

# City of Coral Gables

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



## Agenda

**Tuesday, February 12, 2008**

**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*

*David L. Brown, City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

**INVOCATION**

*The Reverend Worth Carson, Granada Presbyterian Church*

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

None

**B. APPROVAL OF MINUTES**

- B.-1. [08-0088](#) Regular City Commission Meeting of January 22, 2008

**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. [08-0089](#) Resolution approving creation of a Special Taxing District by Miami-Dade County for Hammock Lakes, Coral Gables, Florida, for purpose of providing for twenty-four hours stationary security guard service subject to compliance with applicable Miami-Dade County requirements, approving construction of a guard house facility, a road closure with an emergency access gate, operation of traffic control devices, and requiring execution of Interlocal Agreement between City of Coral Gables and Miami-Dade County.
- C.-2. [08-0061](#) Resolution granting a one-day permit to John Martin's Restaurant to sell alcoholic beverages from 4:00 p.m. until 12:00 midnight on Monday, March 17, 2008, on Salzedo Street from Aragon Avenue to Miracle Mile, and one half block of Aragon Avenue, as part of the annual St. Patrick's Day Festival to benefit the Marian Center for mentally and developmentally disabled children, subject to Florida Department of Professional Regulation requirements.
- C.-3. [08-0081](#) Resolution approving amendment to the Kings Bay Security Guard District by Miami-Dade County for Kings Bay, Coral Gables, Florida; providing for construction of guard house facility and operation of traffic control devices; requiring execution of Interlocal Agreement and permit between City of Coral Gables and Miami-Dade County.

- C.-4. [08-0069](#) Resolution 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 at the rate of \$ 30,000.00 for an additional one (1) year period.

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

- C.-5. [08-0060](#) Economic Development Board Meeting of December 5, 2007
- C.-6. [08-0070](#) Communications Committee Meeting of January 17, 2008
- C.-7. [08-0073](#) Budget/Audit Advisory Board Meeting of January 10, 2008
- C.-8. [08-0076](#) International Affairs Coordinating Council Meeting of January 31, 2008
- C.-9. [08-0082](#) Historic Preservation Board Meeting of January 17, 2008
- C.-10. [08-0083](#) Coral Gables Merrick House Governing Board Meeting of January 7, 2008
- C.-11. [08-0085](#) Pinewood Cemetery Advisory Board Meeting of January 14, 2008
- C.-12. [08-0074](#) Parks and Recreation Advisory Board Meeting of January 25, 2008
- C.-13. [08-0079](#) School and Community Relations Committee Meeting of January 15, 2008

**D. PERSONAL APPEARANCES**

**Items D-1 and H-2 are related**

- D.-1. [08-0084](#) Roger M. Serola, President of Cocoplum Homeowners Association, to discuss a local improvement district to provide for the remodeling of the entrance guardhouse.

**Items D-2 and H-4 are related**

- D.-2. [08-0096](#) Peter Lombardi, Manager of the Village of Pinecrest, to request approval of ballot language for the Village of Pinecrest in order for the City of Coral Gables to provide fire rescue services.

**E. PUBLIC HEARINGS**

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

**ORDINANCES ON SECOND READING**

**None**

**ORDINANCES ON FIRST READING**

**Time Certain: 10:00 a.m.**

- E.-1. [08-0071](#) An Ordinance of the City Commission of Coral Gables authorizing the City Manager to execute a Lease Agreement for a ten-year period, plus options, with Coral Gables Cinemateque, Inc., for 3,858 sq. ft. plus 1,922 sq. ft. of a private mezzanine, in the westernmost 60 linear feet of the City of Coral Gables Parking Garage located at 250 Aragon Avenue, known as the Museum Garage, with the legal description of Coral Gables Section K PB 8-33 Lots 10 through 20, Block 37. The space will have a retail address of 260 Aragon Avenue and will be used as a non-profit art cinema and cultural facility. (Deferred from the February 12, 2008 City Commission Meeting)

