhibit E - 04 09 14 Excerpts of PZB Meeting Minutes](#)
[Exhibit A - Draft Ordinance -Comprehensive Plan Map Amendment](#)
[Exhibit B - Draft Ordinance - ZC Text Amendment](#)
[Exhibit C - Draft Ordinance - Amendment to Development Agreement](#)
[Exhibit F - PowerPoint Presentation](#)
[E-2,E-3&E-4 Signed Cover Memo 4-22-14](#)
[05 13 14 Exhibit A - Ordinance re Comp Plan Map Amendment](#)
[05 13 14 Exhibit B - Ordinance re Zoning Code Text Amendment](#)
[05 13 14 Exhibit C - Ordinance re Amendment to Development Agreement](#)

[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 Commissioner Quesada, seconded by Vice Mayor Kerdyk, Jr., that this matter be approved as an Ordinance on First Reading. The motion passed by the following vote.

Yeas : 5 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

City Clerk Item No. 22

E.-3. 14-3010

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 4-202, "University Campus District (UCD)", amending the UCD Frontage "C" provisions to establish height and setback requirements for a porte-cochere located along Ponce de Leon Boulevard; and providing for severability, repealer, codification, and an effective date.

Attachments: [Exhibit D - 04 09 14 PZB Staff Report w attachments](#)
[Exhibit E - 04 09 14 Excerpts of PZB Meeting Minutes](#)
[Exhibit A - Draft Ordinance -Comprehensive Plan Map Amendment](#)
[Exhibit B - Draft Ordinance - ZC Text Amendment](#)
[Exhibit C - Draft Ordinance - Amendment to Development Agreement](#)
[Exhibit F - PowerPoint Presentation](#)
[E-2,E-3&E-4 Signed Cover Memo 4-22-14](#)
[05 13 14 Exhibit A - Ordinance re Comp Plan Map Amendment](#)
[05 13 14 Exhibit B - Ordinance re Zoning Code Text Amendment](#)
[05 13 14 Exhibit C - Ordinance re Amendment to Development Agreement](#)

[Note for the Record: The verbatim transcript for Agenda Item E-3 is available for public inspection in the Office of the City Clerk and in Legistar].

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

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada, Commissioner Keon and Mayor Cason

City Clerk Item No. 23

E.-4. 14-3011

Amendment to Development Agreement. An Ordinance of the City Commission of Coral Gables amending the City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on 09.28.10, pursuant to Zoning Code Article 3, Division 19, entitled "Development Agreements", for the University of Miami, City of Coral Gables Campus, amending Paragraph 18 of the Development Agreement that governs the miscellaneous uses and temporary occupancies the University may make of property within the corporate limits of the City, and to include the property commonly known as the "Plumer Building", and legally described as the northeast 25' of Lot 9 and Lots 10-22, Block 196, Riviera Section 14 (5915 Ponce de Leon Boulevard), Coral Gables, Florida; and providing for severability, repealer and an effective date.

Attachments: [Exhibit D - 04 09 14 PZB Staff Report w attachments](#)
[Exhibit E - 04 09 14 Excerpts of PZB Meeting Minutes](#)
[Exhibit A - Draft Ordinance -Comprehensive Plan Map Amendment](#)
[Exhibit B - Draft Ordinance - ZC Text Amendment](#)
[Exhibit C - Draft Ordinance - Amendment to Development Agreement](#)
[Exhibit F - PowerPoint Presentation](#)
[E-2,E-3&E-4 Signed Cover Memo 4-22-14](#)
[05 13 14 Exhibit A - Ordinance re Comp Plan Map Amendment](#)
[05 13 14 Exhibit B - Ordinance re Zoning Code Text Amendment](#)
[05 13 14 Exhibit C - Ordinance re Amendment to Development Agreement](#)

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

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

Yeas : 5 - Commissioner Lago, Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr. and Mayor Cason

City Clerk Item No. 24

F. CITY COMMISSION ITEMS**F.-1. 14-3035**

Policy discussion on parking garages on Andalusia and phasing of streetscape project.
Commissioner Pat Keon

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

This Agenda Item was Discussed and Filed

City Clerk Item No. 25

Non Agenda Item**RESOLUTION NO. 2014-87****Non 14-3077
Agenda**

Resolution requesting Interim City Manager Carmen Olazabal to re-evaluate all individuals who received a merit increase which was not approved by her.

