

City of Coral Gables

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



CORAL GABLES
THE CITY BEAUTIFUL

Agenda

Tuesday, November 10, 2015

9:00 AM

City Hall, Commission Chambers

City Commission

*Mayor Jim Cason
Vice Mayor Frank C. Quesada
Commissioner Patricia Keon
Commissioner Vince Lago
Commissioner Jeannett Slesnick*

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

INVOCATION

Chaplain Mario E. Milian, United States Air Force Reserve.

Joining Chaplain Milian in the invocation are City Employees and Veterans: Leonard Freeman, Parking Department (U.S. Air Force); Carlos Perez, PW/Automotive Division (U.S. Army); Melissa Lopez del Castillo, Police Dept./Communications Division (U.S. Coast Guard); Jaime Haro, Fire Department (Marine Corps.) and Detective Peter Cuervo, Police Department (U.S. Navy).

PLEDGE OF ALLEGIANCE

A. PRESENTATIONS AND PROTOCOL DOCUMENTS

- A.-1. [15-4473](#) Presentation of a Proclamation declaring November 28, 2015 as "Small Business Saturday" in Coral Gables.
- A.-2. [15-4371](#) Congratulations to Officer Emilio Flores, recipient of the City of Coral Gables "Officer of the Month Award," for the month of August, 2015.
- A.-3. [15-4481](#) Congratulations to Sergeant Luis Lanz, recipient of the City of Coral Gables "Officer of the Month Award," for the month of September, 2015.
- A.-4. [15-4480](#) Congratulations to Detective Brad Baena, recipient of the City of Coral Gables "Detective of the 3rd Quarter Award," for the months of July through September, 2015.
- A.-5. [15-4489](#) Congratulations to Capt. Thad Ovcarich, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of November, 2015.
- A.-6. [15-4502](#) Congratulations to the Coral Gables Fire Department Extrication Team, on their success at the "2015 National Traffic Incident Extrication Challenge," during the week of October 28, 2015.
- A.-7. [15-4501](#) Congratulations to Antonio Silio who holds the title Ombudsman for Residents and Small Businesses, recipient of the "Employee of the Month Award," for the month of November, 2015.

B. APPROVAL OF MINUTES

- B.-1. [15-4522](#) Regular City Commission Meeting of September 22, 2015.

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.

- C.-1. [15-4484](#) A Resolution authorizing the execution of an Off-System Construction and Maintenance Agreement with the Florida Department of Transportation (FDOT) to construct safety improvements on Alhambra Circle, a road not on the State Highway System.
- C.-2. [15-4491](#) A Resolution authorizing an expenditure in the amount of \$4,793 from previously encumbered State Forfeited Asset Fund (F.A.F.) monies, to support the 2015/2016 Fiscal Year operations of the Drug Abuse Resistance Education (D.A.R.E.) program, conducted by the Coral Gables Police Department Youth Resource Unit.
- C.-3. [15-4492](#) A Resolution authorizing an encumbrance in the amount of \$5,048 or 15% of the State Forfeited Asset Fund (F.A.F.) monies received in the 2014/2015 Fiscal Year, to provide for the support and operation of school resource officer, crime prevention, safe neighborhood and drug abuse and prevention programs, as required under the Florida Contraband Forfeiture Act.
- C.-4. [15-4493](#) A Resolution authorizing an expenditure in the amount of \$8,334 from previously encumbered State Forfeited Asset Fund (F.A.F.) monies, to support the 2015/2016 Fiscal Year operations of the Police Explorer Post #594 program, conducted by the Coral Gables Police Department Youth Resource Unit.
- C.-5. [15-4495](#) A Resolution authorizing an expenditure in the amount of \$22,000 from State Forfeited Asset Fund (F.A.F.) monies, to support the 2015/2016 Fiscal Year operations of the Coral Gables Police Athletic League (P.A.L.) program, conducted by the Coral Gables Police Department Youth Resource Unit.
- C.-6. [15-4496](#) A Resolution authorizing expenditures in the amount of \$41,000 from Federal Forfeited Asset Fund (F.A.F.) monies for law enforcement equipment; the purchase of biometric fingerprint scanners and associated software for utilization by the Coral Gables Police Department.
- C.-7. [15-4497](#) A Resolution authorizing an expenditure in the amount of \$500 from previously encumbered State Forfeited Asset Fund (F.A.F.) monies, to support the 2015/2016 Fiscal Year operations of the "Do The Right Thing" program, conducted by the Coral Gables Police Department Youth Resource Unit.

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

- 1.-1. [15-4438](#) Communications Committee meeting minutes of October 15, 2015.
- 1.-2. [15-4479](#) Cultural Development Board meeting minutes of October 8, 2015.
- 1.-3. [15-4488](#) Economic Development Board meeting minutes of October 7, 2015.
- 1.-4. [15-4486](#) Property Advisory Board meeting minutes of October 21, 2015.
- 1.-5. [15-4477](#) The School Community Relations Committee meeting minutes of October 16, 2015.

D. PERSONAL APPEARANCES

- D.-1. [15-4509](#) Introduction by former Coral Gables Commissioner Wayne "Chip" Withers of Ms. Caroline Parker, Interim Director of the Coral Gables Museum.
- D.-2. [15-4518](#) Junior Orange Bowl Executive Director Jessica Cerda has requested to provide the Commission with an update regarding the upcoming November 29, 2015 Junior Orange Bowl Parade, which will take place in Downtown Coral Gables, featuring this year's theme, "Our Historic Hometown."

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in.

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.

EMERGENCY ORDINANCE

- E.-1. [15-4500](#) An Emergency Ordinance of the City of Coral Gables, Florida, amending the Code of the City of Coral Gables, Florida, by amending Chapter 66, "Taxation," Article VI, "Ad Valorem Taxation," Division 2, "Homestead Exemption for Low-income Elderly Persons," adopting property tax exemption under State Amendment 11 for qualifying income seniors, 65 years of age or older, who are living in a residence for 25 years or more, with a homestead property valued under \$250,000.00; Providing for submission of appropriate documentation to the Miami-Dade County Property Appraiser; Providing for repealer provision, severability clause, codification, and providing for an effective date. (This ordinance does not affect the 2015 Tax Year or the FY 2016 City Budget; it would affect the 2016 Tax Year and the FY 2017 City Budget).
(Sponsored by Commissioner Lago)

ORDINANCES ON SECOND READING

- E.-2. [15-4443](#) An Ordinance of the City Commission of Coral Gables, Florida, granting subpoena power to the City Attorney on behalf of the City, and providing for a repealer provision, severability clause, codification, and providing for an effective date.
- E.-3. [15-4442](#) An Ordinance of the City of Coral Gables, Florida, creating a False Claims and Presentations Ordinance to prohibit false or incomplete presentations to or false or fraudulent claims against the City of Coral Gables, providing for enforcement; and providing for a repealer provision, severability clause, codification, and providing for an effective date.

ORDINANCES ON FIRST READING

AGENDA ITEMS E-4 AND E-5 ARE RELATED

Time Certain 10:30 A.M.

- E.-4. [15-4475](#) Ordinance on First Reading. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code by amending Article 4, Division 4 "Prohibited Uses", by amending Article 5, Division 19 "Signs", and by amending Article 8 "Definitions"; providing for repealer provision, severability clause, codification, and providing for an effective date.
- E.-5. [15-4476](#) Ordinance on First Reading. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Code by amending:
- Chapter 14, Article III, Section 14-70 "Advertising Sign Requirements";
 - Chapter 62, Article I, Section 62-1 "Sidewalk Advertising; Using Streets Or Sidewalks For Advertising Purposes";
 - Chapter 62, Article VI, Section 62-185 "Application, Contents";
 - Chapter 62, Article VI, Section 62-186 "Application Permit Required For Work Or Commercial Activities That Obstruct Or Close A Public Right-Of-Way Or Impede Traffic; Permit For Assemblies; Permit For Parades; Prohibitions"; and
 - Chapter 105, Article II, Section 105-27 "Condition Of Commercial Property";
- providing for repealer provision, severability clause, codification, and providing for an effective date.

F. CITY COMMISSION ITEMS

- F.-1. [15-4362](#) Board of Adjustment Appeal - Application No. BA 12-12-3657 (4635 Granada Boulevard).
- Mr. Leonardo L. Cornide, applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment at its regular meeting of Monday, September 14, 2015, wherein it denied a variance request as outlined under the applicant's proposal.
- F.-2. [15-4498](#) A Resolution of the City Commission of the City of Coral Gables, Florida, in support of the New York Attorney General's Office in their defense of the United States EPA's Clean Power Plan.
(Sponsored by Mayor Cason, Commissioner Keon and Commissioner Lago)

G. BOARDS/COMMITTEES ITEMS

- G.-1. [15-4520](#) A Resolution of the City Commission appointing _____ (Nominated by the Commission-As-A-Whole) to serve as a member of the Property Advisory Board, for the remainder of a two (2) year term, which began on June 1, 2015 and continues through May 31, 2017.

H. CITY MANAGER ITEMS

- H.-1. [15-4490](#) A Resolution accepting the recommendation of the Chief Procurement Officer to authorize contract negotiations with AECOM Technical Services, Inc., as the professional services consultant to conduct a comprehensive fifteen year Community Recreation Master Plan, pursuant to Florida Statute 287.055, known as the "Consultants Competitive Negotiation Act," and Request for Qualifications (RFQ) 2015.09.24.
- H.-2. [15-4482](#) Update on the Miracle Mile and Giralda Avenue Streetscape project.
- H.-3. [15-4508](#) Update on Building Permit Focus Group Meeting report.
- H.-4. [15-4511](#) A Resolution directing the City Manager and City Staff to undertake a study of the possible annexation to the City of Coral Gables of the areas known as "Little Gables," "Ponce-Davis," and "High Pines," and provide a report to the City Commission.

I. CITY ATTORNEY ITEMS

- I.-1. [15-4505](#) Status report regarding potential ordinance legalizing ride-sharing networks in Coral Gables, under section 6.02 of the Miami-Dade County Charter.
- I.-2. [15-4510](#) Status update regarding discussions with USPS relating to mail delivery to townhomes at 515 to 533 Anastasia Avenue.
- I.-3. [15-4517](#) Request for Authority to modify Dispute Resolution Agreement relating to Lots 13, 14, and 15 of Coral Gables Granada Section (1011 and 1015 Lisbon Street) whereby the City would purchase Lots 14 and 15, which includes the specimen trees referred to as Sherman's Oak and the surrounding tree protection zone.

J. CITY CLERK ITEMS**K. DISCUSSION ITEMS**

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

L. EXECUTIVE SESSION

- L-1. [15-4506](#) Attorney-Client executive session in the City Conference Room, 1st Floor, closed to the public, for purposes of discussing the lawsuit pending in the Eleventh Judicial Circuit entitled Merrick Partners, LTD et al. v. City of Coral Gables, Case No. 15-020048 CA 25 (Fla. 11th Judicial Cir.). This session may be attended by the following individuals: Mayor Jim Cason, Vice Mayor Frank Quesada, Commissioner Patricia Keon, Commissioner Vince Lago, Commissioner Jeannett Slesnick, City Manager Cathy Swanson-Rivenbark, City Attorney Craig Leen, Deputy City Attorney Miriam Ramos, Assistant City Attorney Yaneris Figueroa, Special Counsel Adolfo Jimenez, and Special Counsel Brian Toth. A certified Court Reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-stated litigation. At the conclusion of the Attorney-Client session, the City Commission meeting will be reopened and the person chairing the Commission meeting will announce the termination of the Attorney-Client session.

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 requiring special accommodations for participation in the meeting should contact Ernesto Pino, Assistant Public Works Director, at 305-460-5004, with requests for any auxiliary aids or services at least one business day before the meeting.

**Walter J. Foeman
City Clerk**