**Items E-2 and E-3 are related**

- E.-2. [08-0077](#) An Ordinance of the City Commission of Coral Gables for a change of land use from "Residential Use (Single-Family) Low Density" to "Commercial Use, Low-Rise Density" on Lot 24, Block 1B, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (Passed on First Reading February 12, 2008)
- E.-3. [08-0078](#) An Ordinance of the City Commission of Coral Gables for a change of zoning from "SFR", Single Family Residential to "CL", Commercial Limited on Lot 24, Block 1B, MacFarlane Homestead and St. Albans Park Section (230 Florida Avenue), and review of proposed amendments to a previously approved site plan referred to as "Bahamian Village" on Lots 7-27, Block 1B, MacFarlane Homestead and St. Albans Park Section (intersection of Grand Avenue and U.S. 1), Coral Gables, Florida, and including required conditions; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (Passed on First Reading February 12, 2008)

- E.-4. [07-1085](#) An Ordinance of the City Commission of Coral Gables amending the "Code of the City of Coral Gables", Chapter 34, entitled "Nuisances," Article VI, entitled "Graffiti; Graffiti Removal", by adding Section 34-108, entitled "Definitions", Section 34-109, entitled "Prohibitions", Section 34-110, entitled "Possession of spray paint & markers" Section 34-111, entitled "Declared Nuisance", Section 34-112, entitled "Responsibility of Property Owner(s); Graffiti Removal and Notice", Section 34-113, entitled "Appeal", Section 34-114, entitled "Failure to Comply; Cost Graffiti Removal as Lien on Property- Collection, Foreclosure and Sale", and Section 34-115, entitled "Interested Persons May Petition to dispute assessed costs"; and repealing all Ordinances inconsistent herewith. (Passed on First Reading February 12, 2008)

- E.-5. [08-0066](#) An Ordinance of the City Commission of Coral Gables amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," providing for certain changes in order to comply with provisions of Chapters 175 and 185, Florida Statutes; providing for an effective date; and repealing all Ordinances inconsistent herewith. (Passed on First Reading February 12, 2008)

## **F. CITY COMMISSION ITEMS**

- F.-1. [08-0094](#) Discussion regarding loss of on-street parking  
Commissioner Rafael "Ralph" Cabrera, Jr.

## **G. BOARDS/COMMITTEES ITEMS**

None

**H. CITY MANAGER ITEMS**

- H.-1. [08-0075](#) Resolution authorizing the City Manager to purchase a used trolley from George Washington University, the sole source vendor, in the amount of \$68,000.00 as an addition to the fleet of the Coral Gables Trolley Program.

**Items H-2 and D-1 are related**

- H.-2. [08-0093](#) Resolution authorizing City staff to proceed with developing the requirements of ordering an improvement district for the purpose of providing funds necessary to improve the Cocoplum Entrance Guardhouse, and declaring the improvements to the Guardhouse to be appropriate, all pursuant to Article II, of the City Code, City of Coral Gables, Florida.

- H.-3. [08-0064](#) EDEN Project Update

**Items H-4 and D-2 are related**

- H.-4. [08-0098](#) Resolution accepting the Village of Pinecrest ballot question, "Shall the Village of Pinecrest opt-out of the Miami-Dade Fire Rescue District and contract with the City of Coral Gables for fire rescue services?"

**I. CITY ATTORNEY ITEMS**

- NA.I-1. [08-0107](#) Resolution authorizing the City Attorney to file a motion with the Florida Supreme Court for leave to provide written comments and/or oral argument in opposition to proposed amendments to Rule 9.310(B)(2), and authorizing the City Attorney to participate in the proceedings on behalf of the City of Coral Gables.

**J. CITY CLERK ITEMS**

- J.-1. [08-0086](#) Resolution of the City of Coral Gables Commission with attachments, officially accepting the attached City Clerk's Certification and Declaration of Results of the Special Municipal Referendum Election for Charter Amendment No. 1, held on January 29, 2008, in which said charter amendment providing for deletion of Section 22 of the Coral Gables Charter, (which calls for a Special Trial Board to be convened to conduct hearings, investigate and render a decision as to City Manager's removal, suspension, layoff or reduction in grade of any officer or employee) was rejected by the Coral Gables electorate.

**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.*

**David L. Brown**  
**City Manager**