RESOLUTION REQUESTING THAT CARMEN OLAZABAL, INTERIM CITY MANAGER RE-EVALUATE ALL INDIVIDUALS WHO RECEIVED A MERIT INCREASE THAT WERE NOT APPROVED BY HER.

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

A motion was made by Commissioner Quesada, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2014-87. The motion passed by the following vote.

Yeas : 5 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

City Clerk Item No. 30

G. BOARDS/COMMITTEES ITEMS**RESOLUTION NO. 2014-86****G.-1. 14-3013**

Resolution confirming Architect Carmen L. Guerrero (Board-As-A-Whole appointment) to serve as a member of the Historic Preservation Board for the remainder of a two (2) year term, beginning June 1, 2013 through May 31, 2015.

Attachments: [CoverMemo](#)
[DraftResolution](#)
[HPBMarch202014MinutesExcerpts](#)
[G-1 Signed Cover Memo](#)

RESOLUTION CONFIRMING CARMEN L. GUERRERO (BOARD-AS-A-WHOLE APPOINTMENT) TO SERVE AS A MEMBER OF THE HISTORIC PRESERVATION BOARD FOR THE REMAINDER OF A TWO (2) YEAR TERM, WHICH BEGAN ON JUNE 1, 2013 AND CONTINUES THROUGH MAY 31, 2015.

A motion was made by Commissioner Keon, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2014-86. The motion passed by the following vote.

Yeas : 5 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago and Mayor Cason

City Clerk Item No. 26

H. CITY MANAGER ITEMS

None

City Clerk Item No. 27

I. CITY ATTORNEY ITEMS

- I.-1. 14-3033 Follow up to Commission inquiry regarding texting while driving laws.

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

This Agenda Item was Discussed and Filed

City Clerk Item No. 28

J. CITY CLERK ITEMS

None

City Clerk Item No. 29

K. DISCUSSION ITEMS

Mayor Cason: On discussion, let me start off I have a couple of things. I usually do it last, but...

Commissioner Keon: I am done.

Mayor Cason: I just have a couple of things. One, something that I have been working on just for information for you all. We have created an International Affairs Foundation for Coral Gables. I have gone out to 10 corporations they have donated \$5,000 each into a fund which is a 501C3 which will be available to fund in whole, or in part, or with others the activities proposed by the Coral Gables International Affairs Advisory Committee, for our Sister Cities. We have never had really any money to do anything with the Sister Cities Program. Now we have a fund that will be administered separately. We have an account on bank. It will be almost like the other foundations that we have, but we will be able to put some meat under our Sister Cities Program. I just wanted to announce that and that will help us, recruiting business and doing more with our Sister Cities both culturally and economically. Second, I have raised this in a different context before in terms of the joggers and the bikers and the people with the buggies going around and around Granada Golf Course, in the context of how dangerous that is. There are signs that say don't do it, and we have never enforced it,

to my knowledge. In discussing this with the City Attorney, and the City Manager, I had a resident come to me and offer \$250,000 through a foundation to the City, if we can make it happen and we think it is a good idea, to put a jogging path or something along the outside of the golf course and it can be for bikes it can be just for joggers.

Commissioner Quesada: I received that same offer, I am assuming it is from the same group.

Mayor Cason: Same person.

Commissioner Quesada: Who will remain nameless right now, probably about six months ago, at that time I approached the City Attorney and I asked him for an opinion, the City Manager at the time said that he thought there may be an interest of liability with flying golf balls.

Mayor Cason: That is right.

Commissioner Quesada: I asked the City Attorney to do an analysis whether, that was true or not. He might not be ready for it right now, but maybe at the next Commission Meeting.

City Attorney Leen: I did give an opinion. I gave an opinion to the Manager, my opinion as you can perceive with that, but what I would recommend is that you hold a hearing. Basically, a public hearing where you consider the risks, there are the risks of cars in the street, there are the people going along the outside already and there is the risk of golf balls and my recommendation is you weigh the risks and you make a decision as to which risk do you think that you should go with. Do you want to put this in there knowing the risk. I think we have a good argument at that point. It is not foolproof, but under the case law you have a good argument that sovereign immunity would apply to that decision even, if it didn't there are always the sovereign immunity caps, which also would apply...

Commissioner Quesada: We can also protect ourselves, any golfers who are playing have to sign a waiver...

Mayor Cason: Or more insurance.

City Attorney Leen: And we could put up some signs.

Commissioner Quesada: Something along those lines to protect the residents, and make them aware, hey if you are going to hurt anyone with a golf ball, you would be liable for it so be more cautious.

Mayor Cason: And the interesting thing about this that this individual came about 10 days ago and reiterated the offer...

Commissioner Quesada: And that individual approached me at least six months ago maybe further back, we have been researching it for some time.

City Attorney Leen: I did do an opinion and the opinion is that you can go forward with it and I will circulate it to each of you. I am sorry that you didn't receive it. I had given it to the City Manager.

Commissioner Quesada: You know something I probably did.

Commissioner Lago: If you go to Kennedy Park in the Grove, just to get an idea they put down this playground material which is great.

Mayor Cason: That is what I am talking about.

Commissioner Lago: Less impactful in your joints and if you notice it has pushed everyone off the road, completely off the road because they realized the benefits of actually using this service. It is very comfortable when you are jogging, you are running, you are walking. Whatever you may be doing, and you will see that if we are able to pull this off which is a great idea by the both of you, you will get a lot of use from the residents.

Mayor Cason: And we should have a thorough discussion, because there are lots of elements of this. The neighbors, I am told by this individual that he thinks the neighbors would be supportive because they are the ones most likely to hit somebody coming in there, and I live there too and I walk everyday around the golf course. I know where I find golf balls, so I know where the area is. Some areas have no golf balls and never going to get hit, so there are some particular areas of concern, but also the fact that the people are doing it at any rate so we are still liable and they are running in the middle of the street in the rain and dressed in black and all of these things.

Commissioner Lago: Maybe what we can also do is in the Bike Master Plan, which we submitted to the County, my understanding and don't quote me, I have to follow-up with my appointment Robert Ruana I think that we may have a path in the Bike Master Plan. So that is something already...the idea is going to be incorporated into the Bike Master Plan.

Mayor Cason: And one of the interesting things is if you look at the pattern of people jogging and riding bikes, particularly the jogging, it is early in the morning before the golf course opens and late at night when there is nobody playing golf. So that needs to go into the risk criteria as well, but I think it is something we should look at carefully because it keeps coming back, that was the first thing I brought up when I was elected, and I was told that our risk management people thought it was too risky, but I do think that there is risk so it is not a risk avoidance, it is risk management and there are various possibilities.

Interim City Manager Olazabal: If you don't mind, I'll have staff look at it and if you give me a couple of Commission Meetings since I have a lot to do for the next one, but it will be fully evaluated and you'll get whatever options we have and present something to you, so we can get your feedback.

City Attorney Leen: I will circulate the legal opinion to all of you and to the City Manager.

Commissioner Quesada:...and if you can find out as Commissioner Lago mentioned, because I am familiar with Kennedy Park.

Interim City Manager Olazabal: Which park?

Commissioner Quesada: Kennedy Park in the City of Miami, in the Coconut Grove District, that is the park right on the water near Monty's.

Interim City Manager Olazabal: Yes.

Commissioner Quesada: Find out what material they used there and try to get a basic estimate of what it would cost, I guess per square foot or however they price that out. To give us a ballpark idea.

Vice Mayor Kerdyk: It is a great idea by the way, we have talked about it for years

and years and actually Liz ruled against us there. She said no you couldn't do it, the former City Attorney, and that is why we let it go, because one of the...believe it or not unfortunately there was a death in front of Raul Valdez-Fauli's house, so we tried to pursue it ardently, she said no we can't do it based on a liability issue. So I am glad to hear Craig is...

Commissioner Quesada: Do you know if she ever created a memo?

Vice Mayor Kerdyk: I can't remember, you know this was a long time ago.

Commissioner Quesada: Craig, can you check if there is a memo out there?

City Attorney Leen: I'll check again, her view, her concern because I did inquire I did look into this I thought it went more into the realm of policy in my view, because she basically found that in her view there would be a risk that it would be an attractive nuisance, that it would draw people to the area.

Commissioner Quesada: It will.

