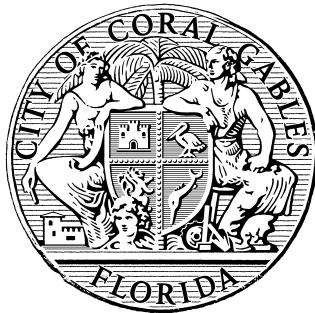


City of Coral Gables

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



Agenda

Tuesday, December 16, 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*

*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 AND WINTER WONDERLAND

Alexa Bishopric, Leah Lozado, Jackeline Nguyen, Ryan Moralejo, Jordan Payne, Allison Delgado, Alexandra Holian, Alejandro Rovira and Eleanor Harley; Coral Gables Elementary Students

A. PRESENTATIONS AND PROCLAMATIONS

A.-1. [08-0799](#) Presentation of a Certificate of Recognition for Mr. David Lawrence, who has been selected to the 2009 Florida Athletic Coaches Association Hall of Fame.

A.-2. [08-0816](#) Presentation of a Proclamation declaring December 16, 2008 as Ponce de Leon Middle School Day in Coral Gables. (Ms. Anna Rodriguez, Principal)

B. APPROVAL OF MINUTES

B.-1. [08-0814](#) Regular City Commission Meeting of November 18, 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. 08-0791 A Resolution of the City Commission of Coral Gables, Florida, supporting legislation adopted by the Board of County Commissioners of Miami-Dade County, Florida, in connection with the co-designation of Southwest 37th Avenue from Southwest 8th Street to Southwest 22nd Street as William H. Kerdyk, Sr., Avenue.

C.-2. 08-0793 A Resolution of the City Commission of Coral Gables, Florida, appointing Bria Dewberry (nominated by Interim City Manager Maria Alberro Jimenez) to serve as a member of the Parks and Recreation Youth Advisory Board, for the unexpired balance of a two (2) year term, which began on June 1, 2007 through May 31, 2009.

C.-3. 08-0805 A Resolution of the City Commission of Coral Gables, Florida, authorizing the American International Wine and Food Association to sell donated wine at the Grand Finale Picnic from 11:00 a.m. to 1:00 p.m. on March 28, 2009 at the Coral Gables Farmers Market.

C.-4. 08-0807 A Resolution of the City Commission of Coral Gables, with an attachment, re-electing Division Chief Wayne Sibley, who was renominated and ran unopposed, as a member of the City of Coral Gables Retirement Board (participating firefighter representative); further confirming said individual by the City Commission as a member to said board, for a term beginning January 1, 2009 through December 31, 2010.

C.-5. 08-0808 A Resolution of the City Commission of Coral Gables, with an attachment, re-electing Victor Goizueta, who was renominated and ran unopposed, as a member of the City of Coral Gables Retirement Board (participating regular, full-time employee representative); further confirming said individual by the City Commission as a member to said board, for a term beginning January 1, 2009 through December 31, 2010.

C.-6. 08-0815 A Resolution of the City Commission of Coral Gables, Florida, amending Resolution No. 2007-247 changing location from 2020 Ponce de Leon Boulevard to 285 Aragon Avenue and approving the request from Coral Gables Elementary School for temporary placement of art created by students to be placed on the vinyl mesh attached to the construction fence of the Coral Gables Museum.

C.-7. [08-0826](#) A Resolution of the City Commission of the City of Coral Gables, Florida, supporting the delegation of authority to district offices of the Department of Transportation to adjust and implement alternative procedures and design standards to mitigate traffic impacts and promote safe and convenient travel for vehicles, pedestrians and bicyclists, urging other counties and municipalities to support the limited delegation of authority to the FDOT District Office in order to better respond to local needs; authorizing the City Clerk to forward this Resolution to the FDOT Secretary; and providing for an effective date.

C.-8. [08-0840](#) A Resolution of the City Commission of Coral Gables, Florida, appointing Samuel Joseph (nominated by Commissioner Anderson) to serve as a member of the Communications Committee, for the unexpired balance of a two (2) year term, which began on June 1, 2007 through May 31, 2009.

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

C.-9. [08-0787](#) Communications Committee Meeting of November 20, 2008

C.-10. [08-0789](#) Code Enforcement Board Meeting of November 19, 2008

C.-11. [08-0792](#) Parks & Recreation Advisory Board Meeting of November 20, 2008

C.-12. [08-0797](#) Senior Citizens Advisory Board Meeting of November 3, 2008

C.-13. [08-0798](#) Economic Development Board Meeting of November 5, 2008

C.-14. [08-0800](#) Board of Adjustment Meeting of November 3, 2008

C.-15. [08-0801](#) Landscape Beautification Advisory Board Meeting of November 13, 2008

C.-16. [08-0802](#) Landscape Beautification Advisory Board Meeting of December 4, 2008

C.-17. [08-0809](#) Historic Preservation Board Meeting of October 16, 2008

C.-18. [08-0810](#) Historic Preservation Board Meeting of November 20, 2008.

C.-19. [08-0811](#) Pinewood Cemetery Advisory Board Meeting of November 10, 2008

C.-20. [08-0812](#) Coral Gables Merrick House Governing Board Meeting of November 17, 2008

C.-21. [08-0821](#) School and Community Relations Committee Meeting of September 22, 2008

- C.-22. [08-0822](#) School and Community Relations Committee Meeting of October 14, 2008
- C.-23. [08-0823](#) Retirement Board Meeting of November 13, 2008
- C.-24. [08-0831](#) Traffic Advisory Board Meeting of September 16, 2008
- C.-25. [08-0828](#) Traffic Advisory Board Meeting of October 21, 2008
- C.-26. [08-0829](#) Traffic Advisory Board Community Meeting October 21, 2008
- C.-27. [08-0833](#) Traffic Advisory Board Meeting of November 18, 2008
- C.-28. [08-0834](#) Library Advisory Board Meeting of November 12, 2008

D. PERSONAL APPEARANCES

- D.-1. [08-0796](#) Fausto Gomez, of Gomez Barker, P. A. to discuss the upcoming legislative session.
- D.-2. [08-0836](#) Jim Borgmann, President of the Junior Orange Bowl Committee, to thank the City Commission for the support of the 60th Annual Junior Orange Bowl Parade that will take place on December 30th in Downtown Coral Gables.
- D.-3. [08-0838](#) Dennis Pastrana, President and CEO of Goodwill Industries of South Florida, Inc. (Goodwill) to request the City Commission to consider allowing the temporary placement of a Goodwill Attended Donation Trailer (ADC) on Parking Lot 43, along 5900 Ponce de Leon Boulevard, to receive donations through January 31, 2009.

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in.

ORDINANCES ON SECOND READING

None

ORDINANCES ON FIRST READING

E.-1. [08-0795](#) An Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 54, "Solid Waste," Article II, "Litter", Division 2, "Handbills" by providing for the prohibition of throwing, discarding, placing or depositing handbills or flyers as litter in public places; providing for definitions; creating criteria for rebuttable presumptions concerning littering with commercial handbills or flyers; by providing for seizure of handbills or flyers for use as evidence; providing for enforcement; providing for appeals, payment of fines and foreclosure; providing for fines and penalties; and providing for severability, repealer, codification, and an effective date.

E.-2. [08-0830](#) An Ordinance of the City Commission of Coral Gables, Florida, 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 twenty (120) days after the draft is submitted, an ordinance in connection with the proposed amendment 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 question, to be known as Charter Amendment Ballot Question No._: Shall the Charter of the City of Coral Gables be amended to provide for the Mayor to be elected to serve a two (2) year term commencing the second Tuesday in April, 2011?; 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 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 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.

E.-3. 08-0735

An Ordinance of the City Commission of Coral Gables, Florida, 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 twenty (120) days after the draft is submitted, an Ordinance in connection with the proposed amendment 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 question, to be known as Charter Amendment Ballot Question No. ____: Shall the Charter of the City of Coral Gables be amended to provide for two (2) term limits for a total of eight (8) years for the Mayor, and Ballot Question No. ____: Shall the Charter of the City of Coral Gables be amended to provide for three (3) term limits for a total of twelve (12) years for City Commissioners, and providing for an effective date of April 20, 2009, with terms of office beginning prior to the effective date of the amendment not to be counted, 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; further 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 in a newspaper of general circulation in the City of Coral Gables, 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.

E.-4. 08-0736

An Ordinance of the City Commission of Coral Gables, Florida, calling for the holding of a special municipal referendum election of Coral Gables, Florida, on April 14, 2009, for the submission to the qualified electors of said City, not less than sixty (60) days nor more than one hundred twenty (120) days after the draft is submitted, an Ordinance in connection with the proposed amendment to the Code of the City of Coral Gables, wherein the voters of the City of Coral Gables shall be called upon to vote on the following question, to be known as Charter Amendment Ballot Question No. ___: Shall the Charter of the City of Coral Gables be amended to delete Sec. 22 entitled, "Authority over officers and employees; removal, suspension, reduction; requests for cause and hearing; trial board."?, which calls for a special trial board to investigate and render a decision as to the propriety of the City Manager's removal, suspension, lay-off or reduction in grade of any officer or employee; stating the form of the question to be voted upon; providing the form of the ballot 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.

E.-5. 08-0728

An Ordinance of the City Commission of Coral Gables, Florida, calling for the holding of a special municipal referendum election of the City 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 twenty (120) days after the draft is submitted, an ordinance dealing with the proposed amendment 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 question, to be known as Charter Amendment Ballot Question No. ___: Shall the City of Coral Gables Charter, Section 54, be amended by increasing the threshold for formal public bid and award from Twenty-Five Thousand (\$25,000.00) Dollars to One Hundred Thousand Dollars (\$100,000.00) on public works projects and shall this Section be transferred to the City Code for further amendments by the City Commission?; 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 days prior to the date of such special municipal referendum election; further 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 days' notice of the election or referendum in a newspaper of general circulation in the City of Coral Gables, 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.

RESOLUTIONS**None****F. CITY COMMISSION ITEMS****Time Certain: 10:00 A.M.****F.-1. 08-0832**

Discussion regarding developing a vision for streetscape, landscape and on-street parking.

Commissioner Rafael "Ralph" Cabrera, Jr.

F.-2. 08-0839

Follow-up and proposed action plan regarding direct report function to Commission based on November 18th discussion and preliminary staff input.

Commissioner Maria Anderson

G. BOARDS/COMMITTEES ITEMS**None**

H. CITY MANAGER ITEMS

H.-1. [08-0803](#) Consideration of draft Letter of Intent between the City of Coral Gables and Liberty Events, LLC for the Country Club of Coral Gables, 997 North Greenway Drive, and further requesting the City Administration to draft a long-term lease agreement for future City Commission consideration incorporating the terms outlined in the non-binding Letter of Intent and subject to final review by the City Attorney.

H.-2. [08-0841](#) Consideration of authorizing the City Manager to evaluate, pursuant to the City's Procurement Code, a purchase offer extended to the City of a historic building located at 2901 Ponce de Leon Blvd., Coral Gables, FL.

H.-3. [08-0837](#) Presentation of financial trend analysis of the City of Coral Gables.

I. CITY ATTORNEY ITEMS

I.-1. [08-0794](#) 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

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**