

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2008-153**

A RESOLUTION ACCEPTING THE CITY ATTORNEY'S RECOMMENDATION TO THE PROPOSAL FOR THE SETTLEMENT OF BERT J. HARRIS CLAIM FILED BY PROPERTY OWNERS FERNANDO MENOYO AND ALMERIA ROW, LLC (OWNERS OF THE FOLLOWING PROPERTIES: 744 BILTMORE WAY, 2509 ANDERSON ROAD, 745 VALENCIA AVENUE, 635 ALMERIA AVENUE, 643 ALMERIA AVENUE, 2605 ANDERSON ROAD, 2611 ANDERSON ROAD, 731 ALMERIA AVENUE, 735 ALMERIA AVENUE, 743 ALMERIA AVENUE, 2615 ANDERSON ROAD, 760 VALENCIA AVENUE), PARTICULARLY AS IT PERTAINS TO THE TIME DEADLINE FOR SAID SETTLEMENT; FURTHER DIRECTING THE CITY MANAGER TO REFER THE ISSUES OF HEIGHT LIMITATION (I.E. FORTY-FIVE FOOT HEIGHT LIMITATION FOR PROPERTIES, WHICH WOULD BE LIMITED TO THE PROPERTIES BY A MODIFICATION TO THE SITE SPECIFIC REGULATIONS IN THE ZONING CODE), AND PROPOSED SITE REGULATIONS TO THE CITY'S PLANNING AND ZONING BOARD FOR ITS CONSIDERATION, REVIEW AND POSSIBLE APPROVAL, AT ITS SCHEDULED OCTOBER 8<sup>TH</sup> MEETING; FURTHER STATING THAT THE PLANNING AND ZONING BOARD'S RECOMMENDATION REGARDING POTENTIAL SETTLEMENT FOLLOWING ITS DELIBERATION AND RECOMMENDATION OF SAME WOULD ULTIMATELY BE CONSIDERED BY THE CITY COMMISSION AT A FUTURE MEETING DATE.

**BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** That the City Commission does hereby authorize the City Manager to accept the City Attorney's recommendation regarding the proposal for the settlement of Bert J. Harris claim as stated above; and further stating that the Planning and Zoning Board's recommendation regarding potential settlement following its deliberation and recommendation be bought back to the to the City Commission at a future meeting date.

**SECTION 2.** That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-THIRD DAY OF SEPTEMBER, A.D., 2008.

(Moved: Cabrera / Seconded: Kerdyk)

(Yeas: Voice Vote)

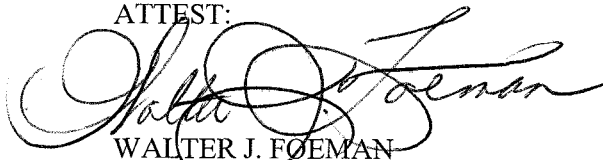
(Non-Agenda Item: I (1.1))

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY