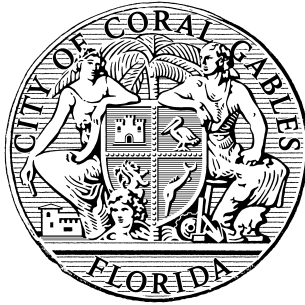


# **City of Coral Gables**

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



## **Meeting Minutes**

**Tuesday, October 12, 2010**

**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.*

**ROLL CALL**

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

**INVOCATION**

Commissioner Withers gave the Invocation.

**PLEDGE OF ALLEGIANCE**

Commissioner Cabrera 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. 2010-34 through Ordinance No. 2010-35) (b) Resolution(s) adopted (Resolution No. 2010-227 through Resolution No. 2010-237); (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. 10-0595** Congratulations to Officer Kimberly DiGiacomo, recipient of the City of Coral Gables "Officer of the Month Award", for the month of August 2010

**Attachments:** [COMMISSION COVER MEMO - OFFICER OF THE MONTH - AUGUST Nomination](#)

[Note for the Record: Mayor Slesnick requested of City Manager to address Agenda Item C-1, whereby Mr. Salerno instructed Chief Naue to introduce the Officer of the Month Award for the Month of October, namely Officer Kimberly DiGiacomo; further stating that Officer DiGiacomo was nominated for said honor for her investigation that resulted in the arrest of an offender that was charged with two counts of Occupied Burglary and 2 Counts of Video Voyeurism and one count of filing a false police report; further noting that on August 15, 2010 Officer DiGiacomo was dispatched to investigate a call on 9380 Balada Street in connection with an incident wherein an unknown subject was seen photographing homeowner's juvenile daughter while she was undressing in her bedroom; upon arriving at the location in question, Officer DiaGiacomo conducted a preliminary investigation of the incident and found out that the juvenile's bedroom was not visibly accessible unless the subject entered the cartilage of the residence.

Following interviews with the victim, her family members and guests whom were present at the residence, said victim relayed to Officer DiGiacomo that the subject photographed her while she was nude, by using a new iPhone. Officer DiGiacomo reported the incident to Wackenhut Security Guard Eric Owens who informed Officer DiGiacomo that while patrolling nearby, he pursued a subject on foot that was looking at cars; further stating that he chased the subject into the victim's residence.

The homeowner of said location contacted the Coral Gables Police Department's Communications Dispatcher and inquired if there was a logged call received from a security guard of an incident that occurred at her residence, whereby she was informed that there were no records of anyone requesting to dispatch a police unit to her residence.

The investigative information supplied by Officer DiGiacomo describes a very nervous Wackenhut Security Guard Eric Owens. Officer DiGiacomo further stated that she had interviewed a female security guard, who also corroborated the fact that Mr. Owens had returned to the guard, appearing sweaty and informing her that he had observed a suspect filming the victim through the bedroom window and that he had chased him; further stating that she had inquired whether Mr. Owens owns an iPhone?-whereby the female security guard acknowledged same, more specifically one of the newer models, adding that she had discussed his ownership of an iPhone previously with him; further informing Officer DiGiacomo that she also is an employee of AT&T.

Officer DiGiacomo acknowledged the involvement of other officers that she delegated various duties (i.e. Officer J. Estevez- task of interacting with Mr. Owens to obtain further investigative information; Officer Poole- process crime scenes and collect information related to the incident; Officers Rubido and Coleman- canvassing the area to locate the iPhone; Officer Jenkins- who was summoned to the area because of her familiarity with the iPhone and its application, etc.)

Through the assistance of Officers Rubido and Coleman, along with Officer DiGiacomo, the iPhone was discovered where Mr. Owens had parked his Wackenhut Security vehicle; said phone appeared to match the description given by the juvenile that was used to photograph her nude in her bedroom.

Officer later convinced Mr. Owens to voluntarily come to the police station wherein he admitted to photographing the juvenile female; he was later placed under the arrest and charged with two counts of burglary; two counts of video voyeurism and filing a false police report to a law enforcement officer.

Chief Naue further stated that due to Officer DiGiacomo's persistency and self-determination, that Mr. Owens is no longer roving in a community to commit further criminal activity.

In accepting this accolade, Officer DiGiacomo stated that she is honored; further thanking the selection committee for nominating her; further adding that she is very happy to have been able to deal apprehending this criminal activity].

**This Presentation/Protocol Document was Acknowledged**

City Clerk Item No. 1

**A.-2. 10-0630**

Presentation of a Proclamation declaring November 6, 2010 as Coral Gables: Playful City USA Day

[Note for the Record: Mayor Slesnick prefaced his remarks by noting that it has been a tradition in Coral Gables to honor those individuals in our community, as well as pay homage to those ideas and programs that the City has participated in; further noting that the City of Coral Gables was first declared a “Playful City” during a period of time when our City was facing an economic downturn; further referencing a letter that was received from a resident wherein said individual questioned the appropriateness of our City becoming a “Playful City;” further pointing out that if our City does not become a “Playful City,” then we are heading toward a state of depression; further reminding the viewing public that a “Playful City” is about our City’s Recreation Department, further pointing out the efforts of certain Commissioners Withers and Cabrera, respectively in coaching kids in various sports (i.e. basketball and football); further noting that becoming a “Playful City” is critical to our welfare and to childhood obesity; further stating that because of our facilities-Youth Center; golf courses, tennis courts, play spaces, we have been designated a “Playful City” and on November 6th, 2010; further stating we will be having a “Play Day”-a time to celebrate our youth to go out and play, a time for getting out and getting healthy; whereby Mayor Slesnick read into the public record a proclamation declaring November 6th, 2010 as “Playful City USA Day.”

Parks and Recreation Department Director Fred Couceyro stated that there will be activities and games for all ages; interactions with families; further acknowledging the role of KaBoom in trying to obtain opportunities for kids to commit to playful activities, along with providing facilities and programs for kids to enjoy play spaces and enjoy themselves].

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

City Clerk Item No. 2

**B. APPROVAL OF MINUTES**

- B.-1. 10-0657** Impasse Hearing of August 23, 2010

**Attachments:** [Meeting Minutes](#)

**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. 3

- B.-2. 10-0658** Budget Hearing of September 14, 2010

**Attachments:** [Meeting Minutes](#)

**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 Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 4

- B.-3. 10-0659** Regular City Commission Meeting of September 28, 2010

**Attachments:** [Meeting Minutes](#)  
[Verbatim Transcript - Agenda Items E-4-E-5-E-6 are related UMCAD](#)  
[Verbatim Transcript - Agenda Item E-11 Leafblowers](#)

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

City Clerk Item No. 5

**Non Agenda Items****RESOLUTION NO. 2010-227**

**Non 10-0687  
Agenda**

A Resolution of the City Commission of Coral Gables reconsidering a vote previously taken to rename the Valdes-Fauli Archive.

RESOLUTION TO RECONSIDER THE VOTE PREVIOUSLY TAKEN IN CONNECTION WITH RESOLUTION NO. 2010-207 [SUBJECT MATTER: CHANGE NAME OF THE RAUL E. VALDES-FAULI ARCHIVE COLLECTION TO THE VALDES-FAULI ARCHIVE].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-227. 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. 6

**RESOLUTION NO. 2010-228**

**Non 10-0688  
Agenda**

A Resolution of the City Commission of Coral Gables renaming the Raul L. Valdes-Fauli archive.

RESOLUTION TO CHANGE THE NAME OF THE RAUL L. VALDES-FAULI ARCHIVE COLLECTION TO THE VALDES-FAULI ARCHIVE.

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-228. 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. 7

**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 Anderson, to Adopt the Consent Agenda. The motion carried by the following vote:**

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

**RESOLUTION NO. 2010-229****C.-1. 10-0605**

Resolution accepting the recommendation of the Chief Procurement Officer for the purchase of a pre-owned 2007 Bucket Truck (Terex aerial devise installed on a International truck chassis) as a "Sole Source" from Ring Power Corporation of St. Augustine, Florida in the amount of \$62,500.00 (Sixty-Two Thousand Five Hundred Dollars), pursuant to Section 2-770 of the City's Procurement Code and further authorizing the execution of the contract.

**Attachments:** [Sole Source Determination](#)  
[Bucket Truck Draft Reso](#)  
[C-1 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER FOR THE PURCHASE OF A PRE-OWNED 2007 BUCKET TRUCK (TEREX AERIAL DEVISE INSTALLED ON A INTERNATIONAL TRUCK CHASSIS) AS A "SOLE SOURCE" FROM RING POWER CORPORATION OF ST. AUGUSTINE, FLORIDA IN THE AMOUNT OF \$62,500.00 (SIXTY-TWO THOUSAND FIVE HUNDRED DOLLARS), PURSUANT TO SECTION 2-770 OF THE CITY'S PROCUREMENT CODE AND FURTHER AUTHORIZING THE EXECUTION OF THE CONTRACT.