City Attorney Leen: The reason why I felt it was not an attractive nuisance though in the end was twofold, one, I do think there is a choice of risk here, it is not just that you are bringing someone to the golf course, but you are also trying to avoid the risk of the road, and that choice of risk there is case law saying that, that can be protected by sovereign immunity. In addition, even to the extent that there is some liability it is ultimately a policy decision, and in my view you can insure it. You can put up signs and you can also have the golfers, have a sign or a waiver saying that they take responsibility for what they are doing. I respect the former City Attorney, I am not saying that there is not some risk, I just think that ultimately that is a choice of risk that you have to decide, I don't think that it should be prohibited by the legal department.

Mayor Cason: When you are ready come back to us, so we can evaluate it, whether we think we want to move forward and whether how much of this offer covers our cost and among other things. The last thing is Gables by-the-Sea, the neighbors have been persistently requesting a twenty mile per hour speed limit on two streets there. It is part of a community where Pinecrest has it, they have been through the procedures I think 90 percent at least of the neighbors have signed on, I guess we are looking at this to see whether we can reach a decision. It is different, it is a gated community and it is two long stretches, they are narrower than normal and we have people pushing baby

buggies and you know...

Commissioner Quesada: I grew up in that neighborhood and my parents still live there and I was at a homeowners association meeting there maybe two weeks ago, maybe three weeks ago and it didn't come up. I wasn't aware they were looking at that.

Mayor Cason: It is their number one issue and they have gotten petitions and we have been going back and forth with staff.

Commissioner Quesada: Do we have to go to a community vote?

Interim City Manager Olazabal: I have Tim Plummer looking at it. I am not sure that a vote is required, I don't want to be quoted on this, but I think he has to measure the speeds in volumes to figure out whether it is warranted or not.

Mayor Cason: Just look into it, it is different than the rest of the City the speed limit issue, this has already been done by half of the community.

Commissioner Quesada: Well what happens in that community to give you an idea, Lugo Avenue is the main drive that comes in on, it is a straight shot.

Mayor Cason: That is their main concern.

Commissioner Quesada: And there is a lot of speeding, because my parents live on Lugo and I experience it when I am walking my daughter on the street there to the park cars do fly there and then Bella Vista same thing, unfortunately about ten years ago there was a death.

Mayor Cason: And those are the streets that they are concerned about.

Commissioner Quesada: Two kids that were speeding because it is so wide open, it is a relatively wide street, there are no obstructions unfortunately you can go really, really fast.

Mayor Cason: So if you could look into that and see what you think can be done if anything.

Commissioner Keon: I know another place in the City where years ago that used to

be a problem, they had traffic engineers look at it and try and affect the street. So it isn't this straight away, so it isn't like a straight path and they did some bump outs and some different things where they put some trees and different things, so when you look you don't see a raceway.

Commissioner Quesada: Here is the problem, when I was in the Traffic Advisory Board we looked at that and they have been trying to get a circle forever that is the legal term at the entrance. They finally got the approval because the monies have been allocated, so that is eventually coming, but you still have a long straight away.

Commissioner Keon: There is a huge straight away.

Commissioner Quesada: We tried a community vote to get a speed bump there it didn't pass, because you know speed bumps most residents are against them. So really there isn't much you can do.

Commissioner Keon: But you can still kind of change the configuration of the street some. I think if you have a traffic engineer look at it there are things that they can do where they do like bump outs, they do like a bump out and plant some trees and things like that so that it doesn't look like that long narrow passage.

Commissioner Quesada: How about I suggest this, how about when Tim Plummer is back with his results if he can send it to the Traffic Advisory Board and for him to present at the Traffic Advisory Board so they can analyze it and come back to us with a recommendation and we will go from there.

Mayor Cason: Yes, and let the neighbors know if there is anything they need to be doing in getting more signatures they have about...they said everybody that lives there that is not an absentee has already signed whether or not they want it.

Commissioner Quesada: But I think it is perfectly within the purview of the Traffic Advisory Board.

Mayor Cason: Yes, that is great. That is all that I have. Do you have anything?

