

# City of Coral Gables

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



## Agenda

**Tuesday, January 27, 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*

*Maria Alberro Jimenez, Interim City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

**INVOCATION**

*Reverend Frank Kapania, St. Mark's Lutheran Church*

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

- A.-1. [09-0024](#) Special welcome to Florida State Senator Dan Gelber and Florida House of Representatives Erik Fresen, Julio Robaina, and Carlos Lopez-Cantera to the City of Coral Gables.
- A.-2. [09-0032](#) Presentation of a Certificate of Appreciation to Spencer Aronfeld for his role with the Menorah Presentation at Fred B. Hartnett Ponce Circle Park.
- A.-3. [09-0044](#) Presentation of a Proclamation declaring January 27, 2009 as Clive Cork Day in Coral Gables.
- A.-4. [09-0018](#) Presentation of 20 years service pin to Ronald Janzer, Fire Department.
- A.-5. [09-0019](#) Presentation of 20 years service pin to Robert Lowman, Fire Department.
- A.-6. [09-0020](#) Presentation of 20 years service pin to Keith Taylor, Fire Department.
- A.-7. [09-0021](#) Presentation of 20 years service pin to Nelson Rodriguez, Fire Department.
- A.-8. [09-0022](#) Presentation of 20 years service pin to Tom Zelenak, Fire Department.
- A.-9. [09-0023](#) Congratulations to Kenneth Larkin, Public Service Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of February 2009.

**B. APPROVAL OF MINUTES**

None

**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. [09-0002](#) A Resolution of the City Commission of Coral Gables authorizing the Kiwanis Club of Little Havana to sell alcoholic beverages as a part of the Latin Jazz Art Festival and Carnaval at Ponce Circle Park on Friday, March 6, and on Miracle Mile on Saturday and Sunday, March 7 and 8, 2009.
- C.-2. [09-0011](#) A Resolution of the City Commission of Coral Gables authorizing the City Manager to accept a grant valued at \$7,500 from the Tenet Healthcare Foundation for support of education and community programs. This grant came as a result of a recommendation from the Coral Gables Hospital.
- C.-3. [09-0025](#) A Resolution of the City Commission of Coral Gables authorizing an expenditure in the amount of \$100,000.00 from State Forfeited Asset Funds monies to reimburse the City of Coral Gables General Fund for expenditures associated with the Police Communications Center Project.
- C.-4. [09-0028](#) A Resolution of the City Commission of Coral Gables authorizing expenditures in the amount of \$23,598.00 from the Coral Gables Police State Forfeited Asset Fund (FAF) monies to provide for the purchase of two Universal Night Sight Scope Systems and three accompanying rail mounting systems for SWAT sniper rifles.
- C.-5. [09-0029](#) A Resolution of the City Commission of Coral Gables authorizing expenditures in the amount of \$16,425.05 from the Coral Gables Police State Forfeited Asset Fund (FAF) monies to provide for the purchase of a Robotic Remote Reconnaissance System for the Coral Gables Police SWAT team.
- C.-6. [09-0040](#) A Resolution of the City Commission of Coral Gables confirming the appointment of Bruce Brockhouse (appointed by the Board-As-A-Whole) to serve as a member of the Landscape Beautification Advisory Board, for the unexpired balance of a two (2) year term, which began on June 1, 2007 through May 31, 2009.
- C.-7. [09-0042](#) A Resolution of the City Commission of Coral Gables accepting the recommendation of the City Manager to extend the Professional Services Agreement with Robert J. Shafer and Associates, Inc. for health insurance consultant services for an amount not to exceed \$30,000.00 for an additional one (1) year period commencing February 1, 2009.
- C.-8. [09-0015](#) A Resolution of the City Commission of Coral Gables amending Resolution No. 2006-203, passed and adopted on November 15, 2006, to include Allen Morris Corporation's request, on behalf of Ponce de Leon Financial Towers, LLC, owner, to install custom wrap with graphic images and signs on a temporary construction fence on the right-of-way at 2801 Ponce de Leon Boulevard, adjacent to the "Old Spanish Village" project in Coral Gables, Florida.

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

- C.-9.    [09-0003](#)        School and Community Relations Committee Meeting of November 17, 2008
  
- C.-10.   [09-0008](#)        Landscape Beautification Advisory Board Meeting of January 8, 2009
  
- C.-11.   [09-0009](#)        Landscape Beautification Advisory Board Special Meeting of January 12, 2009
  
- C.-12.   [09-0012](#)        Senior Citizens Advisory Board Meeting of December 1, 2008
  
- C.-13.   [09-0013](#)        Senior Citizens Advisory Board Meeting of January 5, 2009
  
- C.-14.   [09-0033](#)        Library Advisory Board Meeting of January 14, 2009
  
- C.-15.   [09-0027](#)        Historic Preservation Board Meeting of December 18, 2008.
  
- C.-16.   [09-0035](#)        Retirement Board Special Meeting of December 17, 2008
  
- C.-17.   [09-0036](#)        Retirement Board Special Emergency Meeting of December 23, 2008
  
- C.-18.   [09-0037](#)        Youth Advisory Board Meeting of January 6, 2009
  
- C.-19.   [09-0038](#)        Parking Advisory Board Meeting of November 20, 2008
  
- C.-20.   [09-0039](#)        Cultural Development Board Meeting of November 12, 2008
  
- C.-21.   [09-0043](#)        Code Enforcement Board Meeting of January 21, 2009

**D. PERSONAL APPEARANCES**

- D.-1. [09-0047](#) Alex Martinez, Chairman of the All American High School Basketball Games, to share with the City the upcoming event scheduled for March 31, 2009, at the University of Miami's Bank United Center, Coral Gables, Florida.
- D.-2. [09-0016](#) Larry Marbert, Vice-President of Real Estate and Facilities, University of Miami, for permission for an outside sewer connection to the City's pressure system to serve the Norman A. Whitten University Center and the University of Miami new Student Activity Center (SAC) located at 1330 Miller Road, Coral Gables, Florida.

**E. PUBLIC HEARINGS**

*All Individuals desiring to give testimony shall be sworn in.*

**ORDINANCES ON SECOND READING**

- E.-1. [08-0852](#) An Ordinance of the City Commission of Coral Gables, Florida, amending the text of the Official Zoning Code, Appendix A, Site Specific Zoning Regulations providing for changes to the allowable townhouse building height for specific properties from 35 to 45 feet pursuant to a City of Coral Gables City Commission Settlement Agreement; providing for repeal, providing severability, providing for codification thereof, and providing for an effective date.
- E.-2. [08-0853](#) An Ordinance of the City Commission of Coral Gables, Florida, amending the text of the Official Zoning Code, Article 5, Division 16, providing for clarification of the permitted roofing material of copper roofs, and Article 8, providing for a definition of "copper," providing for repeal, providing severability, providing for codification thereof, and providing for an effective date.
- E.-3. [08-0854](#) An Ordinance of the City Commission of Coral Gables, Florida, amending the Zoning Code, Article 2, "Decision Making and Administrative Bodies", Section 2-702, entitled "City Attorney", to provide the proper procedures to follow to review rulings of the City Attorney; and providing for severability, repealer, codification, and an effective date.
- E.-4. [08-0855](#) An Ordinance of the City Commission of Coral Gables, Florida, amending the Zoning Code, Article 8, entitled "Definitions" to amend the definition of "Family" to reflect the appropriate constitutional requirements; and providing for severability, repealer, codification, and an effective date.
- E.-5. [08-0857](#) An Ordinance of the City Commission of Coral Gables, Florida, amending the Zoning Code, Article 2, Division 5, "Historic Preservation Board", Section 2-502, entitled "Membership; Terms; Vacancies; Removal", to amend the current membership to require two architects on the Historic Preservation Board; and providing for severability, repealer, codification, and an effective date.
- E.-6. [08-0858](#) An Ordinance of the City Commission of Coral Gables, Florida, amending the Zoning Code, Article 5, Division 8, Section 5-805, entitled "Davits, watercraft lifts and floating watercraft lifts", to amend the number of davits permitted on a property; and providing for severability, repealer, codification, and an effective date.

