

City of Coral Gables

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



CORAL GABLES
THE CITY BEAUTIFUL

Meeting Minutes

Tuesday, October 27, 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

ROLL CALL

Present: 5 - Mayor Cason, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Commissioner Slesnick

INVOCATION

Reverend Jorge Cotto from the Central Christian Church of Dade County gave the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Slesnick 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) Resolution(s) adopted (Resolution No. 2015-256 through Resolution No. 2015-271); (b) Video; (c) Audio Recording; (d) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

A. PRESENTATIONS AND PROTOCOL DOCUMENTS**A.-1. [15-4395](#)**

Presentation of Certificates of Congratulations to the students at St. Theresa Catholic School and Coral Gables Preparatory for winning the Miami-Dade County Geography Bee the in Middle School and Primary categories, respectively.

[Note for the Record: Following Mayor Cason's reading of the title of Agenda Item A-1, Mayor Cason read the Certificate of Congratulations and acknowledged both Laura Payne and Principal Chelli Cerra. Then Mayor Cason proceeded to read the Certificate of Congratulations for St. Teresa Catholic School.

Commissioner Lago requested all of the students, firstly, from St. Teresa to come up on the dais; further congratulating the school, saying that this is the second year that the City Commission does this recognition, which is a simple pleasure that the Commission does not oftentimes get; further explaining that what the City Commission sees on occasions such as this, are the true leaders of the future, adding that the City is incredibly proud , and that we shine bright on a multitude of issues: from our history (i.e. celebrating our 90 year anniversary), to our aesthetic appeal, from our environmental appeal, further noting that we are a vibrant downtown, and where we shine brightest is with the young people that live in this community; further stating that Coral Gables has some of the best, if not the best public school education in South Florida, and this is the reason why we have some of the best individuals who become leaders in this community.

In closing, Commissioner Lago stated that it's a pleasure to say thank you again for studying so hard, and that possibly one day in the future following college, you may take the places of the sitting Commission on this dais.

Commissioner Slesnick prefaced her remarks by stating that she and Commissioner Lago were fighting over who would present the respective protocol documents; adding that she was a cartography and geography major at the University of Florida , explaining that she knows the importance of what geography does for a community, and the history of where things are, why they are there, and that she is very proud that some of Coral Gables better and brighter students know all of their geography lessons and so forth; further congratulating the students.

Mayor Cason stated that having lived in 15 different countries, that he knows the importance of geography and where things are, and it is a shame, because many people in the U.S. know where few states are, as distinguished from other countries, adding that we live in an international world, and that it is important that you know that we fit in with over 180 other countries, and to the extent you know where they are, you are ahead of over 99 percent of American kids, I think; so congratulations to the students being recognized on the geography spelling bee, your accomplishment, and

that the Coral Gables Commission looks forward to seeing the students back here next time.

Commissioner Lago added that he forgot to mention the people who made the kids who they are, namely the parents; stating that if they are not standing, to make sure that they stand, in order that the viewing public can recognize them; also acknowledging the teachers, who on a day-to-day basis, along with the principal, truly makes a commitment to our society; further congratulating the team at Coral Gables Preparatory Academy].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

A.-2. [15-4439](#)

Presentation by the University of Miami - Nova Southeastern University Center for Autism and Related Disabilities Center (CARD) to the Coral Gables Police Department for "Outstanding Community Service."

[Note for the Record: Following Mayor Cason's reading of the title to Agenda Item A-2 into the public record, he acknowledged the presence of Dr. Alessandri, from Nova- Southeastern University. Mayor Cason asked our City Attorney, namely Craig Leen, to begin this presentation, whereby he stated that he and his wife are the proud parents of two children with autism.; further pointing out that his daughter has severe autism, and that it has really changed his and his wife's lives, and in many ways for the better because it gives you a different perspective on the world , and that in interacting with his daughter, just to see the world from their perspective is a challenge every day and interacting with her to ensuring that she has a happy life to enjoy the world, and one of the things one appreciates is in knowing that there are services for kids with autism. He further states that this recognition and understanding is very important to parents, and to kids and adults who have autism. The City Attorney informed the viewing public that he is on the constituent board for the CARD Center; further noting that there is a lot of attention given to them regarding what they do related to kids with autism; the City Attorney stated that firstly, he wanted to thank the CARD Center, whose representative, namely Ms. Alessandri is in attendance today, for what they do-adding that if one has a kid with autism, it is not given that one knows what to do, therefore one can go to the Card Center, and they can put you in contact with the appropriate personnel to identify all of the possible services that one can possibly need or desire, which is very important. The City Attorney noted that the second thing will be that he will be talking to the representative from the Coral Gables Police Department, namely Lieutenant Barta, who is also on the Constituent Board and a principal party in the construction of the Autism Wallet Card-further noting that one of the key factors to be considered is that if one has a child with autism and they wander,

which is one of the biggest fears a parent has, then said autism wallet card is good for instances such as this-for instances if one has a wallet card, it gives one information about the child, thus enabling you to find a child; sometimes a child may possess a card, but has difficulty in expressing him or herself, in instances wherein a card has a plethora of information; the City Attorney further mentioned that the wallet card development was spearheaded by Lieutenant Barta, whom the City Attorney calls a wonderful man; further thanking him on behalf of those families with autism.

Dr. Alessandri thanked the City for the acknowledgement of the CARD Center; further expressing thanks to Coral Gables for not only the wallet card project, but for all of the help within the Criminal Justice area-adding that the wallet card project is multi-faceted whereby people with said autism affliction, who may be out in the community without a caretaker accompanying them, can use the same document to safely disclose to an officer that they have autism. The benefit is that it enhances the communication and helps the officer understand what they may see in an individual with autism. This is key because behaviors of people with autism can be misunderstood, as something suspicious, as someone high on drugs, along with other misinterpretations.

The Coral Gables Police Department, police cars, officers, a whole host of support helped us produce a video to help educate people with autism on how to safely disclose their disability to people within law enforcement; further providing tips regarding what should be done when interacting with law enforcement, as well as what not to do when interacting with the police; further pointing out that said video has been seen throughout the world, and has been embedded into over 40 websites, and seen in over 22 countries; further noting that over 1,000 wallet cards have been distributed, emphasizing that it is a pretty new project that Lieutenant Barta has been instrumental in spearheading, including the specific language; further stating that it is understood from a law enforcement standpoint what should be conveyed to people with autism. This is a unique partnership because we have the expertise of law enforcement, something that makes a difference ,and as a consequence this has received recognition throughout the world; noting that Dr. Alessandri is appreciative to the Coral Gables Police Department for allowing Lieutenant Barta to provide training region wide as it pertains to crisis prevention, hostage negotiations; the Police Department has been extremely active in teaching about people with autism, the department has provided written materials that will be distributed by the Coral Gables Police Department throughout the country, so it has been a huge undertaking; stating that autism affects one in every 42 males-pointing out that there are no words that can describe the impact that this has.

In accepting the acknowledgement, Lt. Barta thanked the City Commission and Chief Hudak for their support, noting that he has been with the City of Coral Gables for 27

years, and that he has never been more proud to serve the City as he has right now; further acknowledging that it is in part through the support of Chief Hudak and the City Commission, and through the efforts of the staff that they are able to produce an outstanding training curriculum for first responders-adding that he is very proud to say that Coral Gables is leading the effort not only locally, but nationally and throughout the world when it comes to training first responders and how to most successful response in dealing with individuals with autism; further thanking the City Attorney for his leadership, for this award, for each one on the dais-Lt. Barta said that as a father with a young son with autism, this means a great deal to him].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

- A.-3. [15-4380](#) Congratulations to Lieutenant Jack Kerns, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of October 2015.

Attachments: [Cover Memo, FF of Month, October](#)
[Notification Letter, FF of Month, October 2015 \(revised meeting date\)](#)

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

B. APPROVAL OF MINUTES

- B.-1. [15-4466](#) Regular City Commission Meeting of September 8, 2015.

Attachments: [Meeting Minutes Sept. 8 2015](#)
[Verbatim Transcript - Agenda Item D-1 - Legislative Report by Fausto Gomez.pdf](#)
[Verbatim Transcript - Agenda Item E-2 - Ordinance amending Chapter 2 entitled A](#)
[Verbatim Transcript - Agenda Item E-3 - Ordinance prohibiting the unauthorized e](#)
[Verbatim Transcript - Agenda Item E-5 - Reso relating to provision of fire protectio](#)
[Verbatim Transcript - Agenda Item F-1 - Discussion regarding Miami Herald agree](#)
[Verbatim Transcript - Agenda Item G-1 - Ad Valorem Tax Relief on 1203 Asturia A](#)
[Verbatim Transcript - Agenda Item H-1 - Reso authorizing Trail Theater to add sal](#)
[Verbatim Transcript - Agenda Item H-2 - Discussion on US-1 - Red - Sunset Corri](#)
[Verbatim Transcript - Agenda Item I-1 - Discussion regarding Internal Affairs Audit](#)
[Verbatim Transcript - Agenda Item I-2 - Update on Charter Review Committee.pdf](#)

A motion was made by Vice Mayor Quesada, seconded by Commissioner Lago, that this matter be approved. The motion passed by the following vote.

Yeas : 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 4

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 Commissioner Lago, seconded by Vice Mayor Quesada, to Adopt the Consent Agenda. The motion carried by the following vote:

Yeas : 5 - Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

RESOLUTION NO. 2015-256**C.-1. [15-4422](#)**

A Resolution authorizing combining Art in Public Places fees associated with a Townhouse on Valencia, located at 444 Valencia Avenue and Beatrice Row, located at 2509 Anderson Road.

Attachments: [CDB Minutes October 8 2015 EXCERPT re. Balboa Plaza SIGNED](#)
[Letter of Request, including location maps](#)
[R-Draft-AiPP fees combined](#)
[AiPP fees Cover.pdf](#)
[Signed Resolution 2015-256](#)

A RESOLUTION AUTHORIZING COMBINING ART IN PUBLIC PLACES FEES ASSOCIATED WITH TOWNHOUSE ON VALENCIA, LOCATED AT 444 VALENCIA AVENUE, AND BEATRICE ROW, LOCATED AT 2509 ANDERSON ROAD.

This Matter was adopted by Resolution Number 2015-256 on the Consent Agenda.

City Clerk Item No. 5

RESOLUTION NO. 2015-257

- C.-2. [15-4427](#) A Resolution authorizing the execution of a Memorandum of Agreement with The Florida Department of Transportation (FDOT) to maintain landscape and irrigation within the medians along SR 953/LeJeune Road, from Majorca Avenue to Almeria Avenue.

Attachments: [Cover Memo](#)
[Reso](#)
[FDOT Memorandum of Agreement DRAFT](#)
[Signed Resolution 2015-257](#)

A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO MAINTAIN LANDSCAPE AND IRRIGATION WITHIN THE MEDIANS ALONG SR953/LEJEUNE ROAD, FROM MAJORCA AVENUE TO ALMERIA AVENUE.

This Matter was adopted by Resolution Number 2015-257 on the Consent Agenda.

City Clerk Item No. 6

RESOLUTION NO. 2015-258

- C.-3. [15-4430](#) A Resolution of the City Commission of Coral Gables, Florida allowing Actor's Playhouse Productions, Inc., to exercise early its option for renewal of the Lease Agreement entered into by and between the City and Actor's Playhouse Productions, Inc., for the property located at 280 Miracle Mile, Coral Gables, Florida, and commonly referred to as the Miracle Theater.

Attachments: [Resolution - 20-27-2015 \(Miracle Theater Renewal\)](#)
[FIRST ADDENDUM TO LEASE AGREEMENT - Miracle Theater](#)
[Commission cover 10.27.2015 \(Miracle Theater Renewal\).pdf](#)
[Signed Resolution 2015-258](#)

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA ALLOWING ACTOR'S PLAYHOUSE PRODUCTIONS, INC., TO EXERCISE EARLY ITS OPTION FOR RENEWAL OF THE LEASE AGREEMENT ENTERED INTO BY AND BETWEEN THE CITY AND ACTOR'S PLAYHOUSE PRODUCTIONS, INC., FOR THE PROPERTY LOCATED AT 280 MIRACLE MILE, CORAL GABLES, FLORIDA, AND COMMONLY REFERRED TO AS THE MIRACLE THEATER.

This Matter was adopted by Resolution Number 2015-258 on the Consent Agenda.

City Clerk Item No. 7

RESOLUTION NO. 2015-259

- C.-4. [15-4431](#) A Resolution authorizing the City of Coral Gables to enter into a lease with Gables Projects, LLC, as a tenant, with regard to the private parking lot on the 300 block of Aragon Avenue, Coral Gables, Florida for a period of three (3) years.

Attachments: [Resolution 10.27.15 \(Davidson Parking Lot Agreement\)](#)
[Davidson Lease Revised V.5](#)
[PAB Excerpt minutes 10.21.2015 \(Davidson\)](#)
[Commission cover 10.27.15 \(Davidson Parking Lot Agreement\).pdf](#)
[Signed Resolution 2015-259](#)

A RESOLUTION AUTHORIZING THE CITY OF CORAL GABLES TO ENTER INTO A LEASE WITH GABLES PROJECTS, LLC WITH REGARD TO THE PARKING LOT ON THE 300 BLOCK OF ARAGON AVENUE, CORAL GABLES, FLORIDA FOR A PERIOD OF THREE (3) YEARS.

This Matter was adopted by Resolution Number 2015-259 on the Consent Agenda.

City Clerk Item No. 8

RESOLUTION NO. 2015-260

- C.-5. [15-4432](#) A Resolution authorizing entering into a Second Amendment to Lease with Coral Gables Cinemateque, Inc. to replace the HVAC system in exchange for in-kind services with regard to City owned property located at 260 Aragon Avenue, Coral Gables, Florida.

Attachments: [Amendment to Lease agreement Cinema 10.27.2015](#)
[PAB Excerpt minutes 10.21.2015](#)
[Resolution - 10.27.15 \(Cinema\)](#)
[Letter requesting HVAC replacement 9.22.2015](#)
[Commission cover 10.27.15 \(Cinema\).pdf](#)
[Commission cover 10.27.15 \(Cinema\) signed](#)
[Signed Resolution 2015-260](#)

A RESOLUTION AUTHORIZING ENTERING INTO A SECOND AMENDMENT TO LEASE WITH CORAL GABLES CINEMATEQUE, INC. TO REPLACE THE HVAC SYSTEM IN EXCHANGE FOR IN-KIND SERVICES WITH REGARD TO CITY OWNED PROPERTY LOCATED AT 260 ARAGON AVENUE, CORAL GABLES, FLORIDA.

This Matter was adopted by Resolution Number 2015-260 on the Consent Agenda.

City Clerk Item No. 9

RESOLUTION NO. 2015-261

- C.-6. [15-4434](#) A Resolution authorizing entering into a lease with 2121 Ponce LLP as Landlord in regards to property located at 2121 Ponce de Leon, Coral Gables, Florida for a period of five (5) years, for purpose of relocating the City's Economic Development Department.

Attachments: [Resolution - 10.27.15 \(EDD Office\)](#)
[Gables Office Lease 10 19 15 \(rev\)](#)
[Commission cover 10.27.15 \(EDD Office\).pdf](#)
[Signed Resolution 2015-261](#)

A RESOLUTION AUTHORIZING ENTERING INTO A LEASE WITH 2121 PONCE LLP AS LANDLORD IN REGARDS TO PROPERTY LOCATED AT 2121 PONCE DE LEON BOULEVARD, CORAL GABLES, FLORIDA FOR A PERIOD OF FIVE (5) YEARS FOR PURPOSE OF RELOCATING THE CITY'S ECONOMIC DEVELOPMENT DEPARTMENT.

This Matter was adopted by Resolution Number 2015-261 on the Consent Agenda.

City Clerk Item No. 10

RESOLUTION NO. 2015-262

- C.-7. [15-4435](#) A Resolution authorizing the City Manager to enter into negotiations with John Pallot Golf Academy, LLC ("JPGA") regarding golf course Management Agreement for the Granada Golf Course and Pro-shop located at 2001 Granada Blvd, Coral Gables, Florida and waiving the requirements of the Procurement Code, pursuant to Section 2-583(d).

Attachments: [Resolution - 10.27.15 \(Pallot\)](#)
[Comm Cover John Pallot Signed](#)
[Signed Resolution 2015-262](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH JOHN PALLOT GOLF ACADEMY, LLC ("JPGA") REGARDING GOLF COURSE MANAGEMENT AGREEMENT FOR THE GRANADA GOLF COURSE AND PRO-SHOP LOCATED AT 2001 GRANADA BLVD, CORAL GABLES, FLORIDA AND WAIVING THE REQUIREMENTS OF THE PROCUREMENT CODE, PURSUANT TO SECTION 2-583(D).

This Matter was adopted by Resolution Number 2015-262 on the Consent Agenda.

City Clerk Item No. 11

RESOLUTION NO. 2015-263

- C.-10. [15-4446](#) A Resolution appointing Edwina Prime (Nominated by Commissioner Slesnick) to serve as a member of the Anti-Crime Committee, for the remainder of a two (2) year term, which began on June 1, 2015 and continues through May 31, 2017.

Attachments: [R-2015 Draft- Edwina Prime - Anti-Crime Committee](#)
[R-2015-Cover Memo- Edwina Prime - Anti-Crime Committee.pdf](#)
[Signed Resolution 2015-263](#)

A RESOLUTION APPOINTING EDWINA PRIME (NOMINATED BY COMMISSIONER SLESNICK) TO SERVE AS A MEMBER OF THE ANTI-CRIME COMMITTEE, FOR THE REMAINDER OF A TWO (2) YEAR TERM, WHICH BEGAN ON JUNE 1, 2015 AND CONTINUES THROUGH MAY 31, 2017.

This Matter was adopted by Resolution Number 2015-263 on the Consent Agenda.

City Clerk Item No. 12

RESOLUTION NO. 2015-264

- C.-11. [15-4447](#) A Resolution appointing Stacy Morris (Nominated by Commissioner Keon) to serve as a member of the Emergency Management Division, for the remainder of a two (2) year term, which began on June 1, 2015 and continues through May 31, 2017.

Attachments: [R-2015 Draft- Stacy Morris - EMD](#)
[Stacy Morris Bio](#)
[R-2015-Cover Memo- Stacy Morris - EMD.pdf](#)
[Signed Resolution 2015-264](#)

A RESOLUTION APPOINTING STACY MORRIS (NOMINATED BY COMMISSIONER KEON) TO SERVE AS A MEMBER OF THE EMERGENCY MANAGEMENT DIVISION, FOR THE REMAINDER OF A TWO (2) YEAR TERM, WHICH BEGAN ON JUNE 1, 2015 AND CONTINUES THROUGH MAY 31, 2017.

This Matter was adopted by Resolution Number 2015-264 on the Consent Agenda.

City Clerk Item No. 13

RESOLUTION NO. 2015-265

- C.-12. [15-4454](#) A Resolution appointing Margaret Meeks (Nominated by Commissioner Keon) to serve as a member of the Merrick House Governing Board, for the remainder of a two (2) year term, which began on June 1, 2015 and continues through May 31, 2017.

Attachments: [R-2015 Draft- Margaret Meeks - Merrick House](#)
[R-2015-Cover Memo- Margaret Meeks - Merrick House.pdf](#)
[Signed Resolution 2015-265](#)

A RESOLUTION APPOINTING MARGARET MEEKS (NOMINATED BY COMMISSIONER KEON) TO SERVE AS A MEMBER OF THE MERRICK HOUSE GOVERNING BOARD, FOR THE REMAINDER OF A TWO (2) YEAR TERM, WHICH BEGAN ON JUNE 1, 2015 AND CONTINUES THROUGH MAY 31, 2017.

This Matter was adopted by Resolution Number 2015-265 on the Consent Agenda.

City Clerk Item No. 14

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

- 1.-1. [15-4425](#) Board of Adjustment meeting minutes of September 14, 2015.

Attachments: [Exhibit A - 09 14 15 Copy of Notice](#)
[Exhibit B - 09 14 15 Board of Adj Minutes](#)
[10 27 15 CC Cover Minutes - Board of Adj. re 09 14 15](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

- 1.-2. [15-4416](#) Budget/Audit Adviosry Board meeting minutes of September 17, 2015.

Attachments: [Agenda - Budget Audit Board meeting of September 17, 2015](#)
[Budget Audit Advisory Board Meeting Minutes of 9-17-15](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

- 1.-3. [15-4452](#) City of Coral Gables/University of Miami Community Relations Committee meeting minutes of October 5, 2015.

Attachments: [Minutes](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

- 1.-4. [15-4453](#) Code Enforcement Board meeting minutes of October 21, 2015. (Draft)
- Attachments:** [CEB Hearing Minutes - 10-21-15 - Draft](#)
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 18
- 1.-5. [15-4444](#) Construction Regulation Advisory Board meeting minutes of September 14, 2015.
- Attachments:** [Construction Board Minutes](#)
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 19
- 1.-6. [15-4424](#) Coral Gables Merrick House Governing Board meeting minutes of September 14, 2015.
- Attachments:** [Merrick House Minutes September 14 2015
09.14.15MinutesforCC10.27.15](#)
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 20
- 1.-7. [15-4423](#) Historic Preservation Board meeting minutes of September 17, 2015.
- Attachments:** [HPB.09.17.15MinutesforCC10.27.15
HPB Minutes - September 17 2015](#)
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 21
- 1.-8. [15-4417](#) International Affairs Coordinating Council meeting minutes of September 15, 2015.
- Attachments:** [IACC-Minutes of Sept 15 2015
Microsoft Word - cover letter 9-15-15](#)
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 22
- 1.-9. [15-4330](#) Parks Advisory Board meeting minutes of August 21, 2015.
- Attachments:** [Parks Advisory Board Minutes Aug 21, 2015](#)
- This Matter was approved on the Consent Agenda.**
- City Clerk Item No. 23

- 1.-10. [15-4449](#) Property Advisory Board meeting minutes of September 19, 2015.

Attachments: [9-16-15 PAB minutes](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 24

- 1.-11. [15-4450](#) Retirement Board meeting minutes of September 10, 2015.

Attachments: [CC.10-27-2015.September 10, 2015 Minutes 09-10-2015](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 25

- 1.-12. [15-4418](#) Sustainability Advisory Board meeting minutes of August 26, 2015.

Attachments: [SAB meeting minutes of 8-26-15 COVER](#)
[SAB meeting minutes of 8-26-15 MINUTES](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 26

- 1.-13. [15-4419](#) Sustainability Advisory Board meeting minutes of September 23, 2015.

Attachments: [SAB meeting minutes of 9-23-2015 COVER](#)
[SAB meeting minutes of 9-23-2015 MINUTES](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 27

Pulled from Consent Agenda**RESOLUTION NO. 2015-266**

- C.-8. [15-4437](#) A Resolution authorizing the waiver of ramping and storage fees for centralized valet beginning November 1, 2015, reducing the customer fees for use of centralized valet, from \$8.00 to \$5.00 through the completion of the Miracle Mile streetscape project.

Attachments: [Resolution-Waiver of Parking Valet Fees](#)
[Resolution-Waiver of Parking Valet Fees](#)
[Cover-Waiver of Parking Valet Fees.pdf](#)
[Signed Resolution 2015-266](#)

A RESOLUTION AUTHORIZING THE WAIVER OF RAMPING AND STORAGE FEES FOR CENTRALIZED VALET BEGINNING NOVEMBER 1, 2015, REDUCING THE CUSTOMER FEES FOR USE OF CENTRALIZED VALET FROM \$8.00 TO \$5.00, THROUGH THE COMPLETION OF THE MIRACLE MILE STREETScape PROJECT.

A motion was made by Commissioner Keon, seconded by Vice Mayor Quesada, that this matter be adopted by Resolution Number 2015-266. The motion passed by the following vote.

Yeas : 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon, Commissioner Lago and Mayor Cason

City Clerk Item No. 28

RESOLUTION NO. 2015-267

- C.-9. [15-4445](#) A Resolution of the City Commission re-appointing Commissioner Lago to serve as Ex-Officio Member on the Coral Gables Museum Board of Directors for the remainder of a two year term, which began on June 1, 2015 through May 31, 2017.

Attachments: [Reso](#)
[Cover Memo](#)
[Signed Resolution 2015-267](#)

A RESOLUTION OF THE CITY COMMISSION RE-APPOINTING COMMISSIONER LAGO TO SERVE AS EX-OFFICIO MEMBER ON THE CORAL GABLES MUSEUM BOARD OF DIRECTORS FOR THE REMAINDER OF A TWO YEAR TERM, WHICH BEGAN ON JUNE 1, 2015 THROUGH MAY 31, 2017.

A motion was made by Vice Mayor Quesada, seconded by Commissioner Keon, that this matter be adopted by Resolution Number 2015-267. The motion passed by the following vote.

Yeas : 5 - Commissioner Slesnick, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Mayor Cason

City Clerk Item No. 29

D. PERSONAL APPEARANCES

- D.-1. [15-4440](#) Update on the progress of the University of Miami Women's Cancer Association, by Ruth Jacobs and Judy Ashworth.

Attachments: [Letter of Request](#)
[Flyer](#)

[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. 30

E. PUBLIC HEARINGS**ORDINANCES ON FIRST READING****ORDINANCE NO. 2015-32**

- E.-1. [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.

Attachments: [Ordinance - False Claims](#)
[Cover Memo - False Claims Ordinance.pdf](#)
[E-3](#)
[Signed Ordinance 2015-32.pdf](#)

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

Yeas : 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 36

ORDINANCE NO. 2015-31

- 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.

Attachments: [Ordinance - Subpoenas \[FINAL\]](#)
[Cover Memo - Subpoena Ordinance.pdf](#)
[E-2](#)
[Signed Ordinance 2015-31.pdf](#)

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

Yeas : 5 - Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

City Clerk Item No. 37

F. CITY COMMISSION ITEMS

- F.-1. [15-4429](#) Board of Architects Appeal - Application No. AB-15-04-4865 (555 Catalonia) AB-15-04-4866 (2909 Segovia) AB-15-05-5196 (2915 Segovia Street)

Ms. Maria C. Longo, applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Architects at a special quasi-judicial appeal meeting held on September 9, 2015, wherein the Board of Architects upheld its decision to approve the architectural design of three development sites.

Attachments: [Segovia Circle Transcript](#)
[9-9-15_coral_gables_exhibits](#)
[Board of Architects Appeal - Cover Memo.pdf](#)

[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 Minutes was Discussed

City Clerk Item No. 33

RESOLUTION NO. 2015-268F.-2. [15-4441](#)

A Resolution of the City of Coral Gables, Florida, urging the Miami-Dade Board of County Commissioners to amend the Miami-Dade County Code Chapter 31, Article VII, "Regulation of Transportation Network Entities, For-Hire Drivers and Vehicles," to allow ride sharing networks to operate in Miami-Dade County.

(Sponsored by Commissioner Keon)

Attachments: [Ride Sharing Reso.](#)
[Broward PH TNC Revision Ordinance 101315](#)
[Miami-Dade 150792](#)
[Ride Sharing Cover Memo.pdf](#)
[Signed Resolution 2015-268](#)

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA URGING THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS TO AMEND MIAMI-DADE COUNTY CODE CHAPTER 31, ARTICLE VII, "REGULATION OF TRANSPORTATION NETWORK ENTITIES, FOR-HIRE DRIVERS AND VEHICLES" TO ALLOW RIDE-SHARING NETWORKS TO OPERATE IN MIAMI-DADE COUNTY.

[Note for the Record: The verbatim transcript for Agenda Item F-2 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Vice Mayor Quesada, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2015-268. The motion passed by the following vote.

Yeas : 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 31

RESOLUTION NO. 2015-269F.-3. [15-4426](#)

A Resolution encouraging City of Coral Gables' residents, businesses, vendors, and visitors to cease using and purchasing products made from expanded polystyrene, and replacing expanded polystyrene products with reusable, recyclable, and compostable alternatives that are safer for human health and the environment.

(Sponsored by Commissioner Lago)

Attachments: [Polystyrene RESOL](#)
[Polystyrene COVER.pdf](#)
[Signed Resolution 2015-269](#)

A RESOLUTION ENCOURAGING CITY OF CORAL GABLES' RESIDENTS, BUSINESSES, VENDORS AND VISITORS TO CEASE USING AND PURCHASING PRODUCTS MADE FROM EXPANDED POLYSTYRENE, AND REPLACING EXPANDED POLYSTYRENE PRODUCTS WITH REUSABLE, RECYCLABLE, AND COMPOSTABLE ALTERNATIVES THAT ARE SAFER FOR HUMAN HEALTH AND THE ENVIRONMENT.

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

A motion was made by Vice Mayor Quesada, seconded by Commissioner Keon, that this matter be adopted by Resolution Number 2015-269. The motion passed by the following vote.

Yeas : 5 - Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

City Clerk Item No. 32

G. BOARDS/COMMITTEES ITEMS

RESOLUTION NO. 2015-272

G.-1. [15-4415](#) A Resolution amending Resolution No. 2011-147 of the Arts Advisory Panel, increasing membership and designating City staff.

Attachments: [Signed Resolution 2011-147](#)
[Arts Advisory Panel Res-Cover.pdf](#)
[Arts Advisory Panel Resolution 2015 DRAFT w revisions by City Attorney](#)
[Signed Resolution 2015-272](#)

A RESOLUTION AMENDING RESOLUTION NO. 2011-147 OF THE ARTS ADVISORY PANEL, INCREASING MEMBERSHIP AND DESIGNATING CITY STAFF.

A motion was made by Vice Mayor Quesada, seconded by Commissioner Slesnick, that this matter be adopted by Resolution Number 2015-272. The motion passed by the following vote.

Yeas : 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon, Commissioner Lago and Mayor Cason

City Clerk Item No. 38

H. CITY MANAGER ITEMS**Time Certain 10:00 A.M.****RESOLUTION NO. 2015-270****H.-1. [15-4421](#)**

A Resolution authorizing the issuance of a Request for Proposals (RFP) to consolidate record keeping providers of the City's deferred compensation and defined contribution plans; further authorizing the use of The Bogdahn Group to serve as plan consultant to the City and fiduciary to the above plans, and further authorizing the execution of the associated documents necessary to implement the intent of this Resolution. (At the request of IAFF leadership, the IAFF participants will not be included in this RFP and will remain with Nationwide).

Attachments: [Agenda Resolution- Defined Contribution consolidation 10-27-15](#)
[Coral Gables DC Plan \(TBG Agreement\)](#)
[Review Committee Attendance](#)
[Agenda Cover - Defined Contribution consolidation 10-27-15.pdf](#)
[Signed Resolution 2015-270](#)

A RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS (RFP) TO CONSOLIDATE RECORD KEEPING PROVIDERS OF THE CITY'S DEFERRED COMPENSATION AND DEFINED CONTRIBUTION PLANS; FURTHER AUTHORIZING THE USE OF THE BOGDAHN GROUP TO SERVE AS PLAN CONSULTANT TO THE CITY AND FIDUCIARY TO THE ABOVE PLANS, AND FURTHER AUTHORIZING THE EXECUTION OF THE ASSOCIATED DOCUMENTS NECESSARY TO IMPLEMENT THE INTENT OF THIS RESOLUTION.

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

A motion was made by Commissioner Keon, seconded by Vice Mayor Quesada, that this matter be adopted by Resolution Number 2015-270. The motion passed by the following vote.

Yeas : 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon, Commissioner Lago and Mayor Cason

City Clerk Item No. 34

RESOLUTION NO. 2015-271

- H.-2. [15-4448](#) A Resolution setting policy for the accelerated pay down of the Coral Gables Retirement System Unfunded Liability.

Attachments: [Letter to Pension Board - Extra Payment 10-1-15](#)
[Actuarial Concepts Extra Pmt Amort Shortening](#)
[Resolution - Setting Policy to pay down the pension unfunded liability](#)
[Cover Letter - Setting Policy to pay down the pension unfunded liability.pdf](#)
[Signed Resolution 2015-271](#)

A RESOLUTION SETTING POLICY FOR THE ACCELERATED PAY DOWN OF THE CORAL GABLES RETIREMENT SYSTEM UNFUNDED LIABILITY.

[Note for the Record: The verbatim transcript for Agenda Item H-2 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Lago, seconded by Commissioner Slesnick, that this matter be adopted by Resolution Number 2015-271. The motion passed by the following vote.

Yeas : 5 - Commissioner Slesnick, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Mayor Cason

City Clerk Item No. 35

I. CITY ATTORNEY ITEMS

City Clerk Item No. 39

J. CITY CLERK ITEMS

City Clerk Item No. 40

K. DISCUSSION ITEMS

Mayor Cason: Discussion - Commissioner Keon.

Commissioner Keon: I have two things. I'd like to know when we get the estimates on the construction on the streetscape, Mrs. Manager.

City Manager Swanson-Rivenbark: I'm going to ask Carmen, the Assistant City Manager to come forward with that.

Assistant City Manager Olazabal: I don't have the exact date, but we're working on finalizing them pretty soon, Diana needs those numbers for the bond issuance, but I don't know if it's the end of this month or mid-November.

Mayor Cason: Do we have a date for the bond issuance by the way?

Commissioner Keon: I thought it was December.

Mayor Cason: In December some time, let's make sure since I've got to sign them when I'm around.

Assistant City Manager Olazabal: I think I have an e-mail on that matter, if you give me...

Commissioner Lago: I really want to know that the design that was put forward is affordable. I want to know that all that stone.

Mayor Cason: Brazilian Granite prices - the exchange rate is not so bad, it's probably cheaper.

Commissioner Keon: Yes, commodities are down, so maybe it's a little bit better, but I want to know exactly what they are before - soon, if we are supposed to begin construction in January or after the first of the year.

City Manager Swanson-Rivenbark: If you want to go onto your second item while they are conferring.

Commissioner Keon: When you were talking about the valet; I think we had had a discussion at one point about branding valet in the City and not just central valet, but all of the valet and the City taking a much closer look at how we give out the permission to establish valet, so sometimes on all four corners there is a valet.

Mayor Cason: I agree. I agree.

Commissioner Keon: So we can have shared valet. Somebody needs to take a really good look at that and I think we talked about that.

City Manager Swanson-Rivenbark: And we have taken a precursory look at it. Our thought is, let's get past streetscape and so that when streetscape is finished in the meantime they'll have lower fees for valet and then we'll go out for an RFP for a full centralized valet parking that all valet stations within the downtown would be a part of that centralized valet parking. The worry was if we changed valet providers in advance of streetscape that the timing would be off.

Commissioner Keon: I understand that, right, but I would like us to do the work and the research and have a plan in place so that once the streetscape is completed that we

can move onto it.

City Manager Swanson-Rivenbark: We've done a significant amount of work already. We'll put it in a memo to you all, in fact, ready for an RFP issuance. So we'll get you an updated memo.

Commissioner Keon: OK. Thank you.

Mayor Cason: Vince.

Commissioner Lago: I just have one item. I wanted to talk about the, I know we had mentioned it before, the Anastasia townhome projects that I think they are done already. As a matter of fact, some of the owners are actually moving into them. They continue to have that stalemate with the U.S. Postal Office in reference to whether they can have individual post office boxes or they are going to have one actually, I guess, location for all the townhomes and everyone has to get their post office there. Craig have you had any current interaction?

City Attorney Leen: So what happened was, I contacted the United States Attorney's Office and I let them know of the issue and I provided them a legal opinion as to why our Code does not allow mailboxes like that. The Postal Service had asked whether our Code allows these mailboxes or whether it's just the City telling them they don't want the mail boxes. Our Code, at least in my opinion, does not allow the mailboxes. We do not allow structures in between the building and the sidewalk, except for delineated ones and a mailbox structure is not one of those structures. So our Code does not allow those mailboxes. I got an e-mail back from the U.S. Attorney saying, well what about the supremacy clause and by that they are referring to the United States Constitution the fact that federal laws, in certain circumstances can be supreme to stay county or city laws. I raised the issue with them, while it's nice that they are invoking the supremacy clause, it's very polite, but you know it's nice that you are invoking the supremacy clause but there is no point in the statute or regulation or anything that says that you wouldn't follow our local Zoning Code, you follow it in other areas and there is nothing that pre-empts this particular provision. At that point they referred the matter to the United States Postal Service General Counsel and they

said, well look, ultimately it's up to them. What I felt in discussing it with the U.S. Attorney's Office, both by e-mail and on the phone, was that they are willing to defer largely to the United States Postal Service General Counsel. It's been with them, I was told to expect a response, once I gave them all our legal opinion, the legal material, and I haven't received it yet. So now that you've raised it, I'm going to send an e-mail to them today saying that the Commission asked about this and we'd like to move forward, please respect the City's legal authority on this issue.

Commissioner Lago: I don't want to speak for the whole Commission, but I would appreciate that because these individuals are calling in a quandary. The developer doesn't want to break City of Coral Gables Code by putting what the U.S. Post Office is requesting, but they also are in a situation where individuals are moving to the townhomes and they have no ability to actually get their mail, so their mail is actually being shipped back to the Post Office. So there is a situation where how do we address this issue and maybe there has to be some sort of legislation from the Commission, an ordinance of some sort of like we mentioned before about the BOA, I think we may need to discuss this, what are our parameters and how do we do this so in the future we don't have projects that are finished, people moving into homes and they can't even get their own mail.

City Attorney Leen: The underlying issue is, there is no federal rule or statute that we've seen so they really should follow our Zoning Code. It would be just like if a postal worker was driving around they have to follow state law regarding the driving laws; just because they are a federal agency doesn't mean they disregard local law. It's only if the federal government passed a law which said they did not have to abide by local zoning regulations in relation to mailboxes that would be one thing. I've asked them to present it to me, they have not. I'm not aware of that sort of provision. Generally, my understanding is as a matter of committee, they follow the local regulations and we assured them that our regulations don't allow it. The problem is that they are between two governmental entities; the USPS is not trying to force us to change our Zoning Code, but they are just not allowing it and nor are we, so it puts the

property owner in the middle. I will follow up today and let them know that the Commission has asked for further action and they want me to bring the matter back in November.

Commissioner Lago: I'm going to contact the unit owners and just tell them to pull a transcript from today's Commission where we discussed this issue and that the City is moving forward to hopefully address this issue. Thank you Craig, I appreciate it. Thank you for your hard work.

Mayor Cason: Vice Mayor.

Vice Mayor Quesada: Complicated mailbox issue.

Commissioner Lago: But it's an issue you know.

Vice Mayor Quesada: I have no items today.

Mayor Cason: Commissioner Slesnick.

Commissioner Slesnick: Just two short things. By the way, Mr. City Attorney, I like your partner down there on the end with the white hair.

Mayor Cason: That's your wig when you are in your judiciary (laughter).

Commissioner Slesnick: One of our local citizens, Jean Bean, who lives over on Almeria just had a birthday, and she's 100 years old. I'd just like to say happy birthday to Mrs. Bean. Not that many citizens have lived here that long and are still around in Coral Gables. And secondly, we go off daylight savings time this weekend, so I want to remind everybody to change their clocks, you get an extra hour of sleep, but also we still have a lot of lights out on our public light poles in Coral Gables and so many joggers use our streets, especially around the Granada Golf Course, is that we need to make sure that our lights are working because it's going to be dark by 6 o'clock now instead of 7 o'clock, so I just want to make sure we work with FPL and the City on getting our lightbulbs replaced.

Vice Mayor Quesada: The lighting issue, changing lightbulbs, is something we fought with FPL about, I want to say for like a year we are fighting about that, so if we can get an update on where that's at Cathy that would be great.

Mayor Cason: Particularly, I noticed like on, I drive by Alhambra Circle, the mudra

palms and you'll find sometimes the lights are out, so we need somebody to drive around at night because at least for our lights that we control, FPL does theirs every six months or something, try to find out what's out and let people know.

Commissioner Lago: The lights won't go out if we insert LED lights; they last for 12 years, so just to give you a quick heads-up. If you have existing light fixtures buy lightbulbs that are LED lightbulbs, they won't go out for 10-12 years, they save energy, fifty percent of energy savings.

Commissioner Slesnick: While we are replacing those, use the warm light LED's versus the blue lights, which goes with the ambiance of Coral Gables.

Commissioner Lago: I have no issues at all with a warmer color at all, as long as they are LED, that's all.

Commissioner Keon: I know that there was a ticket turned in, Public Works can tell you that on October 15th a ticket was turned into FPL for the lights along Ponce, I think it's from Aledo all the way to 8th Street, and they are still dark, so it's been two weeks and I think that we had a promise from them that it would be 24 hours or 48 hours or something, I don't know what the problem is, but I know all the lights along Ponce going north are still out and I saw in the minutes or an e-mail I guess with regard to the Hispanic Festival that Frank attended this weekend, they commented that the lights in front of City Hall are out, these street lights are also out. So it's all over the City that the lights are out, it's terrible, and FPL is not responsive.

Vice Mayor Quesada: Mr. Mayor, real quick, I forgot I actually had one item I want to discuss, and this goes back to the hearing that we had on the Paseo project the other day. There was a provision that I read to the attorneys at the end of the hearing, the City Attorney and I reviewed that provision after the hearing. That provision almost awards individuals who bring up new arguments and new documents at the last second. It allows them to potentially postpone the hearing, so I wanted to revise that ordinance, so I asked the City Attorney if he can draft a revision to show it to all of us on a later date. I just want to make you guys aware of that, because right now the way it reads is, so our legislative code says that all documents have to be provided to us at

a minimum two days prior to the hearing date, I'm sorry five days prior to the hearing date. If they provide any documents at the day of the hearing or within that five day period the only remedy is that there would be a continuance of the issue. So, I think I caused a problem for us because number one, causes a sandbagging that's why I was getting so upset at the hearing at the attorneys for doing that to us and to each other. There shouldn't be any surprises of information that gets presented, it does a disservice to us because we are not fully informed until the moment we have to vote and it does a disservice to the other side, whether the applicant or the person opposing it. So I just want a fair process, I want a transparent process, and I hate that aspect of you don't find out for the very last moment, it's not fair play. So I want to revise that provision to say that, yes it's got to be five days, however, if they produce something that's not within the five days, it's not going to be accepted unless we approve to allow it. So right now the way it's written it allows them just to automatically continue the hearing, which causes delays or encourages unfair play, so that's it. I just want something that's more procedurally fair for everyone, so I'll ask the City Attorney to revise that.

Commissioner Slesnick: Just on a point on that. This is credit information that's given to us, it's because somebody can make that part of an oral presentation.

Vice Mayor Quesada: Of course. Of course. You can't do anything about that, but as far as documents.

Commissioner Slesnick: But there was a lot of information that one of the people gave which was very hard to comprehend and it was a PowerPoint presentation.

Vice Mayor Quesada: Yes that really upset me because that PowerPoint presentation doesn't take a day to prepare. A lot of great information that PowerPoint and we couldn't read it, we didn't have copies of it, and it was the first time we were hearing a lot of it.

Commissioner Slesnick: So can we do anything about it City Attorney?

City Attorney Leen: What I was thinking of doing, based on what the Vice Mayor had said was first, the provision right now, as the Vice Mayor said, doesn't really allow for the exclusion of evidence only a continuance and it also only applies to quasi-judicial

matters. A lot of the items that come before you are mixed legislative and quasi-judicial matters like the Paseo one where there were comp plan changes and then there was a site plan review. So one thing is to change it to apply to applications for development approvals, not just quasi-judicial, so all applications there will be a period of time, let's say its five days. Then it's how broad do we want that to be?- do we want it just to apply to written presentations, if they are going to present an expert witness, do you want a witness summary, an expert witness summary in advance?- and we can make it more and more...

Commissioner Slesnick: That's what I would like, the expert witness.

Commissioner Keon: What do you usually call for in a trial?

Vice Mayor Quesada: It's all about predictability - it's not like in the movies where there is a surprise witness or a surprise document, that doesn't happen in the real world, because it's unfair because you want both sides to be fully prepared for both arguments...

Commissioner Keon: Right.

Vice Mayor Quesada:...so that we have the benefit of hearing everything they have to say. It's not fair for one person to all of a sudden drop this secret information on the other side, the other side has no time to think or analyze because of the nature of the process, so in typical - I mean I don't think we need to get to the full legal process. In a typical trial and I've done quite a few trials is, there is a certain deadline prior to trial and typically its 45 days, obviously we are not doing that here, but 45 days prior to trial you have to list all of your witnesses and all of the potential documents you may use or rely upon. So I'm just saying is five days before we need to know what's going to happen and I agree with Commissioner Slesnick, you know if they are going to present an expert, we want an expert summary of what their opinion is going to be, so the other side is prepared so we get the full benefit of all potential arguments.

City Attorney Leen: One thing I would suggest Mr. Mayor, is that we also require them to - if they request time, so for example, I don't want to use a specific example, but a lot of times and in Paseo we did as well, the City gives time to a lawyer to

represent residents. So if there is a lawyer appearing or a party appearing with additional time on behalf of a lot of people or on behalf of the applicant, they should have to abide by this rule. I do think that like residents who come up and speak and bring something just for three minutes, I think you should still allow them to present that.

Vice Mayor Quesada: I agree with that.

City Attorney Leen: And the way that we can then enforce this, yes we are giving you the time, we are giving you this time, but in order to get this time you have to do this, and if you don't do this then the evidence is not considered. Also, Mr. Mayor it will help you in setting the time limits, because then we would know five days in advance how much evidence there would be.

Mayor Cason: Alright. I've got a couple of things.

City Clerk Foeman: I just wanted to correct you. It's not five days but three days under the Code.

City Attorney Leen: I just looked at it. What you're thinking about Walter is the three day rule under the City Code, but under the Zoning Code for quasi-judicial hearings there is a five day rule, which you don't typically enforce, it's enforced by Development Services and the City Attorney.

Mayor Cason: In reading through some of the advisory board meetings, I noticed an item they talked about inventory on City properties, things that are at the Biltmore, the Coral Gables Museum, the Country Club. I'd like the Manager, somebody next time to give us the stance, where do we stand in terms of the inventory; there is a lot of stuff there. And in that regard, a lot of the contracts have clauses in there that say within one year some people make a report. For example, the Coral Gables Country Club says every year Nick DiDonato supposed to come and tell us how he's doing, how financial health, so we can look through those contracts and make sure we are not missing things that we don't know about that were agreed to five years ago, but are not being followed out. The other one is, at least two or three of the boards, the minutes are great, we have minutes that we didn't have before like Code Enforcement Board, but

I'd like to make sure that we always have an attendance to see whether my appointees are actually attending the meetings, because you know they are at that meeting, but have they missed three in a row, because if they miss three unexcused absences they are automatically off the Board, so it would be nice to know so we can call them up and say, hey show up. I want to make a little presentation about my trip to New Hampshire on sea level rise, but before that one of the things that we had raised before, I don't know if we had an answer is, the letter to FPL about putting the power line alongside the Underline, along the Metro, did we ever get an answer to that?

City Attorney Leen: Yes. I'll send a memo to you from official counsel, but my recollection was that they could not do that, even beside it, there was an issue, but I don't want to say something that's inaccurate.

Mayor Cason: Commissioner Keon had raised that.

City Attorney Leen: I thought that we discussed it before, and I remember we never ended up coming back to you on this?

Commissioner Keon: No.

Mayor Cason: So we need to know.

City Attorney Leen: Let me double-check then.

Commissioner Keon: Waiting for something on the engineers, I think somebody was out of the country or out of town or something.

Vice Mayor Quesada: We wanted a professional expert opinion on whether the power lines could be housed next to the Metrorail and not connected to it.

Commissioner Keon: Right - and I think there was an issue with...was doing it was out of town and you were waiting for that person to come back or something, before they could get back to you. Because I know that within power plants themselves they run, they encapsulate those lines and can run them through power plants or whatever else.

Vice Mayor Quesada: Did you receive an opinion saying it's not feasible?

City Attorney Leen: I didn't know you were going to ask, so I'm not positive.

Mayor Cason: Just let us know about it next...

City Attorney Leen: I'll have a report to you today though by e-mail, and then I'll have

Mr. Vasquez, our special counsel come in November and brief you on what the status is to close that loop.

City Manager Swanson-Rivenbark: And Mr. Mayor, at your convenience we do have an update for Commissioner Keon's first question.

Mayor Cason: OK - great. Let me just very briefly and I'll send you a memo summarizing the two days of the conference that I went to, to Hampton, New Hampshire. This was the first ever gathering, non-partisan gathering of elected Mayors and Councilmen from all the coastal cities, the major ones in the United States, so this was an extremely high level meeting. We had very engaged people that were concerned about sea level rise. The buzz words they used because it's non-partisan, they couldn't use sea level rise, so they used recurrent flooding, but all kinds of politically correct terms. We had people from Oregon all the way through Maine. We had the Mayor of Hoboken with whom I did an Op-ed that been in 15 or 20 newspapers in the U.S. as well as in the United Arab Republic of all places, UAE, but very engaged. We had the head of NOAA, we had the head of FEMA, we had the head of Core of Engineers and we had the Navy Rep who just retired was the head of the Navy's planning for ports and what's going to happen there. Very sobering. There is a prediction and it's been basically accepted by the scientific community that anywhere between seven and-a-half feet to about maybe six feet of sea level rise for South Florida by 2100. If you look at our sea level maps where a lot of coastal communities are four feet about sea level. A lot of this is heat built into the ocean from industrialization over all these years, unless somebody comes up with a way to take the heat out of the ocean, it isn't going to happen. There are things that can be done in the future to reduce to continued warming of the ocean, which is causing most of the problems. A number of us were here when we had Wanless, who is an expert talk about the Artic and Greenland and the west, an Arctic ice sheet, he's an expert on. I will hand out a lot of materials that were given out by the concerned scientists, by NOAA and others. There are lots of tools available to show, not only for sea level rise, but storm surge which is related, but one of the things, for example, Miami is the fourth

most endangered, sort of ground zero in the United States. By 2045 there should be about 250 flooding events a year, just for Miami. Our problem is that a lot of the other cities discussed berms, discussed sand dunes, discussed ways that they could mitigate it. Our problem is that we are on a former sea bed, we have limestone, and you can't build a wall, the water will come up from below. So as they pointed out over and over again, you need to plan for risk, you need to plan to get ready, you need to plan for certain things that could be inevitable, that could be slowed, but there are all kinds of strategies. So I will summarize all this and send it to you and I've also made electronic copies of all of these papers to send to you. I would suggest you look at something called, eyesontherise.org which is done by FIU. You can put your address in and then gain one foot, two feet, three feet, four feet, depending on what you expect is going to happen, but we are the most probably vulnerable here in the United States.

Vice Mayor Quesada: So Mr. Mayor, what should we be doing as a City?- were there any recommendations at that conference to discuss.

Mayor Cason: Yes.

Vice Mayor Quesada: I've had private conversations with Dr. Juan Les on strategies that we should be taking. If it is as sobering as you are saying, then we've had the conversations, heck even the Coral Gables Museum had an exhibit when it first opened, Dr. Juan Les had some of those charts up there. What do we need to be looking at? I think we need to have an action plan - infrastructure, sewage. I would imagine if you are saying its coming from the bottom and I've heard the same thing from Dr. Juan Les, what should we be doing?- what's our 20 year plan?- what's our 50 year plan? I think as a body we need to create that. We set aside funds and doing what we need to do.

Mayor Cason: Well we have a quarter of a million in our budget for developing a Coral Gables, not just Coral Gables, it's got to be regional, it's got to be more than that, but what are we going to do? The first thing is, and I've said this before, I've been amazed never to receive an e-mail from our highly educated citizenry, all professionals saying, what are we doing about sea level rise? We are not alone; in fact,

I was told by other Mayors that it's the same problem they have. It's like death and cancer, no one wants to talk about it and they say, well what can you do?- so let's don't do anything. The point is we have some tools that are available now. We've got the very good...maps which are satellite maps that correct the inaccuracies in cartographic maps that can be off as much as four feet. So we have an accurate mapping now of Coral Gables. I think we've already put the FEMA flood map on top and then we are putting the economic infrastructure of Coral Gables on top; including schools which point out are the most important things, because if you ever lose your school everybody leaves. You need to plan, you need to get the citizens involved, you have to have a dialogue, you have to have - it's a great opportunity for us with the University of Miami. We have a new President, they are ten feet above sea level, so they ought to be talking about what are they going to use with all that brain power at UM to work with us and the region. We are part of the regional compact to figure out what can we do?- what are the mitigation strategies? You have to start looking at building codes in the most vulnerable areas, but you have to know the most vulnerable areas first. So with that base map showing you where your power stations are, your pump stations and all that, you can say, oops, when something hits four feet that's when - so we have to plan for that. The other thing too is that there are insurance products trying to get what percentage of our residents has FEMA insurance. You have to have it in certain areas, but in the X areas you don't, but the FEMA reps told us don't believe our maps, it could be much worse, and they are actually going to do the maps next year. So it's very inexpensive insurance, but people need to start looking at this and understanding the causes, what we as residents and citizens of the world can do to prevent it, to lessen what's going to happen, and to come up with some strategies, and right now nobody had a strategy for South Florida other than we need to start getting citizens involved talking and you can build sea walls. In Ft. Lauderdale you can put pumps in, but there comes a point where that doesn't work, now that's out 30-40 years, but remember a 30 year mortgage means 2045. A lot of this, if you look at these charts and now the community is looking at the highest levels

of the worst case scenarios to plan for because the old models didn't account for several things; didn't account for the rapid melting of the ice, for the perma-frost which is releasing methane gas in Canada, things like what just happened in Indonesia with the fires that are burning, the peat. All of this - there are international meetings going on about carbon dioxide, methane, but we've got to - we're community leaders that's why they held this, they said you need to get the Mayors and Commissioners are responsible for leadership in your community on the issues and you need to educate your community and say let's start talking about this, ostridges don't solve problems.

Commissioner Keon: Cathy and I met with FIU, how long ago Cathy?- in August?

City Manager Swanson-Rivenbark: In July.

Commissioner Keon: In July to talk with FIU in their School of Arts and Sciences. They really are leaders in this issue locally on sea level rise and their School of Public Affairs is also looking at the public policy implications and we met with the Dean of the School who said they would be very happy to work with us on community presentations, our whole state university system that have a real obligation to work with communities and educate communities on these things and FIU takes that very, very seriously. Now who was it in your office, is it Jessica?

City Manager Swanson-Rivenbark: Yes, the sustainability side...

Commissioner Keon: The sustainability side is looking at it. We originally, I thought we had originally had talked about putting together a program that could be presented in November, I don't think that that's going to happen because...

Mayor Cason: There is a big conference, a three day conference that I'm going to be going to and its open registration, it's going to close shortly in Key West, three days on South Florida sea level rise, flooding, storm surge, all of that, so it would be a great opportunity to - I think some staff is probably going.

Commissioner Keon: Yes, I saw that. Who sponsored that? Who is sponsoring that?- was it the municipality?

Mayor Cason: Evelyn Paz has the registration form; she tells me that it's like \$275, its three days and its coming up shortly, like 1,000 people, a lot of experts, some of

whom were in New Hampshire.

Commissioner Keon: Actually, I think there is a Ted Talk at FIU on the issue too, I was going to go to, but I think it's really important that we begin to educate our community. I think we especially need to start with our coastal communities and then move in, and they were very willing to do that. We talked about maybe holding something at Fairchild; actually all these communities have community centers within them - Gables Estates, Coco Plum, all of these.

Mayor Cason: Briefing here - we took the video and sent it to all the homeowner associations, to all the other 34 municipalities to say, take a look at this because this was a long session, very interesting and I took it also and gave it to all the 35 Mayors in New Hampshire.

Commissioner Keon: I really would like to know where we are in that; they need to move that along, because I had an e-mail from FIU asking us where we were too.

City Manager Swanson-Rivenbark: And so I asked the Sustainability Division to develop a one year action plan of everything that we are doing, including the coastal community conversation, whether we have it at Gulliver or we have it at Fairchild. I did get that draft, I need to review it, but I got it this week.

Mayor Cason: There were a lot of very specific suggestions that came out of all these working groups up there, the Union of Concerned Scientists and the World Resources Institute are sending us, and I think I've sent them to staff that have recommendations, best practices, things like, make sure you get your young people engaged on this. Everything from creating a sea level rise or recurrent flooding advisory committee with scientists from your area to talk, bring in expertise, lots of possibilities. But I'll try to summarize this and then we've already got electronically, the handouts, and then there are a lot of 50 or 100 different press releases that have come out around the country as a result of this, so if you want it's all available for you to take a look at.

Commissioner Keon: Thank you.

Commissioner Lago: If I could just mention one thing. I'm not sure if anyone else, but I had the pleasure of attending Dr. Wanless presentation about three weeks ago, about

a month ago, I think it was, and it's a very sobering presentation, and he tells you what you don't want to hear, he tells you the truth in my opinion. Again, I'm not a scientist, but he tells you some pretty startling facts in reference to sea level rise, and this is something that, many years ago thought maybe 2200, 150 years, 200 years from now. We are talking about, in my opinion, this is around the corner. I saw it firsthand on 26th and Collins when I went to an event on the beach and the actual Bayside had basically overrun the street and Collins, and it was impressive to see knee-high water running across three or four lanes of traffic and basically the individuals who live in that community had no answer for it, because the water was coming from everywhere. So, I think that one of the main things that we discussed and when I saw that presentation, it just motivated me more to understand the fact that we have to do everything in our power to minimize our carbon footprint. I know that's very, very tough, but through policies of expanding solar, of minimizing our greenhouse gases, minimizing our use of standard combustion engines, moving in the direction of 100 percent electric vehicles. Just minimizing and understanding that this is right around the corner and we are going to feel it, because one of the first things that's going to be a sobering - it's no longer going to be a discussion, it's going to be when you go for a 30 year mortgage and somebody says, I can't give you a 30 year mortgage, especially when they redo the maps next year, I'm not saying run for the foothills, but I'm saying let's be honest with ourselves because it's happening, and a lot of people who are much smarter than us who do this for a living have come to the conclusion that this is a reality and we need to continue moving in this direction; and I think that having Dr. Wanless come and do the presentation because many of the residents that are interested in seeing it continue to come to the presentations, it's very thought-provoking, it's very informative, and I think it's a great opportunity for people to come to the realization that they need to do their part.

Mayor Cason: And what he said was totally validated by NOA, FEMA, Core of Engineers.

Commissioner Lago: That's what I'm saying, this is no longer rumors or could this

maybe happen. This is world class scientists, all over the world are saying, this is a fact. If we do not do something drastic and it's on a micro level, every single individual needs to take ownership of simple things from recycling, to limiting the waste production, to limiting their emissions from their cars, it really has to be an effort, not only the governments, because governments are not the most efficient, it needs to come from every single individual in this community.

Mayor Cason: And during the period when mitigation things can be done in terms of mitigation. There are actually some tremendous business opportunities who are entrepreneurs, who are alternate energies, people that can come up with solutions. Usually when the United States has a big challenge somebody comes up with something that helps on it, so it's not like it's all bleak and dire. There are things that can be done, lots of opportunities, but we need to have the reality in front of us, look at it, and say ooh, and then what are we going to do?

Commissioner Lago: It's not bleak and dire, but we need to be faced with the truth.

Commissioner Slesnick: Another thing Dr. Wanless said was, it's not necessarily the coastal areas in Coral Gables, we are 11-12 feet above sea level, but to the west of us is Sweetwater and the Everglades and so forth, those areas are really lower than we are.

Mayor Cason: Actually its four feet in places like Coco Plum, that's what these new maps show.

Commissioner Slesnick: Four feet in Coco Plum.

Mayor Cason: So draw your own conclusions.

Commissioner Slesnick: And that includes salt water intrusion into our drinking water, and if you have that happening none of us can live here. It's scary.

Mayor Cason: Any rate I will send this around and I think it will be worthwhile to go to that any conference you can...

Commissioner Lago: I would like to attend that conference.

Mayor Cason: Evelyn Paz has the application, check with her.

Vice Mayor Quesada: So would I....

Mayor Cason: Yes, I will. So with that let's adjourn this meeting. You have something else?

City Manager Swanson-Rivenbark: There are two things from....

City Attorney Leen: I was going to renew my request for an Executive Session in Merrick Partners v. the City of Coral Gables, Case No. 15-0200848 CA 25. The reason why we haven't had it was, it took a little longer than expected due to the motion to dismiss, which was filed, I circulated to you. So now that we have that you can see our legal position and so we'll be setting an Executive Session to talk about the case.

City Manager Swanson-Rivenbark: And then Mr. Mayor, Commissioner Keon in her first comment asked some questions regarding streetscape and then I have one other item, so Streetscape the answer.

Assistant City Manager Olazabal: So the bond sale happens at the end of the month and we need the estimate to be finalized by November 13th. It's been a little bit of a challenge because we don't have the final final construction documents and Diana needs exact numbers.

Ms. Gomez: Very, very good numbers in order to...

Commissioner Keon: And we need very, very good construction documents that are in no way ambiguous, not at all, because that is the only way you are going to get an appropriate estimate that doesn't come back with numerous change orders that drive up cost and whatever else. It needs to be - so whoever is, we have a contractor at-risk, right?

Assistant City Manager Olazabal: Correct.

Commissioner Keon: Those construction documents have to be 100 percent with no ambiguity, no ambiguity.

Assistant City Manager Olazabal: The design team and the contractor at-risk are having weekly meetings to review this and finalize the document. We are progressing and we are looking at all these details and finalizing it, so the estimate is by mid-November we'll have the estimate, and then I can use that.

Commissioner Lago: So we are still on schedule to commence?- what day?

Assistant City Manager Olazabal: We are still on schedule to start construction, we are still aiming the beginning of January, mid-January.

Commissioner Keon: But they need the information by November, next month.

Ms. Gomez: Exactly - and so the actual bond sale is probably the week of November 30th when we actually sell the bonds.

Commissioner Keon: So can we tell them that we'd like to schedule that that estimates for a Commission meeting on a certain day.

City Manager Swanson-Rivenbark: November 10th.

Commissioner Keon: They need to have it.

City Manager Swanson-Rivenbark: Needs to be on the November 10th Commission meeting.

Assistant City Manager Olazabal: The construction - OK.

Commissioner Keon: Right. We need to have documents ready.

City Manager Swanson-Rivenbark: So we'll move that onto the November 10th Agenda. The other question is you probably wonder why you have 16 pumpkins in front of you. We put out a challenge to all departments and divisions that they should if they wanted to design what you do for the citizens and business of Coral Gables and I have been overwhelmed with the creativity and talent that the staff had. We thought that they would use the small pumpkins, a couple of them did. We had no idea they would take up so much creativity and so much space. We made an easy decision by having you all decide who the winners are. So what we'd like to do is, you come back and 3 o'clock for your North Ponce Study, if you have an opportunity to look, there is a real flushing toilet, there is a phone charger attached, there is a pumpkin vine that was grown from seed three weeks ago. There is a tremendous amount of talent at the table and if you all could be so kind as to just tell us the number, because each one of them are numbered, of which one you believe gets the winning \$50 Einstein Gift Card, it would be our pleasure to award it on your behalf.

Mayor Cason: So we can do that when we come back at 3 o'clock.

City Manager Swanson-Rivenbark: Before 3 o'clock, if you have an opportunity to meander around, if you are not able to vote we'll take the votes that we do receive from the Commission.

Mayor Cason: Are these from Linus' great pumpkin patch?

City Manager Swanson-Rivenbark: It's a combination of sources here, I'm sure. They just did a wonderful job. Take a few moments prior to the 3 o'clock to look at the services that our departments provide the public and you'll know the pride that our employees have in it.

Mayor Cason: Great initiative. Thank you. Alright, this meeting is adjourned; we'll be back at 3. Would you explain a little bit what's going to happen at 3?

City Manager Swanson-Rivenbark: Certainly. There'll be a follow-up workshop on North Ponce. You asked for a follow-up and then at 5:01 (p.m.) you'll have a re-hearing of your Second Budget, no changes, minor changes in the numbers, but nothing of significance and we'll talk through that at 5:01.

Mayor Cason: Thank you.

City Clerk Item No. 41

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 12:02 p.m. The next regular meeting of the City Commission has been scheduled for November 10, 2015, beginning 9 a.m.]

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