Commissioner Keon: I just have, and because you are talking about streets and living now on Edgewater, you know there is a portion of Edgewater where the sidewalk stops in front of about three or four homes it is just swale and then the sidewalks picks

back-up again and goes into the trail around the park. I was told by Jeff Cohen in the County that when the County was repaving Commodore Trail or the whole trail there, that they offered the City the opportunity to put in a trail in the swale and because there were some trees planted there by neighbors or something who had planted the trees in the swale that the City chose not to continue that path. So it sort of disconnected there, and it is the same thing, and every day I ride by there and there are people walking and it is a very narrow street there and they are walking in the street. They are pushing baby carriages in the street, and strollers in the street and you really can't...it is hard to see them unless you are going slow, because there is kind of a rise, and there is kind of a corner and with the park opening. You know that park is meant to be walked to and you are just going to increase the foot traffic and the bicycle traffic and everything in that area. There is a significant swale, I think that the people that live there need to understand that, that swale is not their property. I know they don't, but the swale is City property and if we have the ability to put a bike lane or something along there. I didn't see it in the Bike Master Plan when that was included, but it really connects the two trails, the trail that goes all through the Grove and the other that goes down Old Cutler and you know it is like this little half block area where there is no trail, in a really relatively narrow street that visibility is not great on. So if maybe you can ask Public Works to maybe work with the County and have some discussion about that.

Interim City Manager Olazabal: I'll ask them to look at it, but I believe they had looked at the right of way, that it is a little narrow.

Commissioner Keon: It is narrow.

Interim City Manager Olazabal: And it is hard to place a sidewalk there without removing the trees.

Commissioner Keon: They may not be able to.

Interim City Manager Olazabal: I'll have them look at it again and have something that is more visual, so that you can look at it.

Commissioner Keon: It may not accommodate a sidewalk, but it might be able to accommodate a little widening of street there and marking and the stripping to mark it as a bike path. That it may accommodate. It may not accommodate a sidewalk, but it may accommodate the next best request would be maybe a bike path with the widening of the street with stripping. If you could look at that. Thank you.

Mayor Cason: Bill?

Vice Mayor Kerdyk: Yes, just very briefly I wanted to update you on a conversation I had with Carmen yesterday. You will see in your email a complaint from the resident again about Granada Golf Course. Carmen, we sat down and talked about it apparently as you may or may not know our Superintendent has left the City of Coral Gables and so right now we don't have a Superintendent that is taking care of the golf course slash youth center, I think you have some people filling in, but I think the big key is that the USGA came in and did that study right? And the USGA I think that you were telling me that they had told us that we should plant sprigs instead of grass. Unfortunately, the growing season is starting now, in May through the next couple of months is when the rain starts and the growing season. So it doesn't seem like we are going to be able to get that going expeditiously and I don't know how we are going to improve the quality of the golf course in the next few months. So you are going to continue to get, more and more problems. What we talked about is trying to get a master plan on the whole golf course not just encapsulating the putting greens, but also looking at all of the grass on the golf course. Look at it from that perspective and then come up with a plan that we can present. We have like \$520,000 that is attributable to the golf course. I think \$105,000 was going to be put towards the greens and the other \$110,000 was going to be the sheds and the \$300,000 that was left was going to be spent wherever, but it would be good to have a master plan, so that we can tell people; OK. This is our game plan we understand that we can't plant now, but this is when we are going to start and that we have a little future here because as you very well know the Granada Golf Course is an amenity to the City and it is in terrible shape.

Commissioner Keon: It is not only an amenity to the City for people to play golf there, but all of the homes that surround that golf course is taxable value is what it is because it fronts on the golf course, and the golf course serves a lot of good purposes in our City. I don't understand why, we can't pick-up the phone and call the Biltmore and talk to them I know that the Biltmore Hotel has the concession for the golf course, but when you play on that golf course, that golf course is beautiful. And you have Granada, and Biltmore and Riviera, so we have all three golf courses that just follow one right after the other that are all in the same climate zone. They all get the same kind of rain, they all get the same kind of sun, they all get the same conditions and yet one really looks very bad. I'll tell you Biltmore looks the best of all of them.

Mayor Cason: And I think it is partly because back to our fiscal problems we had

before, that was one of the things for 15, 18 years didn't get any money put into it.

Commissioner Keon: But they now have the golf course concessions and they maintain that golf course beautifully. That golf course is just beautiful. To go out and play on that golf course is just beautiful, it is well maintained, it could be an issue of dollars for maintenance. Whatever, but whoever is in charge in the maintenance of that golf course appears to really know what they are doing because the golf course is beautiful because regardless of any issue we may have, or had in the past in the Biltmore...

Vice Mayor Kerdyk: It is actually not a bad idea.

Commissioner Keon: I think they would be a good resource for us at the moment to just ask them could you take a look at it.