**E.-7. [08-0883](#)**

An Ordinance calling for the holding of a special municipal referendum election of Coral Gables, Florida, on April 14, 2009, in accordance with Section 6.03 of the Code of Miami-Dade County, for the submission to the qualified electors of said City, not less than sixty (60) nor more than one hundred and twenty (120) days after the draft is submitted, an ordinance in connection with the proposed amendments to the Charter of the City of Coral Gables, wherein the voters of the City of Coral Gables shall be called upon to vote on the following questions, to be known as Charter Amendment Ballot Question No. \_\_\_\_: Shall the Charter of the City of Coral Gables be amended to provide for term limits for a total of eight (8) years for the Mayor?; Ballot Question No. \_\_\_\_ : Shall the Charter of the City of Coral Gables be amended to provide for term limits for a total of twelve (12) years for a City Commissioner, with the incumbent Mayor in Group One (I) and the incumbent Commissioners in Group Four (IV) and Group Five (V) allowed to run for an additional term in the General Biennial Election of 2011?; and Ballot Question No. \_\_\_\_: Shall the Charter of the City of Coral Gables be amended to provide that the time served in fulfilling the unexpired term resulting from a vacancy on the City Commission shall not be counted in applying these term limits?; including, but not limited to, amending certain sections, stating the form of the question to be voted upon; providing the form of the ballot for said election; designating and appointing the City Clerk as the Official Representative of the City Commission with respect to the use of the voter registration books and records; further directing the City Clerk to cause a certified copy of the herein ordinance to be delivered to the Supervisor of Elections of Miami-Dade County, Florida, not less than sixty (60) days prior to the date of such special municipal referendum election; directing the City Clerk of the City of Coral Gables to publish notice of such election pursuant to Section 100.342, Florida Statutes (2008), which notice shall include the full text of the proposed amendment to the Charter of the City of Coral Gables, Florida, providing at least thirty (30) days' notice of the election or referendum by publication in a newspaper of general circulation in the City of Coral Gables, with publication made at least two times, once in the fifth week and once in the third week prior to the week in which the election or referendum is to be held; providing for the severability of the provisions of this Ordinance; repealing all Ordinances or parts of Ordinances in conflict herewith; providing an effective date for this Ordinance.

**ORDINANCES ON FIRST READING****E.-8. [09-0046](#)**

An Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 2, Article III, Division 1, Section 2-60 of the City Code entitled "Terms of members", by providing that a board member shall serve until a successor has been selected and qualified; providing for a repealer provision, a severability clause, and providing for an effective date.

**F. CITY COMMISSION ITEMS**

- F.-1. [09-0048](#) Discussion regarding the possibility of establishing mediation procedures to facilitate neighborhood and developer dialog when conflict exists.  
Commissioner Maria Anderson

**G. BOARDS/COMMITTEES ITEMS**

- G.-1. [09-0026](#) Presentation of excerpts from the minutes of the Historic Preservation Board meeting of December 18, 2008 requesting the following action with regard to Case File AV 2006-05:
- That the City Commission adopt a Resolution authorizing Ad Valorem tax relief for the property located at 544 San Esteban Avenue, a local historic landmark legally described as Lot 3, Block 21, Coral Gables Riviera Section Part I, according to the Plat thereof, as recorded in Plat Book 28 at Page 31, of the Public Records of Miami-Dade County, Florida.
- The approximate tax exemption requested for a \$350,000 improvement, which could correspond to approximately \$1,837.50 per year and \$18,375.00 over ten years.

**H. CITY MANAGER ITEMS**

- H.-1. [08-0884](#) A Resolution of the City Commission of Coral Gables authorizing the expenditure of funds in an amount not to exceed \$200,000.00 from Miami-Dade County General Obligation Bond Project No. 156-70661, Miracle Mile Streetscape Improvements, for the development of a Master Plan for right-of-way improvements consistent with the conceptual plans developed by the Street Design Committee established by the Business Improvement District for Miracle Mile and Giralda Avenue, Coral Gables, Florida. (Deferred from the January 13, 2009 City Commission Meeting)
- H.-2. [09-0045](#) A Resolution of the City Commission of Coral Gables endorsing Mainstreet Economic Recovery Stimulus Project list, as submitted by the City of Coral Gables Administration.

**I. CITY ATTORNEY ITEMS**

- I.-1. [09-0050](#) Pending Litigation Report.
- I.-2. [09-0041](#) A Resolution of the City Commission of Coral Gables authorizing settlement of any and all claims brought or which could have been brought in Fernando Menoyo and Almeria Row, LLC v. City of Coral Gables.



**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****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.*

**Maria Alberro Jimenez  
Interim City Manager**