

# **City of Coral Gables**

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



## **Agenda**

**Tuesday, March 11, 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**

*Reverend Kathryn Carroll, St. James Lutheran Church*

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

A.-1 [08-0145](#) 2007 Kiwanis Club of Coral Gables Officer of the Year Award Recipient Presentation to Officer Gordon Dickinson

A.-2. [08-0117](#) Presentation of the Robert DeKorte Memorial Award to Officer Eugene Gibbons

**B. APPROVAL OF MINUTES**

B.-1 [08-0152](#) Regular City Commission Meeting of February 26, 2008

**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. [08-0157](#) Resolution of the City Commission of Coral Gables supporting the Miami-Dade County Public Schools' legislative initiative and requesting action from the Florida Legislature.

C.-2. [08-0167](#) Resolution appointing Gonzalo Sanabria (appointed by Commissioner Cabrera) to serve as a member of the Historic Preservation Board, for a term ending May 31, 2009.

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

- C.-3. [08-0144](#) Retirement Board Meeting of January 24, 2008
- C.-4. [08-0146](#) Parks and Recreation Advisory Board Meeting of February 15, 2008
- C.-5. [08-0149](#) Historic Preservation Board Meeting of December 20, 2007
- C.-6. [08-0150](#) Coral Gables Merrick House Governing Board Meeting of February 4, 2008
- C.-7. [08-0156](#) Budget/Audit Advisory Board Meeting of February 14, 2008
- C.-8. [08-0158](#) Communications Committee Meeting of February 21, 2008
- C.-9. [08-0159](#) Economic Development Board Meeting of February 6, 2008
- C.-10. [08-0160](#) Cultural Development Board Meeting of February 4, 2008
- C.-11. [08-0161](#) Property Advisory Board Meeting of January 16, 2008
- C.-12. [08-0163](#) Parking Advisory Board Meeting of January 24, 2008

**D. PERSONAL APPEARANCES****Items D-1 and E-3 are related**

D.-1 [08-0147](#) Zeke Guilford, Esq., requesting amendment to previously approved Resolution No. 2007-16 granting the building site separation for the property located at 5705 Riviera Drive by deleting the requirement that the four (4) adjoining property owners join and become a party to the Declaration of Restrictive Covenant and adding a section declaring the covenant enforceable by the City and the four (4) adjoining property owners and binding upon the owners, their successors, heirs, executors, administrators, representatives and assigns.

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

D.-2. [08-0165](#) John M. Thomson, P. A., representing Brockway/Valencia, LLC requesting that the City Commission rescind Resolution No. 29637 and authorize the City Manager to execute the release of the Unity of Title Agreement.

D.-3. [08-0155](#) Iris Escarra, Esq., Greenberg and Traurig, on behalf of Merrick Park LLC, for permission to encroach into and over the right-of-way at various locations with a total of seven (7) signs, of which two (2) will replace existing signs and one (1) is reinstating a previously approved entryway sign for a parking garage at The Village of Merrick Park ("Merrick Park"), Coral Gables, Florida.

**E. PUBLIC HEARINGS**

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

**ORDINANCES ON SECOND READING**

E.-1 [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)

**ORDINANCES ON FIRST READING**

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

E.-2. [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)

## RESOLUTIONS

### Items E-3 and D-1 are related

E.-3. [08-0118](#) Resolution amending previously approved Resolution No. 2007-16 of the City Commission of Coral Gables approving a separation of a building site pursuant to Zoning Code Section 12-5, to indicate that Lots 17-19 and 40-42, Block 127, Riviera Section Part 10 (5705 Riviera Drive), Coral Gables, Florida, shall be considered two separate building sites, with one building site consisting of Lots 17-19 and the other building site consisting of Lots 40-42; as set forth in Application No. 06-06-422-P; subject to certain conditions.

E.-4. [08-0148](#) Resolution of the City Commission of Coral Gables approving a mixed use (MXD) site plan for the proposed mixed use project referred to as "4311 Ponce", located on property legally described as Lots 38-43, Block 5, Industrial Section (4311 Ponce de Leon Boulevard), Coral Gables, Florida; as set forth in Application No. 01-08-043-P; subject to certain conditions. (Planning & Zoning Board Vote: 5-0)

## F. CITY COMMISSION ITEMS

F.-1. [08-0164](#) Discussion regarding the use of the Commission Chambers  
Mayor Donald D. Slesnick, II

F.-2. [08-0169](#) Discussion regarding meetings with Miami-Dade County Commissioners Carlos Gimenez and Rebeca Sosa.  
Commissioner Rafael "Ralph" Cabrera, Jr.

## G. BOARDS/COMMITTEES ITEMS

### None

**H. CITY MANAGER ITEMS**

H.-1. [08-0143](#) Resolution amending Resolution No. 27935, to waive Garage Sale Fees for senior citizens seventy years of age or older.

H.-2. [08-0151](#) Resolution authorizing the City Manager to execute an amendment to an existing agreement between the City of Coral Gables and the South Florida Water Management District, dated February 11, 2005, as amended, for financial assistance in the engineering and construction of storm drainage improvements by extending the term of said agreement by 13 months, to March 10, 2009 and amending the scope of work by eliminating eleven (11) locations for drainage improvements and substituting eleven (11) new locations in said agreement.

H.-3. [08-0154](#) Resolution authorizing the City Manager or designee to execute the attached Letter of Understanding between the City and the County regarding the County's obligation to remove a shoal in the Coral Gables Waterway adjacent to City-owned property immediately north of the Blue Road Bridge.

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

H.-4. [08-0166](#) Resolution authorizing the City Manager to execute the Release for the Unity of Title Agreement recorded for Lots 1 through 4 and lots 37 38 for the property located at Lots 1 through 4 and Lots 37 and 38, Block 10, Coral Gables Crafts Section, according to the Plat thereof, recorded in Plat Book 10 at Page 40, of the Public Records of Miami-Dade County, Florida.

H.-5. [08-0170](#) Update on Building and Zoning Department Staffing

**I. CITY ATTORNEY ITEMS****Non Agenda Item****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.*

**David L. Brown  
City Manager**