Vice Mayor Kerdyk: Actually the Superintendent that is at the Biltmore was the Superintendent at Riviera when it was in good shape. So they let him go at Riviera and it was a benefit of the Biltmore, but anyway it would not be bad if you just asked the Biltmore as a nice gesture to send him over to see what he thought to just at least make it as good as possible while we are trying to put together a plan, but one of the things that you hit on is once we put the \$500,000 into the golf course, we have to make sure that we have a plan to maintain it. Maybe not to the degree of the Biltmore Golf Course, but certainly to a nice degree, certainly to a good, good degree.

Commissioner Keon: But the fairways and the greens.

Mayor Cason: One of the things that we talked about the golf course plan for changing the grass, was that there should be some temporary greens while you planted the sprigs on the other ones. Can you get turf for greens and put it in other areas while we are waiting for the sprouts to grow?

Commissioner Keon: They did that one temporary green, the practice green, they did and they opened it in December and by now it looks terrible. So whatever they did it wasn't a good result.

Interim City Manager Olazabal: What they did on the temporary green, was they over seeded it, and they over seeded it with winter grass, so that is why it looked so nice during the winter, once you start getting the warm weather it doesn't.

Commissioner Keon: That is why maybe if we have a conversation maybe with the people at the Biltmore they could steer us in the right direction.

Vice Mayor Kerdyk: I think that is very good, please pursue that, and just one final comment is that we sit up here and we agree or disagree, but I want to really say to each one of you, each of us has quality of life at the best of our heart and I thank you for supporting the million orchid program. You do that with enthusiasm and it is all of our projects and I am not just specially stipulating this one project because the fact is that we are an entity that tries to make a better Coral Gables and a lot of other municipalities, I don't think have people that really care as much as you do. So I want to thank you again.

Commissioner Keon: Thank you.

Mayor Cason: Thank you for that. Vince?

Commissioner Lago: No, I mean I basically covered everything in reference to our discussion so I'll pass it on to Frank.

Commissioner Quesada: I only have four items. I have nothing.

Mayor Cason: We are going to continue this meeting, so we don't have to re-notice the meeting on the process of going forward with the City Manager which we are still waiting for some information. So when we get it we will try to get together and move on with that. So we will leave it open and we will continue the meeting.

City Attorney Leen: What we will do, is we will work with each of you is once we get the information to establish a date we will still put up a notice on the bulletin board, just so everyone that is watching on TV it will be set by notice...

Commissioner Lago: Quick question just to help you, because I remember that in yesterday's meeting you mentioned that you would be contacting all of our committee members just to discuss Sunshine, would you like us to send you an email with our contacts information?

City Attorney Leen: I would. I would very much. I am also going to send each of you Murray's information, if you want to speak to him. Please feel free to and they can

also speak to him also.

Commissioner Lago: I have heard very good things about Murray.

Commissioner Keon: Did you want to contact Bud Park?

City Attorney Leen: Yes Bud Park I would like his contact information.

Mayor Cason: So if I adjourn this meeting I don't interfere with...

Commissioner Keon: I only ask one thing when I brought up the issue of Jessica Keller, she was written out of the budget and she is continued to be paid, but it is not given any authority over the people that she directs and those departments are a little directionless at the time. I would ask that Carmen please take a look at that and...

Mayor Cason: Evaluate...

Commissioner Lago: If I can just add one little tidbit there, beside the fact that you are talking about directionless, you are talking about the City is moving in a direction where we are going to entertain some of the most important projects in our history and she has done those projects in Baltimore. Sustainability Plan, Bike Master Plan, downtown redevelopment, so if you can Carmen just echo what Commissioner Keon said review what is going on and hopefully at the next Commission meeting we can address and have some public discussion.

Commissioner Keon: It is your employee, I would only ask that you would please.

Mayor Cason: Give it a second look.

Commissioner Quesada: I didn't say anything earlier. I like her, but it is more of a decision for...

Commissioner Keon: Absolutely, I am asking that you would do that. I really would like to see the items that were budgeted for the garages, I would like to see them happen. We are into the next budget year and it hasn't happen.

Mayor Cason: So with that, this meeting is adjourned.

City Clerk Item No. 31

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 on April 22, 2014. The next regular meeting of the City Commission has been scheduled for Tuesday, May 13, 2014, beginning 9 a.m.]

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK