

City of Coral Gables

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



Agenda

Wednesday, September 28, 2016

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

INVOCATION

Rev. Jorge R. Cotto, Central Christian Church

PLEDGE OF ALLEGIANCE**A. PRESENTATIONS AND PROTOCOL DOCUMENTS**

- A.-1. [16-5407](#) Presentation of the Coral Gables Neighborhood Safety Aide Program.
- A.-2. [16-5402](#) Presentation of a Proclamation declaring September 15, 2016 through October 15, 2016, as "Hispanic Heritage Month in Coral Gables."

Time Certain 9:45am (Item A.-3.)

- A.-3. [16-5385](#) Presentation of Proclamations to George W. Carver Elementary School and Sunset Elementary School, in recognition of being awarded "Spain's School of the Year Award."
- A.-4. [16-5380](#) Congratulations to Officer Raul Sheran, recipient of the City of Coral Gables "Officer of the Month Award," for the month of August, 2016.
- A.-5. [16-5403](#) Recognition of donation from Coral Gables IAFF Local 1210 and the Coral Gables Firefighters Benevolent Association, comprised of funds raised from City Fire Department employees, to Andra's Hand, an organization dedicated to serving families affected by autism in the South Florida community.
(Placed on the agenda by Commissioner Keon)

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. [16-5388](#) A Resolution to name the newly acquired park property located at 1015 Lisbon Street with the name "Lisbon Park."

- C.-2. [16-5389](#) A Resolution authorizing the City to enter into an agreement with Gables Estates Club, Inc., allowing Florida Power and Light to underground distribution facilities in the City's right-of-way along Casuarina Concourse, with Gables Estates Club, Inc. agreeing to pay the cost of the conversion project, indemnifying the City and agreeing to pay for relocation, should it be necessary in the future.
- C.-3. [16-5341](#) A Resolution accepting the recommendation of the Chief Procurement Officer to award the Recordkeeping and Plan Administration contract for the 401(a) Defined Contribution and 457(b) Deferred Compensation Plans to Nationwide Retirement Solutions, Inc., the most responsive-responsible proposer, in the amount of 0.06 percent annually on all plan assets, for a five (5) year period with options to renew, pursuant to Section 2-828 of the Procurement Code entitled "Contract Award" and Request for Proposals (RFP) 2016.03VF; should negotiations fail with the most responsive-responsible proposer, negotiations shall commence with next most responsive-responsible proposer, until an agreement and contract amount acceptable to the City has been reached.
- C.-4. [16-5273](#) A Resolution authorizing an expenditure in the amount of \$382,380, from Federal Forfeited Asset Fund (F.A.F.) monies for law enforcement equipment; the purchase of a Lenco BearCat, for utilization by the Coral Gables Police Department.

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

- 1.-1. [16-5377](#) Coral Gables Merrick House Governing Board Meeting of May 9, 2016.
- 1.-2. [16-5378](#) Historic Preservation Board Meeting of July 21, 2016.
- 1.-3. [16-5379](#) Historic Preservation Board Meeting of August 18, 2016.
- 1.-4. [16-5404](#) International Affairs Coordinating Council Meeting of August 16, 2016.
- 1.-5. [16-5321](#) Parks and Recreation Advisory Board Minutes of August 26, 2016.
- 1.-6. [16-5381](#) Retirement Board Special Meeting of June 30, 2016.
- 1.-7. [16-5382](#) Retirement Board Meeting of August 11, 2016.

D. PERSONAL APPEARANCES

None

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in. Presentations made to the City Commission are subject to the City's False Claims Ordinance, Ch. 39 of the City of Coral Gables Code.

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 offices of Commissioners Lago and Keon, during the day of the City Commission Meeting.