**This Matter was adopted by Resolution Number 2010-229 on the Consent Agenda.**

City Clerk Item No. 9

**RESOLUTION NO. 2010-230****C.-2. 10-0629**

Resolution authorizing execution of a second amendment to the existing contract with South Florida Maintenance Services, Inc., entitled "Landscape Maintenance of Various Locations in the City of Coral Gables, Fla. DPS #2001-01", for the purpose of adding maintenance locations.

**Attachments:** [SFM - Addendum No. 2 added location reso 2010](#)  
[ADDENDUM No. 2 - South Florida Maintenance Services - 10.12](#)  
[FINAL SOUTH FLORIDA MAINTENANCE LIST](#)  
[Contract.Reso and proposal pages from 2001 SFM inc. contract](#)  
[C-2 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO THE EXISTING CONTRACT WITH SOUTH FLORIDA MAINTENANCE SERVICES, INC., ENTITLED "LANDSCAPE MAINTENANCE OF VARIOUS LOCATIONS IN THE CITY OF CORAL GABLES, FLA. DPS #2001-01", FOR THE PURPOSE OF ADDING MAINTENANCE LOCATIONS.

**This Matter was adopted by Resolution Number 2010-230 on the Consent Agenda.**

City Clerk Item No. 10

**RESOLUTION NO. 2010-231****C.-3. 10-0631**

Resolution granting permission to the American Cancer Society to use the Merrick Park area located at 400 Biltmore Way, including Biltmore Way and turn lanes on Le Jeune Road and Andalusia Avenue, during the Relay for Life event, beginning on April 16, 2011 from 6:00 a.m. until noon on April 17, 2011.

**Attachments:** [Special Events Application and Permit for American Cancer Society Relay for Life](#)  
[Draft Resolution for American Cancer Society Relay for Life.pdf](#)  
[Map.pdf](#)  
[C-3 Signed Cover Memo](#)

RESOLUTION GRANTING PERMISSION TO THE AMERICAN CANCER SOCIETY TO USE THE MERRICK PARK AREA LOCATED AT 400 BILTMORE WAY, INCLUDING BILTMORE WAY AND TURN LANES ON LeJEUNE ROAD AND ANDALUSIA AVENUE, DURING THE RELAY FOR LIFE EVENT, BEGINNING ON APRIL 16, 2011 FROM 6 A.M. UNTIL NOON ON APRIL 17, 2011.

**This Matter was adopted by Resolution Number 2010-231 on the Consent Agenda.**

City Clerk Item No. 11



**RESOLUTION NO. 2010-232**

- C.-4. 10-0633** Resolution authorizing the execution of a Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement for law enforcement services between the City of Coral Gables and the City of Aventura.

**Attachments:** [RESOLUTION - AVENTURA PD - MOU](#)  
[MUTUAL AID AGREEMENT - AVENTURA.txt](#)  
[C-4 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE EXECUTION OF A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF CORAL GABLES AND THE CITY OF AVENTURA.

**This Matter was adopted by Resolution Number 2010-232 on the Consent Agenda.**

City Clerk Item No. 12

**RESOLUTION NO. 2010-233**

- C.-5. 10-0634** Resolution authorizing the waiving of the cost of renting thirty (30) parking spaces along San Amaro Drive for the 2010 Junior Orange Bowl International Tennis Championship from December 14, 2010 through December 23, 2010.

**Attachments:** [JOB letter 2010](#)  
[cover sheet JOB tennis 2010](#)  
[JOB Tennis Reso2010](#)  
[C-5 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE WAIVING OF THE COST OF RENTING THIRTY (30) PARKING SPACES ALONG SAN AMARO DRIVE IN CONNECTION WITH THE 2010 JUNIOR ORANGE BOWL INTERNATIONAL TENNIS CHAMPIONSHIP FROM DECEMBER 14, 2010 THROUGH DECEMBER 23, 2010.

**This Matter was adopted by Resolution Number 2010-233 on the Consent Agenda.**

City Clerk Item No. 13

- C.-6. 10-0635** Resolution accepting the recommendation of the Chief Procurement Officer to "Piggyback" an off-site records management services contract with Certified Records Management, LLC (CRM), from the Southwest Florida Water Management District, pursuant to Section 2-978 of the Procurement Code, for one (1) year with an option to renew four (4) additional one (1) year periods through July 31, 2015; further authorizing the execution of the contract.

**Attachments:** [Off-Site Records Management - Draft Agenda Cover 100510-1650](#)  
[Off-Site Records Management Draft Reso](#)  
[1800 - 2007 SWFWMD Contract \(2\)](#)  
[2010 Rates](#)

**This Resolution was Deferred**

City Clerk Item No. 8

**RESOLUTION NO. 2010-234**

- C.-7. 10-0638** Resolution granting permission to the Coral Gables Firefighters Benevolent Association to sell Christmas trees, install a temporary chain link fence, and use an inflatable Santa Claus as a display at 5501 Granada Boulevard, the Coral Gables Baptist Church property, from November 22 through December 24, 2010.

**Attachments:** [C-7 Signed Cover Memo](#)  
[Firefighters Certificates of Insurance](#)  
[Christmas Tree Sale Resolution](#)  
[Firefighters Receipts](#)  
[Letters from Firefighters Benevolent Association](#)  
[Lease Agreement](#)

RESOLUTION GRANTING PERMISSION TO THE CORAL GABLES FIREFIGHTERS BENEVOLENT ASSOCIATION TO SELL CHRISTMAS TREES, INSTALL A TEMPORARY CHAIN LINK FENCE, AND USE AN INFLATABLE SANTA CLAUS AS A DISPLAY AT 5501 GRANADA BOULEVARD, THE CORAL GABLES BAPTIST CHURCH PROPERTY, FROM NOVEMBER 22, 2010 THROUGH DECEMBER 24, 2010.

**This Matter was adopted by Resolution Number 2010-234 on the Consent Agenda.**

City Clerk Item No. 14

**RESOLUTION NO. 2010-235**

- C.-8. 10-0639** Resolution authorizing Coral Gables Cinemateque, Inc. to sell beer and wine as permitted by State law at 260 Aragon Avenue, Coral Gables, Florida.

**Attachments:** [C-8 Signed Cover Memo](#)  
[Cinemateque Resolution](#)

RESOLUTION AUTHORIZING CORAL GABLES CINEMATEQUE, INC., TO SELL BEER AND WINE AS PERMITTED BY STATE LAW AT 260 ARAGON AVENUE, CORAL GABLES, FLORIDA.

**This Matter was adopted by Resolution Number 2010-235 on the Consent Agenda.**

City Clerk Item No. 15

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

- C.-9. 10-0632** Cultural Development Board Meeting of September 22, 2010

**Attachments:** [09 CDB Commission cover for 9-22-10 Minutes.pdf](#)  
[09 CDB Mtg-Sep 22 2010.pdf](#)

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

City Clerk Item No. 16

- C.-10. 10-0627** Coral Gables Merrick House Governing Board Meeting of September 13, 2010

**Attachments:** [MerrickHouseSept132010](#)  
[CGMNoAction-091310MinutesforCC101210](#)

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

City Clerk Item No. 17

- C.-11. 10-0655** Communications Committee Meeting of September 16, 2010

**Attachments:** [Microsoft Word - communicationsminutesagendoctober010.pdf](#)  
[Microsoft Word - minutes september 2010.pdf](#)

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

City Clerk Item No. 18

[Note for the Record: Following the roll call being take on the Consent Agenda, Mayor Slesnick announced that next year, the “Relay for Life” event, schedule to take place on April 16-17, 2011, will take place outside of City Hall.

Mayor Slesnick also announced that the City Commission in approving Agenda Item C-7 (Resolution No. 2010-234), that the Coral Gables Firefighters Benevolent Association will be at 5501 Granada Boulevard, selling Christmas Trees].

#### **D. PERSONAL APPEARANCES**

- D.-1. 10-0628** Legislative update by Fausto Gomez, of Gomez Barker, P.A.

**Attachments:** [End-of-Session Report 2010](#)

[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 Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 19

- D.-2. 10-0637** Alyssa Mayer, Community Representative of the American Cancer Society, to discuss the Relay for Life of Coral Gables.

[Note for the Record: Commissioner Maria Anderson introduced Alyssa Mayer, Community Representative of the American Cancer Society, to discuss the Relay for Life of Coral Gables event scheduled to take place in Merrick Park, April 16-17, 2011. This event represents an 18 hour journey, which has been described as providing the light of day and the dark of night to parallel the physical ordeal, emotions and mental state of a cancer patient while undergoing treatment.

Ms. Mayer informed the viewing audience that said event celebrates the lives of people who have battled cancer, it remembers loved ones lost to the disease, as well as those who have fought back, having been touched by cancer and who want to put an end to the disease.

Ms. Mayer stated that the co-chairpersons for the upcoming event are Commissioner Maria Anderson and Sarah Artecona, and that Mayor Slesnick will serve as the Honorary Chairman. The events include a Survivor’s Lap (which symbolizes the courage that cancer survivors and their families display every day) along with the Opening Ceremony and the Luminaria Ceremony (i.e. glowing bags that appear to be simply paper sacks filled with sand and candles, but every bags represents a life that has battled cancer). Ms. Mayer further explained that because cancer never sleeps, each team is asked to have a representative on the track at all times during the

overnight event.

Ms. Mayer stated that there will be a reception in connection with the “Relay for Life of Coral Gables,” which is scheduled for October 26, 2010, starting at 7:00 p.m., at 2100 Ponce de Leon Boulevard, in Coral Gables.

Questions, Answers, Inquiries and Concerns from the City Commission: Commissioner Withers inquired as to whether the “Relay for Life” organizers are taking in any new ideas for other events?- further mentioning the Waterway Renaissance Group that is reclaiming the waterways in Coral Gables, and its representative, Peter Hairston; further pointing out that they have canoes, paddleboats, kyaks, etc., and that maybe consideration for a regatta type event would be huge for awareness. Commissioner Anderson added that the City can provide her with contact information regarding same].

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 20

**E. PUBLIC HEARINGS****ORDINANCES ON SECOND READING**

**Time Certain: 10:30 a.m.**

**Items E.-1. and E.-2. are related**

**ORDINANCE NO. 2010-34**

- E.-1. 10-0613** Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables for an amendment to the Zoning Code, Article 4, Division 2, Section 4-202, University of Miami Campus Area Development (UMCAD), by creating new use and development provisions for the University to be referenced as "University Campus District (UCD)", providing for repeal in entirety of the existing UMCAD provisions and an amendment to Article 8, Definitions, providing for new definitions; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, Vote: 5-1) (Passed on First Reading September 28, 2010)

**Attachments:** [09 28 2010 CC Cover Memo UM UMCAD to UCD rezoning cover memo - 1st Reading](#)  
[09 28 2010 Exhibit A - UM UCD zoning code text amend ord -1st reading](#)  
[09 28 2010 Exhibit B - UM UCD change in zoning map ord](#)  
[09 28 2010 Exhibit G - Existing UMCAD ZC provisions](#)  
[09 28 2010 Exhibit C- 09 15 2010 PZB Staff Report only](#)  
[09 28 2010 Exhibit E - University's submittal package](#)  
[09 28 2010 Exhibit H - UCD Campus sub-areas map](#)  
[09 28 2010 Exhibit J - Updated public comments](#)  
[09 28 2010 Exhibit I - Approved 2002 UM campus height map](#)  
[09 28 2010 Exhibit F - Draft UCD Zoning Code text provisions](#)  
[09 28 2010 Exhibit D - 09 14 2010 Planning and Zoning Board minutes](#)  
[E-9 & E-10 Signed Cover Memo](#)  
[10 12 2010 Exhibit A: UM UCD zoning code text amend ordinance with Article 4 a](#)  
[10 12 2010 Exhibit B: UM UCD change in zoning map ordinance](#)  
[10 12 2010 CC Cover Memo FINAL UM UMCAD to UCD rezoning cover memo - 10 12 2010](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA FOR AN AMENDMENT TO THE ZONING CODE, ARTICLE 4, DIVISION 2, SECTION 4-202, UNIVERSITY OF MIAMI CAMPUS AREA DEVELOPMENT (UMCAD), BY CREATING NEW USE AND DEVELOPMENT PROVISIONS FOR THE UNIVERSITY TO BE REFERENCED AS "UNIVERSITY CAMPUS DISTRICT (UCD)", PROVIDING FOR REPEAL IN ITS ENTIRETY OF THE EXISTING UMCAD PROVISIONS AND AN AMENDMENT TO ARTICLE 8, DEFINITIONS, PROVIDING FOR NEW DEFINITIONS; AND 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 Anderson, seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2010-34. 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. 24

### **ORDINANCE NO. 2010-35**

**E.-2. 10-0614**

Change of Zoning Map. An Ordinance of the City Commission of Coral Gables requesting a change of zoning for the University of Miami, City of Coral Gables Campus owned properties including the following:

1. Commercial Limited (CL) District to University Campus District (UCD) for properties legally described as follows:

a) Lots 8-10, Block 192, Riviera Section Part 14 (5809 Ponce de Leon Blvd. - McKnight Building), Coral Gables, Florida;

b) Lots 6 and 7, Block 192, Riviera Section Part 14 (No address - McKnight Building parking lot), Coral Gables, Florida; and,

c) Lots 1, 2 and SW ½ of Lot 3, Block 192, Riviera Section Part 14 (1540 Levante Ave. - Rainbow Building) ), Coral Gables, Florida; and,

2. University of Miami Campus Area Development (UMCAD) to University Campus District (UCD) for all University of Miami owned properties generally bounded by Ponce de Leon Boulevard, Levante Avenue, Red Road (SW 57th Avenue), Mataro Avenue, San Amaro Drive, Campo Sano Drive, Pisano Avenue and Carillo Street, Coral Gables, Florida; and,

providing for severability, repealer, codification, and an effective date. (PZB recommended approval, Vote: 6-0) (Passed on First Reading September 28, 2010)

**Attachments:** [09 28 2010 CC Cover Memo UM UMCAD to UCD rezoning cover memo - 1st Rea](#)  
[09 28 2010 Exhibit A - UM UCD zoning code text amend ord -1st reading](#)  
[09 28 2010 Exhibit B - UM UCD change in zoning map ord](#)  
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[E-9 & E-10 Signed Cover Memo](#)  
[10 12 2010 CC Cover Memo: FINAL UM UMCAD to UCD rezoning cover memo -](#)  
[10 12 2010 Exhibit A - UM UCD zoning code text amend Ordinance with Article 4](#)  
[10 12 2010 Exhibit B - UM UCD change in zoning map ordinance](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA REQUESTING A CHANGE OF ZONING FOR THE UNIVERSITY OF MIAMI, CITY OF CORAL GABLES CAMPUS OWNED PROPERTIES INCLUDING THE FOLLOWING:

1. COMMERCIAL LIMITED (CL) DISTRICT TO UNIVERSITY CAMPUS DISTRICT (UCD) FOR PROPERTIES LEGALLY DESCRIBED AS FOLLOWS:

a. LOTS 8-10, BLOCK 192, RIVIERA SECTION PART 14 (5809 PONCE DE LEON BOULEVARD - MCKNIGHT BUILDING), CORAL GABLES, FLORIDA;

- b. LOTS 6 AND 7, BLOCK 192, RIVIERA SECTION PART 14 (NO ADDRESS - MCKNIGHT BUILDING PARKING LOT), CORAL GABLES, FLORIDA; AND,
- c. LOTS 1, 2 AND SW ½ OF LOT 3, BLOCK 192, RIVIERA SECTION PART 14 (1540 LEVANTE AVENUE - RAINBOW BUILDING), CORAL GABLES, FLORIDA; AND,
- 2. UNIVERSITY OF MIAMI CAMPUS AREA DEVELOPMENT (UMCAD) TO UNIVERSITY CAMPUS DISTRICT (UCD) FOR ALL UNIVERSITY OF MIAMI OWNED PROPERTIES GENERALLY BOUNDED BY PONCE DE LEON BOULEVARD, LEVANTE AVENUE, RED ROAD (SW 57TH AVENUE), MATARO AVENUE, SAN AMARO DRIVE, CAMPO SANO DRIVE, PISANO AVENUE AND CARILLO STREET, CORAL GABLES, FLORIDA; AND, PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Public 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 Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2010-35. 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. 25



**ORDINANCES ON FIRST READING**

- E.-3. 10-0640** Change of Land Use. An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from "Commercial Use, Mid-Rise Intensity" to "Commercial Use, High-Rise Intensity" for a 1.2 acre parcel legally described as Lots 1-9 and 37-46, Block 10, Crafts Section (272 Valencia Avenue), Coral Gables, Florida; and providing for severability, repealer, codification and an effective date. (PZB recommended approval, Vote: 6-0) (Passed on First Reading October 12, 2010)

**Attachments:** [10 12 10 CC Cover Memo - 272 Valencia Ave. CP change - 1st reading](#)  
[10 12 10 Exhibit A - Ordinance: 272 Valencia Avenue CP amendment 1st reading](#)  
[10 12 10 Exhibit B - 09 15 10 PZB Staff Report w attachments](#)  
[10 12 10 Exhibit C - 09 15 10 PZB Meeting Minutes](#)  
[10 12 10 Exhibit D - Public Comments](#)  
[10 26 10 CC Cover Memo - 272 Valencia Ave. CP change - 2nd Reading](#)  
[10 26 10 Exhibit A - Ordinance: 272 Valencia Avenue CP amendment 2nd reading](#)

[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].

City Clerk Item No. 21

**RESOLUTION NO. 2010-236**

**Non 10-0689  
Agenda**

Resolution reconsidering the vote previously taken in connection with Resolution No. 2010-212.

RESOLUTION TO RECONSIDER THE VOTE PREVIOUSLY TAKEN IN CONNECTION WITH RESOLUTION NO. 2010-212, [SUBJECT MATTER: APPOINT KENNETH CAPEZZUTO/UNIVERSITY OF MIAMI APPOINTEE CATEGORY, TO THE CORAL GABLES GREEN TASK FORCE].

[Note for the Record: Mayor Slesnick brought up a non-agenda item, more particularly, the reconsideration of the vote previously taken in connection with Resolution No. 2010-212 (subject matter: confirm appointment of Kenneth Capezutto, UM category, as a member of the City of Coral Gables Green Task Force, etc. ) during the City Commission Meeting of September 28, 2010; said legislative action resulted in the passage and adoption of Resolution No. 2010-236].

**A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-236. 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. 22

**RESOLUTION NO. 2010-237**

**Non 10-0690  
Agenda**

Resolution withdrawing the appointment of Kenneth Capezzuto from the Green Task Force.

RESOLUTION TO WITHDRAW THE APPOINTMENT OF KENNETH CAPEZZUTO/UNIVERSITY OF MIAMI APPOINTEE CATEGORY, TO THE CORAL GABLES GREEN TASK FORCE.

[Note for the Record: The City Commission passed and adopted Resolution No. 2010-237, withdrawing the appointment of Kenneth Capezzuto, UM category, as a member of the Coral Gables Green Task Force].

**A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-237. 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. 23

**F. CITY COMMISSION ITEMS**

**None**

City Clerk Item No. 27

**G. BOARDS/COMMITTEES ITEMS**

**None**

City Clerk Item No. 28

**H. CITY MANAGER ITEMS**

**None**

City Clerk Item No. 29

**I. CITY ATTORNEY ITEMS**

[Note for the Record: Immediately following the roll call on Agenda Items E-1 and E-2, Mayor Slesnick requested of those individuals exiting the City Commission Chambers to remain inside the Chambers for approximately three minutes longer, for an important announcement that will be very important to the future of our City, thereby requesting of City Attorney Hernandez to address the dais. Ms. Hernandez recalled that she began representing the City during Calendar Year 1985, before finally serving as the City Attorney in January of 1995; further recalling that she has watched her children grow up in the City Hall; as well as watching her city grow up as well, from a sleepy district to a vibrant metropolis; further stated that she has been a proud and dedicated public servant who longs for the preservation of Home Rule and the Coral Gables way of life, which she describes as one of the most beautiful cities in the nation, a model for other cities to emulate.

City Attorney Hernandez pointed out that she has collected great memories during her tenure-noting the Police Department description of her as a “great cop wanna-be;” further recalling that former Police Chief Harley anointed her as “Police Chief for a Day,” before demoting her by day’s end; that the late Police Chief Michael Hammerschmidt gave her a blue light which she maintains in the back of her car, regarding said apparatus, she assures City Manager Salerno that she will return same; further informing the City Commission and the viewing public that she has been presented with a new career opportunity, and has decided to accept same, and will retire effective December 31st, 2010 on the anniversary month of her 16 years of service with the City. In looking ahead toward departure, Ms. Hernandez thank the City Commission for everything, and for all of the great memories.

University of Miami President Donna Shalala thanked City Attorney Hernandez for her thoughtful leadership, and great friendship noting that she has been a tough attorney who has represented the City and its residents’ well. Jeffrey Bass, Esquire, counsel representing the University of Miami echoed the same sentiments given by President Shalala, and wished her well.

Mayor Slesnick conveyed to Ms. Hernandez that he knows that the City Commission will be reaching out to her leading up to her departure to thank her for her 16 years of service; further instructing the City Clerk to work with him in crafting an appropriate Resolution/protocol document for her December 31st send-off; further requesting of the City Manager to allow the City Commission to use the Human Resources Department to work with the City Commission in furtherance of the recruitment effort of a City Attorney.

City Manager Salerno stated that it is his job to supervise the Department heads and

provide direction to them. Mayor Slesnick clarified that what he is requesting is something desired by the City Commission in furtherance of recruitment for the position of City Attorney-and that is informing them as to how we will reach out in furtherance of said recruitment effort, what the notice is going to say, etc.

Commission Withers reminded his colleagues that at the appropriate time, that he would like to consider for discussion the matter of outsourcing of the Office of the City Attorney, as an option; further commending Ms. Hernandez on being more than just a City Attorney, but an ambassador, who has embraced the social aspect; further citing her awards and recognitions, her character, networking efforts, etc.; further expressing curiosity as to what she will be doing in the future.

City Commissioner Anderson suggested that it would be appropriate to discuss said outsourcing option at another time; further expressing her gratitude to Liz that she is doing something that she wants to do for herself and for her family; further stating that ultimately, that is what is important.

Vice Mayor Kerdyk stated that it is nice to leave at the top of one's game; further citing her recent legal success on behalf of the City (i.e. Kuvin's Case, Academica, etc.); further wishing her the best in all of her future endeavors.

City Manager Salerno reiterated the matter of outsourcing, that was brought up earlier by Commissioner Withers, but was further reminded by the Mayor that said matter will be brought back by Commissioner Withers for discussion of same; but stated that he believes the will of the City Commission is to hire another City Attorney; further adding that the Commission may want to appoint an interview committee; further instructing the City Manager to schedule for the second regularly scheduled meeting of October, 2010, a proposal as to how the City Commission will move this matter forward].

City Clerk Item No. 26

## **J. CITY CLERK ITEMS**

None

City Clerk Item No. 30

## **K. DISCUSSION ITEMS**

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: No. Liz is a hard act to follow, so.

Mayor Slesnick: Ms. Anderson, I'm sorry, the Commission is out of control.

Commissioner Anderson: As I was saying is...no, hold on a second, alright, I'm not

going to repeat this again. Liz is a hard act to follow; I'm good for the day.

Mayor Slesnick: Mr. Cabrera. Mr. Kerdyk.

Vice Mayor Kerdyk: At some point Mr. City Manager, could you come back with a report of how our red light cameras are performing, you know the revenues we are generating, what kind of overview of the project has gone forth.

Mayor Slesnick: [Inaudible]

Vice Mayor Kerdyk: Yes, exactly, just an overview of that whole program in general.

City Manager Salerno: Be glad to Vice Mayor.

Vice Mayor Kerdyk: I think that's it Mr. Mayor.

Mayor Slesnick: Mr. Withers.

Commissioner Withers: Just one thing Mr. Mayor. Just a very, very special thank you to the City Manager's office and the entire staff on the opening of the dedication of the building, the municipal building; the museum is yet to open, probably scheduled for some time after the first of the year, but for all those that attended and everyone here on the Commission did, the 10-10-10 event started with hundreds of kids running around, I guess at 10 in the morning, and ended with a very sizable crowd at 5 o'clock dedicating the building, and it was....

Mayor Slesnick: I think we have some photographs too, while we are talking. You can describe as you...

[Note: The Commission looked at the photographs on the screen]

Commissioner Withers: That's the flower arrangement that came out of Don Slesnick's backyard.

Mayor Slesnick: That's the international hall celebrating the Sister Cities, the first picture Chip, was the Withers family reception area.

Commissioner Withers: These are the morning events - dog friendly.

Mayor Slesnick: Our Chair George Torres and Mr. Fewell, donor gallery. Thanks to our Congresswoman, Ileana Ros-Lehtinen for being with us. Commissioners Rebecca Sosa and Carlos Gimenez were with us, the Fewell family.

Commissioner Withers: That's it; a very special thank you to all and just a superb job, and thanks to all the residents that came out and braved the afternoon heat.

Mayor Slesnick: I think we had over 1,000 people during the day. We had about 200 listened to George Hernandez talk about the architecture of the building; I think we had 300 or so Dona, you, Maria, Mr. Manager your staff was there to support and to take part and we appreciate that. As well as those pictures were from Maria Rosa and Cindy Birdsill, we had a good number of your directors out there. Just to close this wonderful week opening with the opening of the museum building, on Friday the 15th, this Friday evening there is going to be an opening, it will not be the final, final official opening, but it is kind of a fundraising opening for the theater, the Art Cinema, at Aragon right across from the museum showing "Freakonomics", its \$100 a ticket to raise money to help the cinema, and it includes a reception. So you can still contact the cinema at 786-385-9689. The reason I'm mentioning it, it's a joint project between the City and the Cinemateque Corporation. With that I believe we have come to the close of this meeting and we will be back on the 26th for our next meeting. Thank you all.

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 at 11:57 am on October 12, 2010. The next regular meeting of the City Commission has been scheduled for October 26, 2010, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK