

City of Coral Gables

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



Agenda

Tuesday, April 28, 2009

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*

INVOCATION

Rev. Dr. Laurinda Hafner, Coral Gables Congregational Church

PLEDGE OF ALLEGIANCE

The Honorable Chief Judge Joel Brown

A. PRESENTATIONS AND PROCLAMATIONS

- A.-1. [09-0302](#) Presentation of a Proclamation declaring April 28, 2009, as "Catherine Swanson-Rivenbark day in Coral Gables".
- A.-2. [09-0277](#) Presentation of a Proclamation to the Montgomery Foundation in recognition of fifty years' involvement in the South Florida and World Community.
- A.-3. [09-0150](#) Presentation of a Proclamation declaring April 2009 as Water Conservation Month in Coral Gables.
- A.-4. [09-0276](#) Presentation of a Proclamation declaring the week of May 10 - 16, 2009, as Police Appreciation Week in Coral Gables, and in particular, May 15, 2009, as Police Officer Memorial Day in Coral Gables.
- A.-5. [09-0238](#) Presentation of a Proclamation declaring May 3 through May 9, 2009 as Municipal Clerks Week in Coral Gables.
- A.-6. [09-0257](#) Recognition of Morris Smyle, of Grand Western Brands and Mitchell Kaplan, of Books and Books, Farmers Market Sponsors for the Year 2009.
- A.-7. [09-0261](#) Congratulations to Jesus Cordero, Automotive Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of May 2009.

B. APPROVAL OF MINUTES

- B.-1. [09-0289](#) Regular City Commission Meeting of March 24, 2009

C. CONSENT AGENDA

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

- C.-1. [09-0230](#) Resolution of the City of Coral Gables granting a one-day permit to the Buoniconti Fund to Cure Paralysis to sell alcoholic beverages on Saturday, October 17, 2009, from 5:00 p.m. to 9:00 p.m. on Miracle Mile at the corner of Miracle/Ponce during the Buoniconti Fund to Cure Paralysis Event, pursuant to Florida Department of Professional Regulation requirements and City Special Event Committee provisions.
- C.-2. [09-0235](#) Resolution of the City of Coral Gables authorizing expenditures in the amount of \$65,900.00, from State Forfeited Assets to acquire the Police Officer Scheduling System Software (POSS), and its supporting hardware.
- C.-3. [09-0236](#) Resolution of the City of Coral Gables authorizing expenditures in the amount of \$15,000.00, from State Forfeited Assets (FAF) to defray the cost of a protracted and complex criminal investigation being conducted by the Coral Gables Police Department.
- C.-4. [09-0239](#) Resolution of the City of Coral Gables authorizing the expenditure in the amount of \$18,000.00, from previously encumbered Forfeited Asset Fund (FAF) monies to provide funding for the Coral Gables Police Athletic League.
- C.-5. [09-0243](#) Resolution of the City of Coral Gables authorizing expenditures in the amount of \$12,420.00, from State Forfeited Assets to provide for the acquisition of the T3 Personal Electric Mobility Vehicle by the Community Affairs Unit of the Coral Gables Police Department.
- C.-6. [09-0245](#) Resolution of the City of Coral Gables authorizing the expenditure in the amount of \$12,000.00, from previously encumbered Forfeited Asset Fund (FAF) monies to provide for the summer activities program of the Coral Gables Police Department Police Explorer Post #594.
- C.-7. [09-0246](#) Resolution of the City of Coral Gables authorizing expenditures in the amount \$30,000.00, from State Forfeited Assets to defray the cost of a protracted and complex criminal investigation being conducted by the Coral Gables Police Department.
- C.-8. [09-0253](#) Resolution of the City of Coral Gables authorizing expenditures in the amount of \$37,100.00, from State Forfeited Asset Fund monies to fund the provision of Rape Aggression Defense (RAD) Training by the Coral Gables Police Department.

- C.-9. [09-0250](#) Resolution of the City of Coral Gables amending Resolution 2003-199 (Section 4) providing for depositing of funds to execute funds transfer agreement and authorizing signing of checks and drafts, by City Manager and Finance Director.

Items C.-10 and C.-11 are related

- C.-10. [09-0304](#) Resolution of the City of Coral Gables rejecting all proposals received for City Security Guard Services.
- C.-11. [09-0279](#) Resolution of the City of Coral Gables authorizing the extension of a contract with World International Security Inc., for security guard services, pursuant to Section 2-834 (d) of the Procurement Code and further requesting an additional extension period, not to exceed one hundred twenty (120) days.
- C.-12. [09-0300](#) Resolution of the City of Coral Gables authorizing the extension of a contract with Standard Parking Corporation for parking cashier services, pursuant to Section 2-834(d) of the Procurement Code and further requesting an additional extension period, not to exceed one hundred twenty (120) days.

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

- C.-13. [09-0226](#) International Affairs Coordinating Council Meeting of February 17, 2009
- C.-14. [09-0227](#) Communications Committee Meeting of March 19, 2009
- C.-15. [09-0231](#) Landscape Beautification Advisory Board Meeting of April 2, 2009
- C.-16. [09-0232](#) Economic Development Board Meeting of March 4, 2009
- C.-17. [09-0233](#) Youth Advisory Board Meeting of March 10, 2009
- C.-18. [09-0234](#) Senior Citizens Advisory Board Meeting of March 2, 2009
- C.-19. [09-0241](#) Budget/Audit Advisory Board Meeting of March 12, 2009

- C.-20. [09-0244](#) Library Advisory Board Meeting of April 8, 2009
- C.-21. [09-0251](#) School and Community Relations Committee Meeting of March 10, 2009
- C.-22. [09-0254](#) Board of Adjustment Meeting of April 6, 2009
- C.-23. [09-0259](#) Retirement Board Meeting of March 12, 2009
- C.-24. [09-0260](#) Parks & Recreation Advisory Board Meeting of March 20, 2009
- C.-25. [09-0266](#) Traffic Advisory Board Meeting of March 17, 2009
- C.-26. [09-0271](#) Insurance Advisory Committee Meeting of April 20, 2009
- C.-27. [09-0273](#) Coral Gables Merrick House Governing Board Meeting of March 23, 2009
- C.-28. [09-0274](#) Historic Preservation Board Meeting of March 19, 2009.
- C.-29. [09-0280](#) International Affairs Coordinating Council Meeting of March 17, 2009
- C.-30. [09-0281](#) Cultural Development Board Meeting of March 16, 2009
- C.-31. [09-0290](#) Code Enforcement Board Meeting of April 15, 2009
- C.-32. [09-0291](#) Senior Citizens Advisory Board Meeting of April 6, 2009
- C.-33. [09-0305](#) Parking Advisory Board Meeting of March 26, 2009

D. PERSONAL APPEARANCES

- D.-1. [09-0263](#) Mr. Jeff Isom, The Architects Group, on behalf of Marshall D. Kaplan, Owner of new Angelique Euro Café, for permission to encroach into the right-of-way with a 1200 gallon grease trap in the alley behind 111 Miracle Mile, Coral Gables, Florida.

Items D.-2 and H.-3. are related

- D.-2. [09-0303](#) Dr. Dale Davis in support of the Cutler Oaks Estates Homeowners Association's request for modifications to an existing revocable permit to change twenty-four (24) hour Live Guard Security Service at that guard house, providing for the installation of certain passive infrastructure while maintaining public ingress and egress at all times into said subdivision.

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in.

ORDINANCES ON SECOND READING

- E.-1. [09-0203](#) Ordinance of the City Commission of the City of Coral Gables amending the "Code of the City of Coral Gables" by amending Chapter 2, "Administration", Article V, "Conflict of Interest and Code of Ethics", Sec. 2-232 "Certain appearances and payment prohibited.", to provide that the chairperson of a city board may, at the request of the board, appear before the City Commission to provide the board's recommendation; providing for severability, codification, and repealing all ordinances inconsistent herewith. (Passed on First Reading on March 24, 2009).

ORDINANCES ON FIRST READING

- E.-2. [09-0267](#) Ordinance of the City Commission of the City of Coral Gables amending Chapter 34 of the "Code of the City of Coral Gables" entitled "Nuisances" and in particular Sections 34-1, entitled "Clearing of Land" 34-22, entitled "Failure to Comply; Forms of Notice to Property Owner", 34-23, entitled, "Cost of Clearing as Lien on Property-Collection, Foreclosure and Sale" by changing the dates upon which a property owner is provided notice upon which to remedy the situation; and providing for severability, repealer, codification, and an effective date.

F. CITY COMMISSION ITEMS

None

G. BOARDS/COMMITTEES ITEMS

- G.-1. [09-0248](#) Presentation of excerpts from the Landscape Beautification Advisory Board meeting of April 2, 2009, requesting the following action:

In order to integrate the designs, the Landscape Beautification Advisory Board would like to see a landscape design for both traffic circle intersections on Segovia Street (Biltmore Way and Coral Way) including the hardscape and landscape prior to planting the Segovia Street and Coral Way Circle.

- G.-2. [09-0249](#) Presentation of excerpts from the Library Advisory Board meeting of April 8, 2009, requesting the following action:

That a search for additional parking around the library building be made by the City of Coral Gables.

- G.-3. [09-0252](#) Presentation of excerpts from the School and Community Relations Committee meeting of March 10, 2009, requesting the following action:

That the City Commission direct the City Attorney to engage Florida Power and Light in an open and preemptive dialogue prior to making a final decision of where and how to place new power lines stemming from FPL's project, for the safety, welfare and health of the Coral Gables children in the public schools.

- G.-4. [09-0287](#) Presentation of excerpts from the Public Safety Committee Meeting of March 24, 2009, requesting the following action:

That the City Commission accept the recommendation of the Public Safety Committee that the Committee be dissolved.

H. CITY MANAGER ITEMS

- H.-1. [09-0229](#) Resolution of the City of Coral Gables accepting the recommendation of the Chief Procurement Officer to award the Riviera Park Renovation project to BMA Construction Inc. pursuant to Section 2-828 of the Procurement Code and Invitation for Bid (IFB) 2008.12.12 in the amount of \$444,520.00 (Four Hundred Forty-Four Thousand Five Hundred Twenty Dollars).
- H.-2. [09-0262](#) Resolution of the City of Coral Gables authorizing the City Manager to renew the contract with Johns Eastern Company, Inc. for Third Party Claims Administration for workers' compensation and liability, in an amount not to exceed \$360,000.00, for an additional one-year term, effective May 1, 2009.

Items H.-3 and D.-2 are related

- H.-3. [09-0265](#) Resolution of the City of Coral Gables amending the revocable permit issued to the Cutler Oaks Estates Homeowners Association pursuant to City Resolution No. 28730, adopted on February 28, 1995, which allowed for the construction of a Guardhouse and Traffic Control Device located at the entrance to Cutler Oaks Estates Subdivision on Destacada Avenue, by eliminating Live Guard Security Service at said Guardhouse, providing for the installation of certain passive infrastructure to enhance security measures upon meeting all City permitting requirements, maintaining public ingress and egress at all times into said subdivision, and complying with other requirements of law.
- H.-4. [09-0275](#) Resolution of the City of Coral Gables authorizing the City Manager to renew the medical insurance plan with HUMANA, in an amount not to exceed \$3,516,000.00 (4% cost increase over last year for the HMO), for an additional one-year term, effective July 1, 2009; further authorizing the renewal of the Blue Cross/Blue Shield dental plan (with no premium increase over last year) and the Standard Insurance Company life insurance plan (with no premium increase over last year) for an additional one-year term, effective July 1, 2009.
- H.-5. [09-0284](#) Resolution of the City of Coral Gables authorizing the award of the Drama/Theater Professional Services contract to Miami Children's Theater pursuant to Section 2-828 of the Procurement Code and Request for Proposal (RFP) 2009.01.21. Further authorizing the City Manager to execute a two (2) year contract with an option to renew for three (3) additional one (1) year periods.
- H.-6. [09-0278](#) Resolution of the City of Coral Gables, Florida, and in accordance with Section 2-26 of the City Code, entitled "Regular Meetings, Special Meetings" setting forth meeting dates for the summer months as follows: Tuesday, June 2, 2009; Tuesday, July 7, 2009; Tuesday, July 28, 2009; Tuesday, August 25, 2009; and further confirming that the Budget Workshop will be held on Wednesday, July 8, 2009.

I. CITY ATTORNEY ITEMS

I.-1. [09-0283](#) Pending Litigation Report

I.-2. [09-0296](#) Resolution of the City of Coral Gables authorizing the City Attorney to file suit against the property owner of 306 Aragon Avenue, Folio No. 03-4108-006-3490, for collection of the Coral Gables Business Improvement District (BID) assessments outstanding against the property for the years 2002, 2003, 2004, 2005, 2006 and 2007, and seeking attorney's fees and costs.

J. CITY CLERK ITEMS

J.-1. **09-0288** Resolution of the City of Coral Gables confirming the appointment of Billy Y. Urquia as Deputy City Clerk of the City of Coral Gables.

K. DISCUSSION ITEMS

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

ADJOURNMENT

NOTE

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Interested persons should, therefore, take the necessary steps to ensure that a verbatim record of the proceedings is made which contains the testimony and evidence upon which the appeal is based.

Any person making impertinent or slanderous remarks or who become boisterous while addressing the Commission, shall be barred from further audience before the Commission by the Chair, unless permission to continue or again address the Commission is granted by the majority vote of the Commission Members present. Clapping, applauding, heckling or verbal outbursts or any remarks in support or opposition to a speaker shall be prohibited. Signs or placards shall not be permitted in Commission Chambers.

Any person requiring special accommodations for participation in the meeting should contact R. Alberto Delgado, Public Works Director, at 305-460-5001, with requests for auxiliary aids or services at least one business day before the meeting.

Patrick G. Salerno
City Manager