

City of Coral Gables

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



Agenda

Tuesday, July 13, 2010

9:00 AM

City Hall, Commission Chambers

City Commission

Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael "Ralph" Cabrera, Jr.
Commissioner Wayne "Chip" Withers

Patrick G. Salerno, City Manager
Elizabeth M. Hernandez, City Attorney
Walter J. Foeman, City Clerk

The use of cell phones in the commission chambers is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings.

INVOCATION

Rev. Frank Kopania, Saint Mark's Lutheran Church

PLEDGE OF ALLEGIANCE**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [10-0417](#) Presentation of 2010/2011 Donald R. Hopkins / William A. Cooper Scholarship Award to Alexis Elizabeth Davis.
- A.-2. [10-0449](#) Presentation of a Proclamation declaring July 13, 2010 as Canada Day in Coral Gables, in celebration of Canada's 143rd Birthday.
- A.-3. [10-0451](#) Presentation of a Certificate of Recognition to Coral Gables author Christina Diaz Gonzalez.
- A.-4. [10-0414](#) Congratulations to Lt. Jack Kerns, recipient of the City of Coral Gables Firefighter of the Month Award, for the month of July 2010.
- A.-5. [10-0423](#) Congratulations to Detective Edward Garcia, recipient of the City of Coral Gables Officer of the Month Award, for the month of May 2010.
- A.-6. [10-0441](#) Congratulations to Lydia Calvo-Florentino, Police Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of July 2010.
- A.-7. [10-0442](#) Congratulations to Boris Lazo, Public Works Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of August 2010.
- A.-8. [10-0437](#) Presentation of 30 years service pin to Janet Carrasquillo, Public Service Department.
- A.-9. [10-0440](#) Presentation of 30 years service pin to James E. Miller, Public Service Department.

B. APPROVAL OF MINUTES

- B.-1. [10-0471](#) Special City Commission Meeting of June 30, 2010.

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. [10-0385](#) Resolution amending Resolution No. 2010-66 by changing the approved time for the "Gables Hispanic Cultural Festival" and granting a request made by the Gables Hispanic Cultural Foundation, Inc. to sell alcoholic beverages from 11:00 a.m. until 11:00 p.m. on Saturday, September 25, 2010, on Biltmore Way from Hernando Street to LeJeune Road as part of the Gables Hispanic Cultural Festival, subject to Florida Department of Professional Regulation requirements.
- C.-2. [10-0435](#) Resolution approving encroachments into the public right-of-way for a proposed new building located at 2222 Ponce de Leon Boulevard (Giralda Complex), subject to the requirements of the Public Works Department and all applicable code requirements.
- C.-3. [10-0439](#) Resolution accepting the recommendation of the Chief Procurement Officer to award the Pump Station "A" Upgrades Project to R&G Engineering, Inc. pursuant to Section 2-828 of the Procurement Code and IFB 2010.04.30 in the amount of \$498,000.00 (four hundred ninety-eight thousand dollars); further authorizing an appropriation of funds for this project.
- C.-4. [10-0445](#) Resolution rescinding Resolution No. 28099 and adopting an amended resolution authorizing a new "Flags on Ponce Program", providing for Coral Gables Chamber of Commerce sponsorship, guidelines, advertisement, installations; and providing for an effective date.
- C.-5. [10-0443](#) Resolution authorizing the execution of U.S. Army Corps of Engineers (USACE) Permit Agreement Application No. SAJ-2007-01053 for the construction of conveyance improvements within the C-3 Canal (Coral Gables Waterway); and further accepting conditions of the permit, including payment of \$78,750 in mitigation costs for the removal of tidal marsh habitat.
- C.-6. [10-0438](#) Resolution accepting the recommendation of the Chief Procurement Officer to award the Waterway Conveyance Improvements, C-3 Canal Restoration Project to Shoreline Foundation, Inc. pursuant to Section 2-828 of the Procurement Code and Request for Proposal (RFP) 2010.05.13 in the amount of \$4,091,624.21 (four million ninety-one thousand, six hundred twenty-four dollars and twenty-one cents); further authorizing an appropriation of funds for this project.

- C.-7. [10-0447](#) Resolution authorizing the acceptance and execution of Emergency Medical Services (EMS) County Grant #C9013 Letter of Understanding and Agreement in the amount of \$4,760 from the Miami-Dade County Board of County Commissioners and the State of Florida Department of Health for fiscal year 2009-2010, to fund the expansion and/or improvements of pre-hospital emergency medical services.
- C.-8. [10-0456](#) Resolution authorizing transfer of funds in the amount of one hundred thousand dollars (\$100,000), from the Special Revenue Fund entitled "Citywide Records Management Infrastructure, Business Process Improvement: Enterprise Content Management Project" into the General Fund for the fiscal year ending September 30, 2011.
- C.-9. [10-0457](#) Resolution amending the 2009-2010 Annual Budget and authorizing a transfer of funds from the Sanitary Sewer System Fund into the General Fund for indirect operating costs provided by the General Fund departments for the fiscal year ending September 30, 2010.
- C.-10. [10-0454](#) Resolution designating Mayor Donald D. Slesnick to serve as the voting delegate to Annual Conference of the Florida League of Cities, Inc., to be held in Hollywood, Florida (August 19-21, 2010), for the purpose of casting votes on behalf of our municipality, during the business session of said conference that will determine the direction of the Florida League of Cities, Inc.
- C.-11. [10-0448](#) Resolution accepting the recommendation of the Chief Procurement Officer to "Piggyback" an on-site vehicle and equipment parts and supply contract with Genuine Parts Company d/b/a NAPA Auto Parts from the City of Miramar, Florida pursuant to Section 2-978 of the Procurement Code for a period running through December 22, 2011, with an option to renew for three (3) additional one (1) year periods.
- C.-12. [10-0462](#) Resolution reappointing Andres Murai Jr (Nominated by Vice Mayor Kerdyk), to serve as a member of the Code Enforcement Board for a three (3) year term, beginning June 1, 2010 through May 31, 2013.
- C.-13. [10-0463](#) Resolution appointing Alberto Menendez (Nominated by Vice Mayor Kerdyk), to serve as a member of the Emergency Management Division, for the unexpired balance of a two (2) year term, from July 13, 2010 through May 31, 2011.
- C.-14. [10-0473](#) Resolution authorizing the execution of a matching grant agreement with the Miami-Dade County Department of Cultural Affairs Capital Development Grants program for ADA improvements at the art cinema located at 260 Aragon Avenue, funding construction related costs, and amending the 2009-2010 Annual Budget to increase the estimated revenues and an appropriation of funds.
- C.-15. [10-0434](#) Resolution authorizing execution of agreement for sewer connection outside the City Sanitary Sewer districts to the City's sewer system, to serve the office building located at 4601 Ponce de Leon Boulevard, Coral Gables, Florida, subject to the requirements of the Public Works Department as provided under Chapters 62 and 78 of the City Code (Ordinance no. 2007-29) and Resolution No. 2008-07; and provided that the executed agreement be made part of this Resolution.

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

- C.-16. [10-0411](#) Communications Committee Meeting of May 20, 2010
- C.-17. [10-0412](#) Emergency Management Division Meeting of May 26, 2010
- C.-18. [10-0413](#) Board of Adjustment Meeting of June 7, 2010
- C.-19. [10-0416](#) Budget/Audit Advisory Board Meeting of April 28, 2010
- C.-20. [10-0431](#) International Affairs Coordinating Council Meeting of June 15, 2010
- C.-21. [10-0432](#) Parks and Recreation Advisory Board Meeting of June 18, 2010
- C.-22. [10-0444](#) Library Advisory Board Meeting of June 9, 2010
- C.-23. [10-0446](#) Retirement Board Meeting of May 13, 2010
- C.-24. [10-0425](#) Coral Gables Merrick House Board Meeting of May 10, 2010
- C.-25. [10-0427](#) Historic Preservation Board Meeting of May 20, 2010
- C.-26. [10-0428](#) Pinewood Cemetery Advisory Board Special Meeting of May 10, 2010
- C.-27. [10-0461](#) Landscape Beautification Advisory Board Meeting of June 3, 2010
- C.-28. [10-0464](#) Cultural Development Board Meeting of May 10, 2010
- C.-29. [10-0465](#) Coral Gables Merrick House Governing Board Meeting of June 7, 2010

D. PERSONAL APPEARANCES

- D.-1. [10-0415](#) Tom Fuhrman, to discuss Police Department use of sirens and lights for non-emergency escorts.

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in.

Anyone who wishes to address the City Commission on an item to be considered for public hearing must fill out a Speaker Card and turn it in to the City Clerk. Speaker Cards can be obtained on the credenza located outside the Office of the Mayor, during the day of the City Commission Meeting.

APPEAL

- E.-1. [10-0436](#) Board of Adjustment Application No. BA-10-05-3859
Mr. Rogelio Tovar, Owner/Applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment at its regular meeting June 7, 2010, wherein it denied an application for a variance for the property located at 1221 Mariola Court pursuant to the provisions of Ordinance No. 2007-01 as amended and known as the "Zoning Code." (Board of Adjustment Vote: 5-2)

The Applicant is appealing the Board of Adjustment decision in regard to the proposed addition for the existing single-family residence

1. Grant a variance to allow the proposed addition in conjunction with the existing residence to exceed the allowable floor area factor and maintain a square foot floor area of seven thousand eight hundred and thirty-five feet (7,835') vs. the single-family residence shall not exceed a maximum square foot floor area of seven thousand one hundred and forty feet (7,140') as required by Section 4-101 (D) (10) (a) of the Coral Gables, "Zoning Code."

ORDINANCES ON SECOND READING

- E.-2. [10-0394](#) An Ordinance of the City Commission of Coral Gables creating in accordance with the City Code, Article III, Division 1, Section 2-64, a Green Task Force and setting forth guidelines by which such task force shall be governed and providing for severability, repealer, codification and an effective date. (Passed on First Reading May 25, 2010)

ORDINANCES ON FIRST READING**Items E.-3. and E.-4. are related**

- E.-3. [10-0419](#) Change of Land Use. An Ordinance of the City Commission of Coral Gables amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from "Residential Use (Single-Family) Low Density" to "Parks and Recreation" for a 0.48 acre parcel, to allow for future development as a green space and/or neighborhood park, legally described as Lots 11-14, Block 77, Coral Gables Country Club Section 5 (4650 Alhambra Circle), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote 6-0)
- E.-4. [10-0420](#) Change of Zoning. An Ordinance of the City Commission of Coral Gables approving a change of zoning from Single-Family Residential (SFR) District to Special Use (S) District for a 0.48 acre parcel, to allow for future development as a green space and/or neighborhood park, legally described as Lots 11-14, Block 77, Coral Gables Country Club Section 5 (4650 Alhambra Circle), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 6-0)
- E.-5. [10-0421](#) Change of Land Use. An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from "Commercial Use, Mid-Rise Intensity" to "Commercial Use, High-Rise Intensity" for the following City owned properties:
1. Lots 1-4 & 38-48, Block 20, Section "K" (2100 Block of Salzedo St.), Coral Gables, Florida;
 2. Lots 22-43, Block 1, Crafts Section (300 Block of Andalusia Ave.), Coral Gables, Florida;
 3. Lots 29-42, Block 2, Crafts Section (200 Block of Andalusia Ave.), Coral Gables, Florida; and, providing for severability, repealer, codification and an effective date. (PZB recommended approval, vote: 6-0)
- E.-6. [10-0466](#) An Ordinance of the City Commission of Coral Gables authorizing entering into two lease amendments with The Palace Management Group, LLC, with regard to City owned property at 45 and 50 Andalusia Avenue, Coral Gables, Florida; and providing for severability, repealer, codification and an effective date.

F. CITY COMMISSION ITEMS

- F.-1. [10-0470](#) Discussion of Biltmore's Request for "Interim Agreement".
Mayor Donald D. Slesnick, II

G. BOARDS/COMMITTEES ITEMS

None

H. CITY MANAGER ITEMS

- H.-1. [10-0460](#) Resolution amending Resolution 2009-233 which established fees for various licenses, permits, services, and penalties by the City of Coral Gables, providing for severability, and an effective date.

I. CITY ATTORNEY ITEMS

- I.-1. [10-0467](#) Pending Litigation Report

J. CITY CLERK ITEMS

None

K. DISCUSSION ITEMS

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

ADJOURNMENT

**FISCAL YEAR 2010-2011 BUDGET WORKSHOP TO
FOLLOW COMMISSION MEETING**

NOTE

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

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

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

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

Patrick G. Salerno
City Manager