ORDINANCES ON SECOND READING

- E.-1. [16-5340](#)** An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 3, "Development Review," Division 11, "Historic Preservation: Designations and Certificates of Appropriateness;" Article 5, "Development Standards," Division 24, "Walls and fences;" and, Article 8, "Definitions" amending criteria for designating historic landmarks and districts, clarifying wood fence requirements, and adding a definition for historic integrity; providing for a repealer provision, severability clause, codification, and providing for an effective date. (01.11.16 HPB recommended approval; Vote 8-0) (07.13.16 PZB recommended approval; Vote 7-0)
- E.-2. [16-5215](#)** An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, amending Article 3, "Development Review," Division 21, "Art in Public Places Program," Section 3-2102 "Applicability," Section 3-2103, "Art in Public Places Fund Requirements, Waivers, and Exemptions," Section 2104 "Administration," and Section 3-2105 "Enforcement," Section 2-2106 "Definitions;" increasing Art in Public Places contribution for non-municipal construction projects providing incentive for option to direct certain percentage of contribution to public parks and opens spaces, clarifying the ordinance by utilizing the words "alternative options" in lieu of the word "waivers," modifying procedures of the Art in Public Places Program; providing for a repealer provision, severability clause, codification, and providing for an effective date.

ORDINANCES ON FIRST READING

- E.-3. [16-5339](#) An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts," Division 1, "Residential Districts," Section 4-101, "Single-Family Residential District," Section 4-102, "Multi-Family 1 Duplex District," Section 4-103, "Multi-Family 2 District," Section 4-104, "Multi-Family Special Area District," Section 4-204, "Special Use District," Section 4-301, "Commercial Limited District," Section 4-302, "Commercial District," and Section 4-303, "Industrial District;" adding city parks as a permitted principal use for properties with single-family, multi-family, special use, commercial and industrial zoning designations; providing for repealer provision, severability clause, codification, and providing for an effective date. (08 10 16 PZB recommended approval; Vote 5-0)
- E.-4. [16-5241](#) An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 5, "Development Standards," amending Section 5-2601, "Bed and Breakfast establishments" to modify the existing Bed and Breakfast establishments standards and criteria to allow for viable Bed and breakfast establishments; providing for a repealer provision, severability clause, codification, and providing for an effective date. (07.13.16 PZB recommended approval; Vote 7-0)

F. CITY COMMISSION ITEMS

- F.-1. [16-5395](#) A Resolution urging Governor Rick Scott and the Florida Department of Health to implement an alternative testing method for detecting and treating the Zika virus.
(Sponsored by Commissioner Keon)
- F.-2. [16-5401](#) A Resolution of the City Commission of the City of Coral Gables, Florida, Censuring American Airlines, JetBlue, Spirit and all airlines engaging in National Origin Discrimination by flying to Cuba, and urging them to discontinue these flights, given that Cuba does not allow Cuban-born flight crew members to stay overnight on the Island, and urging the Miami-Dade County Board of County Commissioners to consider denying these Airlines access to and use of the Miami International Airport for any flights where National Origin Discrimination is occurring.
(Sponsored by Commissioner Lago)
- F.-3. [16-5400](#) Discussion item expressing support for prohibition on hourly room rates for hotels and other overnight accommodations in Coral Gables as indicated in City Attorney Opinion 2016-064.
(Sponsored by Commissioner Lago)

G. BOARDS/COMMITTEES ITEMS

None

H. CITY MANAGER ITEMS

None

I. CITY ATTORNEY ITEMS**Time Certain 11:00am (Item I.-1.)**

- I.-1. [16-5390](#) Presentation of Sea Level Rise White Paper.
- I.-2. [16-5393](#) Charter Review Items - Information regarding upcoming November Ballot.
- I.-3. [16-5398](#) Status Report regarding pending Nuisance Abatement/Abandoned Property Matters.
- I.-4. [16-5392](#) Request for Executive Session (if any).

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

L. EXECUTIVE SESSION

- L.-1. [16-5391](#) Attorney-Client executive session, closed to the public, for purposes of discussing the litigation styled Valencia 34 Development LLC v. City of Coral Gables, Case No. 16-011188 CA 02. This session may be attended by the following individuals: Mayor Jim Cason, Vice Mayor Frank Quesada, Commissioner Patricia Keon, Commissioner Vince Lago, Commissioner Jeannett Slesnick, City Manager Cathy Swanson-Rivenbark, City Attorney Craig Leen, Deputy City Attorney Miriam S. Ramos, Assistant City Attorney Cristina Suarez, Assistant City Attorney Stephanie Throckmorton. A certified Court Reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-stated litigation. At the conclusion of the attorney-client session, the public meeting will be reopened, and termination of the attorney-client session will be announced.

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 who needs assistance in another language in order to speak during the public hearing or public comment portion of the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service) in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

**Walter J. Foeman
City Clerk**