

City of Coral Gables

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



Meeting Minutes

Tuesday, April 28, 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*

*Patrick G. Salerno, City Manager
Elizabeth M. Hernandez, City Attorney
Walter J. Foeman, City Clerk*

ROLLCALL

Present: 5 - Mayor Slesnick II, Vice Mayor Kerdyk Jr., Commissioner Withers, Commissioner Anderson and Commissioner Cabrera Jr.

INVOCATION

Reverend Dr. Laurinda Hafner from the Coral Gables Congregational Church gave the Invocation.

PLEDGE OF ALLEGIANCE

The Honorable Chief Judge Joel Brown led the Pledge of Allegiance.

LEGISLATIVE SUMMARY

The following minutes summary includes all presentations made, and actions taken which information is supplemented by the following exhibits on file in the Office of the City Clerk, and which are by reference made a part of the record herein: (a) Ordinance(s) adopted (Ordinance No. 2009-23); (b) Resolution(s) adopted (Resolution No. 2009-89 through Resolution No. 2009-114); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

A. PRESENTATIONS AND PROCLAMATIONS

A.-1. 09-0302 Presentation of a Proclamation declaring April 28, 2009, as "Catherine Swanson-Rivenbark day in Coral Gables".

[Note for the Record: Mayor Slesnick conveyed to Ms. Swanson Rivenbark, on behalf of the City Commission, on the occasion of her retirement from the City, that whenever work product is provided by her, the Commission could rest assured that the "Ts" had been crossed and the "Is" were dotted, and that the information provided was something that the Commission could trust; further conveying to her that it was quite commonplace to present protocol documents inundated with platitudes, however, in her case, the words chosen were most appropriate and heartfelt.

Mrs. Swanson Rivenbark, in departing following an exemplary professional career stated that during the Agenda Review, she realized that there was no item on the draft agenda for her to receive a proclamation; further stating that City Manager Salerno probably realized that this was a matter that if known to Ms. Swanson Rivenbark, that she would have requested for deletion from the agenda, because it is just not something that she feels very comfortable with; further offering an expression of support for incoming City Manager Salerno, saying he will perform fine; further stating

that during her tenure with the City, that she has worked with 70 different appointed, elected officials and department heads; further pointing out that the many development projects were not done by just herself, but represented a composite of different people, including but not limited to community groups (i.e. Chamber of Commerce, Business Improvement District, etc.), thus comprising the will of a lot of different people; further expressing the admiration and support from her staff, and for having the opportunity to work with a myriad of people whom she loves; further stating that she is now going to enjoy assuming the role of being a Coral Gables resident, but will always maintain a level of involvement with our City; further acknowledging the integral role that the Development Department has played in the organizational structure of the City, pointing out that George Merrick had such a vision of the City; further reminding the public that there will be a party at the Merrick House on May 12, 2009, beginning 4 p.m., and that the purpose of same will be to celebrate all of the accomplishments that have gone on with the department and with the City and that the proceeds for same will go toward the Art Cinema; further requesting of those interested persons to make donations to the Coconut Grove Foundation; further adding that she and her husband will be making a significant contribution and that they will name a designated locale within the Arts Cinema after the late Florence Dawson.

Mayor Slesnick in presenting a crystal award with engraved wording to Mrs. Swanson Rivenbark, stated that Cathy has been intimately involved with the design of selective protocol gifts for public presentation, now it was her turn to become a recipient of same; whereupon Mrs. Swanson Rivenbark invited her aunt and uncle, along with the many boards and committee representatives and friends to join her on the Commission dais for a photographic session].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

A.-2. 09-0277

Presentation of a Proclamation to the Montgomery Foundation in recognition of fifty years' involvement in the South Florida and World Community.

Attachments: [Montgomery.April.28.b](#)

[Note for the Record: Commissioner Withers introduced Dr. Patrick Griffith, representing the Montgomery Botanical Center, in recognition of some 50 years of involvement in the South Florida community; further presenting a slide presentation in connection therewith, including slides depicting Robert and Nell Montgomery, noted philanthropists, the former who put up land and finances to fund the Botanical Gardens, his wife, who is credited with funding of the Montgomery Foundation in 1959, which is now referred to as Montgomery Botanical Center; further displaying slides of the most important palm collection in the world; further stating that other slides were about advanced botanical research; museum quarterly record keeping; excellent Botanical Garden Design; International Research and Conservation staff, Dr. Griffith introduced some of the staff that was present namely: Mr. Charles Sacher, President; Dr. Karl Smiley, Vice President; Superintendent Lee Anderson, and Tracey Magellan, staff person responsible for Planning and Development].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

A.-3. 09-0150

Presentation of a Proclamation declaring April 2009 as Water Conservation Month in Coral Gables.

[Note for the Record: Vice Mayor Kerdyk called upon Mr. Lewis Beilman of the South Florida Water Management District, who prefaced his remarks by reminding the Commission and members of the viewing public that South Florida is still in a drought; further reminding the public that there are simple things that one can do in furtherance of water conservation, such as ensuring the public the water is turned off routinely, making sure the public observe water restrictions twice weekly; refer to Florida Friendly Landscaping; further reminding those in attendance that the water table is currently at 11.29 feet, which is two feet lower than what it has been historically.

Questions, Concerns, Inquiries from the City Commission: Vice Mayor Kerdyk informed his colleagues that the Code Enforcement Division of Building and Zoning is enforcing water restrictions; further pointing out that there are a certain number of City residents who are unaware of the dates for water usage; further urging the Building and Zoning Department to be a little more tolerant in letting said residents know and in informing residents of same].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

A.-4. 09-0276

Presentation of a Proclamation declaring the week of May 10 - 16, 2009, as Police Appreciation Week in Coral Gables, and in particular, May 15, 2009, as Police Officer Memorial Day in Coral Gables.

[Note for the Record: In presenting the proclamation on behalf of the City Commission, Commissioner Cabrera requested of Chief Naue to invite the following members of his staff to join him on the podium: Major Mark Ginn; Assistant Chief Ana Bauxali; Assistant Chief Ed Hudak, and John Baublitz, President of the Fraternal Order of Police, Lodge 7; further stating that on May 7, 2009, at Merrick Park, there will be a ceremony to honor those officers who made the supreme sacrifice, thus giving up their lives while in the line of duty; whereupon City Commissioner Cabrera presented to Police Chief Naue a proclamation proclaiming May 10-16, 2009 as "Police Appreciation Week" in Coral Gables , and in particular May 15, 2009, as Police Officer Memorial Day in Coral Gables.

Police Chief Naue in accepting this recognition stated that on behalf of staff and officers past and present, that he appreciates the support that the City Commission has shown for the department, both in good times and bad times; further adding that Jason Recio, is the department's first fully disabled Iraqi war veteran to be hired, who was also severely injured in Iraq; further stating that the department is proud of what Officer Recio has done for our country and the City.

Mayor Slesnick thanked Chief Naue and his entire team for the quality of service performed on a daily basis].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

A.-5. 09-0238

Presentation of a Proclamation declaring May 3 through May 9, 2009 as Municipal Clerks Week in Coral Gables.

[Note for the Record: Mayor Slesnick invited City Clerk Walter Foeman and his entire staff to join him on the dais in recognition of Municipal Clerk's Week (May 3rd through May 9, 2009); further acknowledging the myriad of services performed by the Clerk's Office.

Mr. Foeman in accepting said acknowledgement, stated for the viewing public that in the upcoming months, several initiatives will be deployed, including ICE, the web module for TRIM Context 6, our enterprise and content records management tool, along with our in-house storage solution for video streaming linked minutes; further thanking the City for allowing his office to become an integral part of the organizational structure and continuing his resolve to provide future initiatives].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 5

A.-6. 09-0257

Recognition of Morris Smyle, of Grand Western Brands and Mitchell Kaplan, of Books and Books, Farmers Market Sponsors for the Year 2009.

[Note for the Record: In reflecting upon the evolution of the Farmers Market, departing Development Director Cathy Swanson Rivenbark reflected upon how the Farmers Market started 18 years ago, as a result of a five dollar bet between at that time City Manager Jack Eads and City Commissioner Hildreth; further acknowledging the value of the team concept in contributing to its success through the support of the Public Works and Public Service crews, along with support from the departments of Police, Fire Rescue; further acknowledging the public interest in such events as gardening workshops, cooking demonstrations and kids activities; further acknowledging the private sector's involvement; further stating that notwithstanding her absence from the City, that the Farmers Market event will go on as scheduled, acknowledging the initiative of Cindy Dorrel, who has been involved with the Farmers Market initiative for over 16 years; whereupon Mrs. Swanson Rivenbark proceeded to honor the two individuals whom have been a integral part of the success of said event, in their capacities as sponsors for said event, namely Morris Smyle (Grand Western Books) and Mitchell Kaplan (Books and Books); further acknowledging the Mayor's attendance at each one of the Grand Finale picnics.

Mayor Slesnick thanked the involvement of Commissioner Cabrera's son as a volunteer, whereby Commissioner Cabrera responded by stating that he just wants to get paid. Mayor Slesnick further acknowledged the community's involvement with the success of said event, viewing it as so reminiscent of "Small Town America."

In accepting this recognition, Morris Smyle stated that he has worked very closely with Cathy and her staff over the years, and that she is certainly going to be missed; further adding that in Europe, 50% of all homes have vegetable gardens; further urging the inclusion into the local school curriculums, a science project involving vegetation and gardening, to improve and encourage our local involvement; further pointing out that both Julia Chilo and Robert Mondavi had secured a grant from Home Depot regarding same].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 6

A.-7. 09-0261

Congratulations to Jesus Cordero, Automotive Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of May 2009.

Attachments: [May09 EOM](#)
[Cover Memo EOM May2009](#)

[Note for the Record: Human Resources Director Marj Adler stated that Jesus Cordero, Automotive Department's recipient of the Coral Gables Employee of the Month of May, 2009 is constantly seeking to improve his skills as a mechanic; further stating that he joined the City in May of 2000, whereby he began his career as an Auto Service Worker, later becoming an Automotive Mechanic in March of 2003; further pointing out that Jesus continually strives to maintain his Automotive Service Excellence Certification, which is truly a mark of a skilled mechanic; further pointing out that he has been an asset to the City in keeping our large fleet of vehicles on the road.

Commissioner Anderson in presenting this recognition, inquired of Jesus, whom she described as having the opportunity to work with a number of toys, as to which ones does he enjoy working with the most?-whereby Jesus responded all of them, as long as he has the opportunity to fix them. Current consultant and former Automotive Director Clive Cork, stated that Jesus is currently charged with increasing the efficiency of those vehicles that are currently maintained in its fleet.

In accepting this accolade, Jesus stated that it is truly an honor to be recognized; further stating that he wanted to thank the administration and his co-workers, along with Mark Stolzenberg, Hope Gibbs, Victor Goizueta, for providing him with the opportunity to excel; further thanking the individual who nominated him, namely Carlos Perez].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 7

B. APPROVAL OF MINUTES

B.-1. 09-0289 Regular City Commission Meeting of March 24, 2009

Attachments: [Meeting Minutes](#)
[Verbatim Transcript - Agenda Item H-7 - Status Report on Parks and Open Space](#)
[Verbatim Transcript - Agenda Item F-2 - Discussion concerning Coral Gables bridge](#)
[Verbatim Transcript - Agenda Item H-1 - Update on Police Dept Area Patrol](#)
[Verbatim Transcript - Agenda Item F-1 - Resolution approving City Manager Pat S](#)

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be approved as amended. The motion passed by the following vote:

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 8

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.

Passed the Consent Agenda

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., to Adopt the Consent Agenda. The motion carried by the following vote:

Yeas : 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

RESOLUTION NO. 2009-89**C.-1. 09-0230**

Resolution of the City of Coral Gables granting a one-day permit to the Buoniconti Fund to Cure Paralysis to sell alcoholic beverages on Saturday, October 17, 2009, from 5:00 p.m. to 9:00 p.m. on Miracle Mile at the corner of Miracle/Ponce during the Buoniconti Fund to Cure Paralysis Event, pursuant to Florida Department of Professional Regulation requirements and City Special Event Committee provisions.

Attachments: [Buoniconti Fund to Cure Paralysis Special Event Application.pdf](#)
[The Buoniconti Fund to Cure Paralysis Resolution 10-17-09.pdf](#)
[Buoniconti Special Events Cover Memo](#)

A RESOLUTION GRANTING A ONE-DAY PERMIT TO THE BUONICONTI FUND TO CURE PARALYSIS TO SELL ALCOHOLIC BEVERAGES ON SATURDAY, OCTOBER 17, 2009, FROM 5:00 P.M. TO 9:00 P.M. ON MIRACLE MILE AT THE CORNER OF MIRACLE/PONCE DURING THE BUONICONTI FUND TO CURE PARALYSIS EVENT, PURSUANT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS AND CITY SPECIAL EVENT COMMITTEE PROVISIONS.

This Matter was adopted by Resolution Number 2009-89 on the Consent Agenda.

City Clerk Item No. 9

RESOLUTION NO. 2009-90**C.-2. 09-0235**

Resolution of the City of Coral Gables authorizing expenditures in the amount of \$65,900.00, from State Forfeited Assets to acquire the Police Officer Scheduling System Software (POSS), and its supporting hardware.

Attachments: [RESOLUTION - \\$65,900. - POSS](#)
[MEMO TO CITY MANAGER](#)
[FAF \\$65,900.00 Cover Memo](#)

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$65,900.00 FROM STATE FORFEITED ASSET FUND (FAF) MONIES TO ACQUIRE THE POLICE OFFICER SCHEDULING SYSTEM SOFTWARE (POSS), AND ITS SUPPORTING HARDWARE.

This Matter was adopted by Resolution Number 2009-90 on the Consent Agenda.

City Clerk Item No. 10

RESOLUTION NO. 2009-91**C.-3. 09-0236**

Resolution of the City of Coral Gables authorizing expenditures in the amount of \$15,000.00, from State Forfeited Assets (FAF) to defray the cost of a protracted and complex criminal investigation being conducted by the Coral Gables Police Department.

Attachments: [COMMISSION COVER MEMO - \\$15,000 - FAF](#)
[RESOLUTION - \\$15,000 - FAF](#)
[FAF \\$15,2000.00 Cover Memo](#)

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$15,000.00 FROM STATE FORFEITED ASSET FUND (FAF) MONIES TO DEFRAY THE COST OF A PROTRACTED AND COMPLEX INVESTIGATION BEING CONDUCTED BY THE CORAL GABLES POLICE DEPARTMENT.

This Matter was adopted by Resolution Number 2009-91 on the Consent Agenda.

City Clerk Item No. 11

RESOLUTION NO. 2009-92**C.-4. 09-0239**

Resolution of the City of Coral Gables authorizing the expenditure in the amount of \$18,000.00, from previously encumbered Forfeited Asset Fund (FAF) monies to provide funding for the Coral Gables Police Athletic League.

Attachments: [COMMISSION COVER MEMO - \\$18,000 PAL](#)
[RESOLUTION -\\$18,000 PAL](#)
[MEMO TO CITY MANAGER](#)
[FAF \\$18,000.00 Cover Memo](#)

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$18,000.00 FROM PREVIOUSLY ENCUMBERED FORFEITED ASSET FUND (FAF) MONIES TO PROVIDE FOR THE FUNDING OF THE CORAL GABLES POLICE ATHLETIC LEAGUE PROGRAM.

This Matter was adopted by Resolution Number 2009-92 on the Consent Agenda.

City Clerk Item No. 12

RESOLUTION NO. 2009-93**C.-5. 09-0243**

Resolution of the City of Coral Gables authorizing expenditures in the amount of \$12,420.00, from State Forfeited Assets to provide for the acquisition of the T3 Personal Electric Mobility Vehicle by the Community Affairs Unit of the Coral Gables Police Department.

Attachments: [RESOLUTION - \\$12,420.00 T3 Personal Electric Mobiiy Vehicle](#)
[MEMO TO CITY MANAGER](#)
[FAF\\$12,420.00 Cover Memo](#)

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$12,420.00 FROM THE CORAL GABLES POLICE STATE FORFEITED ASSET FUND (FAF) MONIES TO PROVIDE FOR THE ACQUISITION OF THE T3 PERSONAL ELECTRIC MOBILITY VEHICLE BY THE COMMUNITY AFFAIRS UNIT OF THE CORAL GABLES POLICE DEPARTMENT.

This Matter was adopted by Resolution Number 2009-93 on the Consent Agenda.

City Clerk Item No. 13

RESOLUTION NO. 2009-94**C.-6. 09-0245**

Resolution of the City of Coral Gables authorizing the expenditure in the amount of \$12,000.00, from previously encumbered Forfeited Asset Fund (FAF) monies to provide for the summer activities program of the Coral Gables Police Department Police Explorer Post #594.

Attachments: [RESOLUTION - \\$12,000 for Explorer Post](#)
[FAF \\$12,000.00 Cover Memo](#)

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$12,000.00 FROM PREVIOUSLY ENCUMBERED FORFEITED ASSET FUND (FAF) MONIES TO PROVIDE FOR THE SUMMER ACTIVITIES PROGRAM OF CORAL GABLES POLICE DEPARTMENT'S POLICE EXPLORER POST #594.

This Matter was adopted by Resolution Number 2009-94 on the Consent Agenda.

City Clerk Item No. 14

RESOLUTION NO. 2009-95**C.-7. 09-0246**

Resolution of the City of Coral Gables authorizing expenditures in the amount \$30,000.00, from State Forfeited Assets to defray the cost of a protracted and complex criminal investigation being conducted by the Coral Gables Police Department.

Attachments: [RESOLUTION - \\$30,000. CID investigation](#)
[FAF \\$30,000.00 Cover Memo](#)

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$30,000.00 FROM STATE FORFEITED ASSET FUND (FAF) MONIES TO DEFRAY THE COST OF A PROTRACTED AND COMPLEX INVESTIGATION BEING CONDUCTED BY THE CORAL GABLES POLICE DEPARTMENT.

This Matter was adopted by Resolution Number 2009-95 on the Consent Agenda.

City Clerk Item No. 15

RESOLUTION NO. 2009-96**C.-8. 09-0253**

Resolution of the City of Coral Gables authorizing expenditures in the amount of \$37,100.00, from State Forfeited Asset Fund monies to fund the provision of Rape Aggression Defense (RAD) Training by the Coral Gables Police Department.

Attachments: [RESOLUTION - \\$37,100 - RAD](#)
[FAF \\$37,100.00 Cover Memo](#)

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$37,100.00 FROM STATE FORFEITED ASSET FUND (FAF) MONIES TO FUND THE PROVISION OF RAPE AGGRESSION DEFENSE (RAD) TRAINING BY THE CORAL GABLES POLICE DEPARTMENT.

This Matter was adopted by Resolution Number 2009-96 on the Consent Agenda.

City Clerk Item No. 16

RESOLUTION NO. 2009-97**C.-9. 09-0250**

Resolution of the City of Coral Gables amending Resolution 2003-199 (Section 4) providing for depositing of funds to execute funds transfer agreement and authorizing signing of checks and drafts, by City Manager and Finance Director.

Attachments: [Resolution Amending Resolution 2003-199](#)
[Amendment to Resolution 2003-199 Cover Memo](#)

A RESOLUTION OF THE CITY OF CORAL GABLES AMENDING RESOLUTION 2003-199 (SECTION 4), PROVIDING FOR DEPOSITING OF FUNDS, TO EXECUTE FUNDS TRANSFER AGREEMENT AND AUTHORIZING SIGNING OF CHECKS AND DRAFTS BY CITY MANAGER AND FINANCE DIRECTOR.

This Matter was adopted by Resolution Number 2009-97 on the Consent Agenda.

City Clerk Item No. 17

Items C.-10 and C.-11 are related**RESOLUTION NO. 2009-98****C.-10. 09-0304**

Resolution of the City of Coral Gables rejecting all proposals received for City Security Guard Services.

Attachments: [Security Guard Resolution](#)
[Resolution Rejecting Proposals for Security Guard Services](#)

A. RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA, APPROVING THE DECISION OF THE CITY MANAGER TO REJECT ALL PROPOSALS RECEIVED FOR CITY-WIDE SECURITY GUARD SERVICES.

This Matter was adopted by Resolution Number 2009-98 on the Consent Agenda.

City Clerk Item No. 18

RESOLUTION NO. 2009-99**C.-11. 09-0279**

Resolution of the City of Coral Gables authorizing the extension of a contract with World International Security Inc., for security guard services, pursuant to Section 2-834 (d) of the Procurement Code and further requesting an additional extension period, not to exceed one hundred twenty (120) days.

Attachments: [R 2003 91 Limit Increase](#)
[R-2007-199 Award](#)
[World Intern'l Services Draft Reso](#)
[World International Security Extension](#)

A RESOLUTION OF THE CITY OF CORAL GABLES AUTHORIZING THE EXTENSION OF A CONTRACT WITH WORLD INTERNATIONAL SECURITY INC., FOR SECURITY GUARD SERVICES, PURSUANT TO SECTION 2-834 (D) OF THE PROCUREMENT CODE AND FURTHER REQUESTING AN ADDITIONAL EXTENSION PERIOD, NOT TO EXCEED ONE HUNDRED TWENTY (120) DAYS.

This Matter was adopted by Resolution Number 2009-99 on the Consent Agenda.

City Clerk Item No. 19

RESOLUTION NO. 2009-100**C.-12. 09-0300**

Resolution of the City of Coral Gables authorizing the extension of a contract with Standard Parking Corporation for parking cashier services, pursuant to Section 2-834(d) of the Procurement Code and further requesting an additional extension period, not to exceed one hundred twenty (120) days.

Attachments: [R-2003-217 Award](#)
[Standard Parking Corp Draft Reso](#)
[Standard Parking Corp Draft Agenda Cover](#)
[Standard Parking Extension](#)

RESOLUTION OF THE CITY OF CORAL GABLES AUTHORIZING THE EXTENSION OF A CONTRACT WITH STANDARD PARKING CORPORATION, FOR PARKING CASHIER SERVICES, PURSUANT TO SECTION 2-834 (D) OF THE PROCUREMENT CODE AND FURTHER REQUESTING AN ADDITIONAL EXTENSION PERIOD, NOT TO EXCEED ONE HUNDRED TWENTY (120) DAYS.

This Matter was adopted by Resolution Number 2009-100 on the Consent Agenda.

City Clerk Item No. 20

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

C.-13. 09-0226

International Affairs Coordinating Council Meeting of February 17, 2009

Attachments: [IACC 2-17-09 pdf](#)
[IACC 2-17-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 21

C.-14. 09-0227

Communications Committee Meeting of March 19, 2009

Attachments: [Microsoft Word - communicationsminutesagendaapril09.pdf](#)
[Microsoft Word - minutes march 2009.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 22

C.-15. 09-0231 Landscape Beautification Advisory Board Meeting of April 2, 2009

Attachments: [Minutes BC 4-2-09](#)
[BC Cover Sheet 4-2-09 na](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 23

C.-16. 09-0232 Economic Development Board Meeting of March 4, 2009

Attachments: [EDB. 3.4.09 Minutes.pdf](#)
[EDB. 4.28.09 Commission cover - no action.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 24

C.-17. 09-0233 Youth Advisory Board Meeting of March 10, 2009

Attachments: [Cover Memo YAB 3-10-09.pdf](#)
[Min 3-10-2009.draft.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 25

C.-18. 09-0234 Senior Citizens Advisory Board Meeting of March 2, 2009

Attachments: [Min 03-02-2009 draft.pdf](#)
[Cover Sheet.Minutes 03-02-09.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 26

C.-19. 09-0241 Budget/Audit Advisory Board Meeting of March 12, 2009

Attachments: [042809-Cover Memo BAB.pdf](#)
[042809-Minutes 031209.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 27

C.-20. 09-0244 Library Advisory Board Meeting of April 8, 2009

Attachments: [LB Cover Sheet 4-8-09 na](#)
[Library Minutes 4-8-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 28

C.-21. 09-0251 School and Community Relations Committee Meeting of March 10, 2009

Attachments: [march 10](#)
[summary of march 09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 29

C.-22. 09-0254 Board of Adjustment Meeting of April 6, 2009

Attachments: [Board of Adjustment Summary 4-6-09](#)
[BOADJ Minutes 4-6-09](#)
[Cover Memo BOADJ 4-6-09](#)
[Notice BOADJ 4-6-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 30

C.-23. 09-0259 Retirement Board Meeting of March 12, 2009

Attachments: [CC.04-28-09.March 12, 2009](#)
[Minutes.03-12-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 31

- C.-24. 09-0260** Parks & Recreation Advisory Board Meeting of March 20, 2009

Attachments: [Cover Sheet.Minutes 03-20-09.pdf](#)
[Min 03-20-09.draft.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 32

- C.-25. 09-0266** Traffic Advisory Board Meeting of March 17, 2009

Attachments: [TAB 3-17-09 Cover Memo](#)
[TAB 3-17-09 Minutes](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 33

- C.-26. 09-0271** Insurance Advisory Committee Meeting of April 20, 2009

Attachments: [CoverMemo_IACMtg_041609](#)
[IAC_Minutes_Draft_042009](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 34

- C.-27. 09-0273** Coral Gables Merrick House Governing Board Meeting of March 23, 2009

Attachments: [CGMNoAction-03.23.09MinutesforCC04.28.09](#)
[Merrick House March 23 2009](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 35

- C.-28. 09-0274** Historic Preservation Board Meeting of March 19, 2009.

Attachments: [HPB March 19, 2009](#)
[NoAction03.19.09.MinustesforCC04.28.09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 36

- C.-29. 09-0280 International Affairs Coordinating Council Meeting of March 17, 2009

Attachments: [IACC 3-17-09](#)
[Microsoft Word - IACC Revised Minutes 3-17-09 2](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 37

- C.-30. 09-0281 Cultural Development Board Meeting of March 16, 2009

Attachments: [03 CDB Minutes MARCH 16 2009](#)
[03a Commission cover no action 04-28-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 38

- C.-31. 09-0290 Code Enforcement Board Meeting of April 15, 2009

Attachments: [memo cover april 09](#)
[april 09](#)
[ROLLCALL april 09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 39

- C.-32. 09-0291 Senior Citizens Advisory Board Meeting of April 6, 2009

Attachments: [Cover Sheet.Minutes 04-06-09.pdf](#)
[Min 04-06-2009 draft.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 40

- C.-33. 09-0305 Parking Advisory Board Meeting of March 26, 2009

Attachments: [cover pab 03-26-09](#)
[pab minutes 03-26-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 41

D. PERSONAL APPEARANCES**RESOLUTION NO. 2009-102****D.-1. 09-0263**

Mr. Jeff Isom, The Architects Group, on behalf of Marshall D. Kaplan, Owner of new Angelique Euro Café, for permission to encroach into the right-of-way with a 1200 gallon grease trap in the alley behind 111 Miracle Mile, Coral Gables, Florida.

Attachments: [111 MMileCover-corrected](#)
[111 MiracleMileRes](#)
[Architects Group Letter](#)
[Jeff Isom Personal Appearance](#)

A RESOLUTION APPROVING ENCROACHMENT ONTO THE RIGHT-OF-WAY AT ANGELIQUE EURO CAFÉ, LOCATED AT 111 MIRACLE MILE, CORAL GABLES, FLORIDA, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT.

[Note for the Record: Following introduction of Item D-1 into the public record, Mr. Jeff Isom, The Architects Group, appeared before the City Commission and addressed the dais on behalf of his client, Marshall Kaplan and owner of the new Angelique Euro Café; further stating that said owner of the café is one of the two tenants in the building facility located at 111 Miracle Mile; further stating that said tenants hereby request permission to encroach into the right of way with a 1200 gallon grease trap in the alley behind 111 Miracle Mile, more particularly between Miracle Mile and the West End Colonnade Hotel.

Vice Mayor Kerdyk moved to approve the recommendation of the administration to install said 1200 gallon grease trap, subject to the requirements of the Public Works Department. Public Works Director Alberto Delgado pointed out to the City Commission that routinely his department does not make recommendations to install grease traps behind alleyways; further stating that the building goes all the way to the property line; further adding that the conversion is from an existing store to a residence, which would require the installation of a grease trap.

Questions, Comments, Inquiries and Concerns from the City Commission

Commissioner Withers asked as to what happens when the resident moves? Does he move the grease trap, as well?-whereby, Mr. Delgado responded by saying that it is usually abandoned. In seeking further clarification regarding said matter, Commissioner Withers sought confirmation from Mr. Delgado that the owner of the new Angelique Euro Café will have to remove same. Mr. Delgado responded that there is a covenant that the owner of the property has to remove it, if it is not operating as a restaurant].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-102. The motion passed by the following vote:

Yeas : 5 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

City Clerk Item No. 44

Items D.-2 and H.-3. are related

D.-2. 09-0303

Dr. Dale Davis in support of the Cutler Oaks Estates Homeowners Association's request for modifications to an existing revocable permit to change twenty-four (24) hour Live Guard Security Service at that guard house, providing for the installation of certain passive infrastructure while maintaining public ingress and egress at all times into said subdivision.

Attachments: [Cutler Oaks Guardhouse Letter](#)
[Cutler Oaks Guardhouse Photos](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item D-2 is available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed and Filed

City Clerk Item No. 42

E. PUBLIC HEARINGS**ORDINANCES ON SECOND READING****ORDINANCE NO. 2009-23****E.-1. 09-0203**

Ordinance of the City Commission of the City of Coral Gables amending the "Code of the City of Coral Gables" by amending Chapter 2, "Administration", Article V, "Conflict of Interest and Code of Ethics", Sec. 2-232 "Certain appearances and payment prohibited.", to provide that the chairperson of a city board may, at the request of the board, appear before the City Commission to provide the board's recommendation; providing for severability, codification, and repealing all ordinances inconsistent herewith. (Passed on First Reading on March 24, 2009).

Attachments: [agendacover ethics chairpersonappearance](#)
[ethicsordamend 3 24 09chairpersonsappearance](#)
[comm memo ethics chairpersonappearance](#)
[ethicsordamend 4 28 09chairpersonsappearance](#)
[Conflic of Interest and Code of Ethics](#)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES AMENDING THE "CODE OF THE CITY OF CORAL GABLES" BY AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE V, "CONFLICT OF INTEREST AND CODE OF ETHICS", SEC. 2-232, "CERTAIN APPEARANCES AND PAYMENT PROHIBITED.", TO PROVIDE THAT THE CHAIRPERSON OF A CITY BOARD MAY APPEAR BEFORE THE CITY COMMISSION TO PROVIDE THE BOARD'S RECOMMENDATION, PROVIDING FOR SEVERABILITY CODIFICATION, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

[Note for the Record: Following City Attorney Elizabeth Hernandez' reading of the title to Agenda Item E-1 into the public record, she informed the City Commission that said item had passed on First Reading on March 24, 2009; further reminding the Commission that there was a request to include certain amendatory language wherein the Board Chair would be allowed to appear before the Commission at the directive of the Board, to provide the Board's recommendation; whereby the City Attorney further informed the Commission that said language has now been included in the title and body of said legislation].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2009-23. The motion passed by the following vote:

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 45

ORDINANCES ON FIRST READING

- E.-2. 09-0267** An Ordinance of the City of Coral Gables amending Chapter 34 of the "Code of the City of Coral Gables" entitled "Nuisances" and in particular Sections 34-1, entitled "Clearing of Land" 34-22, entitled "Failure to Comply; Forms of Notice to Property Owner", 34-23, entitled, "Cost of Clearing as Lien on Property-Collection, Foreclosure and Sale" by changing the dates upon which a property owner is provided notice upon which to remedy the situation; and providing for severability, repealer, codification, and an effective date. (Passed on First Reading on April 28, 2009.)

Attachments: [lot clearing- 04 21 09 FINAL 1](#)
[Microsoft Word - Agenda Cover Memo LOT CLEARING](#)
[Agenda Cover Memo LOT CLEARING](#)
[LOT CLEARING ORDINANCE- 05 01 09](#)
[NOTICE](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item E-2 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading as Amended. The motion passed by the following vote:

Yeas : 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 46

F. CITY COMMISSION ITEMS

None

City Clerk Item No. 47

G. BOARDS/COMMITTEES ITEMS**RESOLUTION NO. 2009-103**

- G.-1. 09-0248** Presentation of excerpts from the Landscape Beautification Advisory Board meeting of April 2, 2009, requesting the following action:

In order to integrate the designs, the Landscape Beautification Advisory Board would like to see a landscape design for both traffic circle intersections on Segovia Street (Biltmore Way and Coral Way) including the hardscape and landscape prior to planting the Segovia Street and Coral Way Circle.

Attachments: [Minutes BC Excerpts 4-2-09](#)
[BC Excerpts Cover 4-2-09](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item G-1 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-103. The motion passed unanimously.

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 48

RESOLUTION NO. 2009-104

- G.-2. 09-0249** Presentation of excerpts from the Library Advisory Board meeting of April 8, 2009, requesting the following action:

That a search for additional parking around the library building be made by the City of Coral Gables.

Attachments: [Library Minutes excerpts 4-8-09](#)
[Library Advisory Board](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item G-2 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-104. The motion passed unanimously.

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 49

RESOLUTION NO. 2009-106**G.-3. 09-0252**

Presentation of excerpts from the School and Community Relations Committee meeting of March 10, 2009, requesting the following action:

That the City Commission direct the City Attorney to engage Florida Power and Light in an open and preemptive dialogue prior to making a final decision of where and how to place new power lines stemming from FPL's project, for the safety, welfare and health of the Coral Gables children in the public schools.

Attachments: [Excerpts SCRC](#)
[School and Community Relations](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item G-3 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-106. The motion passed unanimously.

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 51

RESOLUTION NO. 2009-105**G.-4. 09-0287**

Presentation of excerpts from the Public Safety Committee Meeting of March 24, 2009, requesting the following action:

That the City Commission accept the recommendation of the Public Safety Committee that the Committee be dissolved.

Attachments: [PSC Excerpts](#)
[Public Safety Committee](#)

[Note for the Record: Following the introduction of Agenda Item G-4 into the public record, City Manager Salerno stated that the request received by the Public Safety Committee was that the City Commission accept their recommendation that the Public Safety Committee be dissolved.

Questions, Comments, Inquiries and Concerns from the City Commission: Commissioner Cabrera stated that he had the opportunity to visit the Public Safety Committee, and that he understood why said committee wanted to sunset itself; further instructing the City Manager to request of the members to said committee to come before the City Commission for the appropriate protocol recognition for their term of service].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-105. The motion passed by the following vote:

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 50

H. CITY MANAGER ITEMS**RESOLUTION NO. 2009-107****H.-1. 09-0229**

Resolution of the City of Coral Gables accepting the recommendation of the Chief Procurement Officer to award the Riviera Park Renovation project to BMA Construction Inc. pursuant to Section 2-828 of the Procurement Code and Invitation for Bid (IFB) 2008.12.12 in the amount of \$444,520.00 (Four Hundred Forty-Four Thousand Five Hundred Twenty Dollars).

Attachments: [Tabulation Sheet - Summary.pdf](#)
[BMA - BID PACKAGE.pdf](#)
[2008.12.12 Riviera Park Draft Reso.pdf](#)
[Riviera Park Renovation Project](#)

A RESOLUTION OF THE CITY OF CORAL GABLES ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD THE RIVIERA PARK RENOVATION PROJECT TO BMA CONSTRUCTION INC. PURSUANT TO SECTION 2-828 OF THE PROCUREMENT CODE AND INVITATION FOR BID (IFB) 2008.12.12 IN THE AMOUNT OF \$444,520.00 (FOUR HUNDRED FORTY FOUR THOUSAND FIVE HUNDRED TWENTY DOLLARS). PROJECT TO BE FUNDED BY THE PUBLIC WORKS DEPARTMENT FUND.

[Note for the Record: Following City Manager Patrick Salerno's introduction of the title to Agenda Item H-1 into the record, Michael Pounds was requested by the Manager to address said matter before the City Commission. Mr. Pounds informed the Commission that said matter was being submitted to them for consideration for a decision as to whether to award the Riviera Park (located at Yumuri Street and Monza Avenue, 6611 Yumuri Street, which is the physical address) Renovation Project to BMA Construction Inc., pursuant to an Invitation for Bid (IFB) 2008 12.12, in the amount of \$444,520, to be funded by the Miami-Dade County General Obligation Fund; further pointing out to the City Commission that the lowest, responsive, responsible bid was BMA Construction; further stating that the budget for the project was \$485,000, which represents a savings of \$40,480.

Questions, Inquiries, Comments and Concerns from the City Commission: Commissioner Anderson inquired of Mr. Pounds as to whether he had checked out references as to prior work being done by BMA Construction Inc.?-whereby Mr. Pounds responded that he had, stating that BMA Construction had previously done work for the City. Commissioner Anderson further requested that Mr. Pounds should also contact the leadership of the Riviera Homeowners Association, regarding the different phases of construction, identifying a contact person from the homeowners association, since they are a very active group and take particular interest in this type of project renovation; further adding that said group has a regular meeting schedule. In response to said request, Mr. Delgado stated that during the pre-construction meeting, that he will be better able to provide said group with the schedule and the time; further

stating that there are some traffic calming initiatives that will also be provided by Dooley Mack.

Commissioner Cabrera requested of Commissioner Anderson if she could also add as part of her request to the Administration to contact the Riviera Day School, since they were no longer a part of the association.

Vice Mayor Kerdyk stated that he was also concerned about substantial landscaping needed in Riviera Park, whereby Mr. Delgado stated that said landscaping initiatives were included in this bid.

Commissioner Cabrera inquired about the time frame for said project?-whereby Mr. Delgado stated assuming that the City Commission passes the resolution in connection with the award of the Riviera Park renovation today, all necessary documentation in connection with this project will be signed within two months, thus the construction phase will begin by the end of June or first of July, with a completion of said project around Thanksgiving.

Commissioner Withers inquired about the funding of said project, as to whether the monies for the Riviera Park renovation was coming from Miami-Dade County?-whereby Mr. Delgado responded that the funding will be coming from Miami-Dade County General Obligation Bond (GOB), as well as from a Florida Recreation Development Assistance Program (FRDAP).

Mayor Slesnick invited input from our Parks and Recreation Department, whereby Mr. Couceyro stated that Riviera Park represents an alternative playground area, with climbing boulders, statues of large animals (park pets), etc. Mayor Slesnick further added that having recently returned from our Sister City of Cartagena, Colombia, he was impressed with his visit to the Coral Gables Park, which was located in a beautiful residential neighborhood near the water; further stressing the importance of having an active park, wherein children and adults alike can partake in the active use of said facility].

Vice Mayor Kerdyk commented that out of the 22 bids that were received, 21 were deemed responsive, which was very impressive].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-107. The motion passed by the following vote:

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 52

RESOLUTION NO. 2009-108**H.-2. 09-0262**

Resolution of the City of Coral Gables authorizing the City Manager to renew the contract with Johns Eastern Company, Inc. for Third Party Claims Administration for workers' compensation and liability, in an amount not to exceed \$360,000.00, for an additional one-year term, effective May 1, 2009.

Attachments: [JohnsEastern Resolution2009](#)
[Johns Eastern Company](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW THE CONTRACT WITH JOHNS EASTERN COMPANY, INC. FOR THIRD PARTY CLAIMS ADMINISTRATION FOR WORKERS' COMPENSATION AND LIABILITY, IN AN AMOUNT NOT TO EXCEED \$360,000.00, FOR AN ADDITIONAL ONE-YEAR TERM, EFFECTIVE MAY 1, 2009.

[Note for the Record: Following City Manager Patrick Salerno's introduction of the title to Agenda Item H-2 into the public record, Human Resources Director Marj Adler was requested by the City Manager to address this item, whereby she informed the Commission that this is the fourth year of a five-year commitment, whereby the original contract was awarded to Johns Eastern Company, Inc. in 2005; further awarding a contract in May 2006, for a three-year term, with two, one-year renewal options; further stipulating that this is the first renewal option providing for a five percent increase in the service fees; further stating that our City has been averaging an estimated \$240,000 in service fees, from our Claims Administrator; further stating that it is anticipated that our City will have minimal upkeep (five percent increase will result in a \$12,000 increase or \$252,000) in claims liability; therefore the proposed renewal for Third Party Claims Administration for workers' compensation and liability, in an amount not to exceed \$360,000, for an additional one-year term, is a comfortable increase].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-108. The motion passed by the following vote:

Yeas : 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 53

Items H.-3 and D.-2 are related**RESOLUTION NO. 2009-101****H.-3. 09-0265**

Resolution of the City of Coral Gables amending the revocable permit issued to the Cutler Oaks Estates Homeowners Association pursuant to City Resolution No. 28730, adopted on February 28, 1995, which allowed for the construction of a Guardhouse and Traffic Control Device located at the entrance to Cutler Oaks Estates Subdivision on Destacada Avenue, by eliminating Live Guard Security Service at said Guardhouse, providing for the installation of certain passive infrastructure to enhance security measures upon meeting all City permitting requirements, maintaining public ingress and egress at all times into said subdivision, and complying with other requirements of law.

Attachments: [RESOAmendingRevPermitCutlerOaksEstatesSub](#)
[Cutler Oaks Estates Homeowners](#)
[Resolution 28730](#)

A RESOLUTION AMENDING THE REVOCABLE PERMIT ISSUED TO THE CUTLER OAKS ESTATES HOMEOWNERS ASSOCIATION PURSUANT TO CITY RESOLUTION NO. 28730, ADOPTED ON FEBRUARY 28, 1995, WHICH ALLOWED FOR THE CONSTRUCTION OF A GUARDHOUSE AND TRAFFIC CONTROL DEVICE LOCATED AT THE ENTRANCE TO CUTLER OAKS ESTATES SUBDIVISION ON DESTACADA AVENUE, BY ELIMINATING LIVE GUARD SECURITY SERVICE AT SAID GUARDHOUSE, PROVIDING FOR THE INSTALLATION OF CERTAIN PASSIVE INFRASTRUCTURE TO ENHANCE SECURITY MEASURES UPON MEETING ALL CITY PERMITTING REQUIREMENTS, MAINTAINING PUBLIC INGRESS AND EGRESS AT ALL TIMES INTO SAID SUBDIVISION, AND COMPLYING WITH OTHER REQUIREMENTS OF LAW.

[Note for the Record: A copy of the verbatim transcript for Agenda Item H-3 is available for public inspection in the City Clerk's Office and in Legistar].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-101. The motion passed by the following vote:

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 43

RESOLUTION NO. 2009-109**H.-4. 09-0275**

Resolution of the City of Coral Gables authorizing the City Manager to renew the medical insurance plan with HUMANA, in an amount not to exceed \$3,516,000.00 (4% cost increase over last year for the HMO), for an additional one-year term, effective July 1, 2009; further authorizing the renewal of the Blue Cross/Blue Shield dental plan (with no premium increase over last year) and the Standard Insurance Company life insurance plan (with no premium increase over last year) for an additional one-year term, effective July 1, 2009.

Attachments: [Resolution Humana Renewal 2009-2010](#)
[Prepaid Dental Renewal 7-1-2009](#)
[Indemnity Dental Renewal 7-1-2009](#)
[Standard Life Renewal 2009](#)
[Humana renewal proposal 1-4](#)
[Humana renewal proposal 2-4](#)
[Humana renewal proposal 3-4](#)
[Humana renewal proposal 4-4](#)
[Humana Renewal](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO RENEW THE MEDICAL INSURANCE PLAN WITH HUMANA, IN AN AMOUNT NOT TO EXCEED \$3,516,000.00 (4% COST INCREASE OVER LAST YEAR FOR THE HMO), FOR AN ADDITIONAL ONE-YEAR TERM, EFFECTIVE JULY 1, 2009; INCLUDING AND FURTHER AUTHORIZING THE RENEWAL OF THE BLUE CROSS/BLUE SHIELD DENTAL PLAN (WITH NO PREMIUM INCREASE OVER LAST YEAR) AND THE STANDARD INSURANCE COMPANY LIFE INSURANCE PLAN (WITH NO PREMIUM INCREASE OVER LAST YEAR) FOR AN ADDITIONAL ONE-YEAR TERM, EFFECTIVE JULY 1, 2009.

[Note for the Record: Following City Manager Patrick Salerno's introduction of the title to Agenda Item H-4 into the public record, Human Resources Director Marj Adler was requested by the City Manager to address this agenda item, whereby Ms. Adler stated that this item was being submitted to the Commission for consideration to authorize the Manager to renew the medical insurance plan with HUMANA, in an amount not to exceed \$3,516,000 (which represents a 4% cost increase over last year for the HMO), for an additional one-year term, effective July 1, 2009; further authorizing the renewal of the Blue Cross/Blue Shield dental plan (with no premium increase over last year) and the Standard Insurance Company Life Insurance Plan (with no premium increase over last year) for an additional one-year term, effective July 1, 2009.

Ms. Adler further stated that the initial renewal from HUMANA called for a 17.6% increase, for the same HMO plan and replacements for the EPO and PPO (Note: The EPO was discontinued by HUMANA). In seeking a balance between the cost to the employee, cost to the City and choice for the employee, the City of Coral Gables health benefits consultant, Bob Shafer, secured a slightly modified gated HMO at a 4% increase. Included in the package are an open-access HMO (OA-HMO) and

National Point-of-Service Plan (NPOS) for those employees desiring to buy up from the HMO. The rate per month for the HMO will be \$588.33. The City will maintain the \$30 per month dependent coverage subsidy for general employees who select the gated HMO.

Questions, Comments, Inquiries and Concerns from the City Commission: Commissioner Cabrera commended the work done by both Marj Adler and Bob Shafer on the renewal of the medical insurance plan with HUMANA; further stating that the claims experience with our group has been terrible; further stating that since what we have is an older group, much more sedentary, and our team was still able to negotiate a 4% rate increase is commendable; further commending Mr. Shafer for his efforts in moving the City in a different direction.

Vice Mayor Kerdyk inquired as to whether our employees were happy with the service received from HUMANA?-whereby Human Resources Director Adler stated that after the initial transfer from CIGNA to HUMANA, a lot of our tenured employees, were unaware of any other provider except CIGNA, that over time, the fact that we have another provider has settled in].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-109. The motion passed by the following vote:

Yeas : 4 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Vice Mayor Kerdyk, Jr.

Absent : 1 - Mayor Slesnick II

City Clerk Item No. 54

RESOLUTION NO. 2009-110

H.-5. 09-0284

Resolution of the City of Coral Gables authorizing the award of the Drama/Theater Professional Services contract to Miami Children's Theater pursuant to Section 2-828 of the Procurement Code and Request for Proposal (RFP) 2009.01.21. Further authorizing the City Manager to execute a two (2) year contract with an option to renew for three (3) additional one (1) year periods.

Attachments: [Tabulation Sheet - Summary.pdf](#)
[RFP 2009.01.21 THEATER DRAMA PROFESSIONAL.pdf](#)
[Drama Theater Professional Services](#)
[2009.01.21 Drama-Theater Professional Draft Reso.pdf](#)

A RESOLUTION OF THE CITY OF CORAL GABLES AUTHORIZING THE AWARD OF THE DRAMA/THEATER PROFESSIONAL SERVICES CONTRACT TO THE MIAMI CHILDREN'S THEATER PURSUANT TO SECTION 2-828 OF THE PROCUREMENT CODE AND REQUEST FOR PROPOSAL (RFP) 2009.01.21. FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A TWO (2) YEAR CONTRACT WITH AN OPTION TO RENEW FOR (3) ADDITIONAL ONE (1) YEAR PERIODS.

[Note for the Record: Following City Manager Patrick Salerno's introduction of the title to Agenda Item H-5 into the public record, Chief Procurement Officer Michael Pounds stated that this item was being submitted to the Commission for consideration to authorize the award of Drama/Theater Professional Services to Miami Children's Hospital for Proposal (RFP) 2009.01.21; further authorizing the City Manager to execute a two-year contract with an option to renew for three additional one-year periods; further providing to the City Commission, a brief chronology regarding said professional service contract award, stating that on January 30, 2009, the Procurement Division of Finance formally advertised, issued and distributed the Drama/Theater Professional Project Request for Proposals to nine companies; further stating that on March 5, 2009, two proposal responses were received, Miami Children's Theater and Broadway Musical Theater; further stating that on March 6, 2009, the Selection Committee comprising three members, completed their evaluation based on six criteria, including qualifications (i.e. degrees and licenses), program proposal, resources and labor, business history, references and costs of providing services; further stating that revenue from said proposal that is to be provided to the City, represents 35% from total gross drama/theater revenue, including all monies received from all related drama/services provided by the professional.

Following the aforementioned presentation by Mr. Pounds, there being no public input proffered by any member of the public, nor there being any deliberation by any member of the Commission, Vice Mayor Kerdyk requested of the City Clerk to call the roll on said item].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2009-110. The motion passed by the following vote:

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 55

RESOLUTION NO. 2009-113**H.-6. 09-0278**

Resolution of the City of Coral Gables, Florida, and in accordance with Section 2-26 of the City Code, entitled "Regular Meetings, Special Meetings" setting forth meeting dates for the summer months as follows: Tuesday, June 2, 2009; Tuesday, July 7, 2009; Tuesday, July 28, 2009; Tuesday, August 25, 2009; and further confirming that the Budget Workshop will be held on Wednesday, July 8, 2009.

Attachments: [042809-DRAFT RESOLUTION-Summer Meeting Dates.pdf](#)
[Summer Schedule](#)

A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA, AND IN ACCORDANCE WITH SECTION 2-26 OF THE CITY CODE, ENTITLED "REGULAR MEETINGS, SPECIAL MEETINGS" SETTING FORTH MEETING DATES FOR THE SUMMER MONTHS AS FOLLOWS: TUESDAY, JUNE 2, 2009; TUESDAY, JULY 7, 2009; TUESDAY, JULY 28, 2009; TUESDAY, AUGUST 25, 2009; AND FURTHER CONFIRMING THAT THE BUDGET WORKSHOP WILL BE HELD ON WEDNESDAY, JULY 8, 2009. BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES.

[Note for the Record: Following City Manager Patrick Salerno's reading of the title to Agenda Item H-6 into the public record, Mayor Slesnick acknowledged the good job that the City Manager had done in coordinating the Commissioner's respective calendars; further noting the one change that is different than what appears on the agenda, in particular, is the changing of the regular City Commission date from Tuesday, July 28th, 2009 to Wednesday, July 29th, 2009].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-113. The motion passed by the following vote:

Yeas : 5 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

City Clerk Item No. 56

City Clerk Item No. 60

I. CITY ATTORNEY ITEMS**I.-1. 09-0283**

Pending Litigation Report

Attachments: [PENLIT 4 28 09 1](#)

This Litigation was Discussed

City Clerk Item No. 57

RESOLUTION NO. 2009-111

**NA.I. 09-0317
-1.1.**

A Resolution of the City Commission of Coral Gables approving the settlement agreement in the matter of Pinon V. The City of Coral Gables.

COPY RESOLUTION (Subject Matter: Approving the settlement negotiated between the parties in the matter of Raul Pinon V. The City of Coral Gables.)

[Note: This Resolution is pending receipt from the Law Department].

[Note for the Record: City Attorney Hernandez brought to the attention of the City Commission the case of Pinon v. City of Coral Gables; further acknowledging the presence of Special Counsel to the Retirement Board and on labor relation matters, namely David Miller, Esquire, who was present to address any concerns that the Commission may have regarding said case; further reminding the Commission that Mr. Pinon had filed a separate cause of action against the City and the Retirement Board regarding the DROP Plan, retirement benefits and the calculation thereof, workers compensation claims, as well as overtime; further stating that the City has reached a settlement offer with Mr. Pinon in the amount of \$412,000, with our insurance carrier agreeing to pay \$257,000 of said amount; further stating that it is the recommendation of our Special Counsel to accept this settlement offer; further stating that in her opinion said proposed settlement offer, is in the best interest of the City and represents savings on litigation and on defense costs.

Questions, Coments, Inquiries and Concerns from the City Commission:

Mayor Slesnick instructed the City Attorney to provide each member of the Commission with a note, explaining what are our insurance rates?-how are they determined?-how many claims are covered before our rates will escalate?-further reminding his colleagues, the City Attorney and City Manager that our insurance carrier recently paid two claims, and he presumed that payment had something to do with an estimate of our forthcoming premium].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-111. The motion passed by the following vote:

Yeas : 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 58

RESOLUTION NO. 2009-112**I.-2. 09-0296**

Resolution of the City of Coral Gables authorizing the City Attorney to file suit against the property owner of 306 Aragon Avenue, Folio No. 03-4108-006-3490, for collection of the Coral Gables Business Improvement District (BID) assessments outstanding against the property for the years 2002, 2003, 2004, 2005, 2006 and 2007, and seeking attorney's fees and costs.

Attachments: [memo_BIDSuit](#)
[BID_gablesview_306aragonave.suit](#)
[306 Aragon Avenue](#)

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO FILE SUIT AGAINST THE PROPERTY OWNER OF 306 ARAGON AVENUE, FOLIO NO. 03-4108-006-3490, FOR COLLECTION OF THE CORAL GABLES BUSINESS IMPROVEMENT DISTRICT (BID) ASSESSMENTS OUSTANDING AGAINST THE PROPERTY FOR THE YEARS 2002, 2003, 2004, 2005, 2006 AND 2007, AND SEEKING ATTORNEY'S FEES AND COSTS.

[Note for the Record: City Attorney Hernandez stated that this item had to do with the failure to pay and the inability to collect from the Coral Gables Business Improvement District outstanding assessments from the property owner of 306 Aragon Avenue for the years 2002, 2003, 2004, 2005, 2006 and 2007; further stating that the property owner has been forwarded numerous letters; further adding that said property owner has been sent a final notice advising the owner that the City Attorney would be bringing this matter before the City Commission; further stating that because of such inactivity, it gives the City no other option than to file suit and seek relief for attorneys fees and costs under Chapter 170; further stating that the total amount owed was \$20,000].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-112. The motion passed by the following vote:

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 59

J. CITY CLERK ITEMS**RESOLUTION NO. 2009-114**

- J.-1. 09-0288** Resolution of the City of Coral Gables confirming the appointment of Billy Y. Urquia as Deputy City Clerk of the City of Coral Gables.

Attachments: [Draft Resolution](#)
[Billy Y. Urquia's Resume](#)
[Billy Urquia](#)

A RESOLUTION CONFIRMING THE APPOINTMENT OF BILLY Y. URQUIA AS DEPUTY CITY CLERK OF THE CITY OF CORAL GABLES.

[Note for the Record: City Clerk Walter Foeman requested of the City Commission that in accordance with Section 2-170 of the City Code, that they confirm his appointment of Billy Urquia as Deputy City Clerk; further adding that Billy has been his project manager for two of his technology projects, Legistar, our legislative workflow and document management application and TRIM Context 6, our enterprise content management application for records management purposes; further stating that he has been working with our Information Technology Department in building a database for our Lobbyist Registration process; also stating that in the coming months public access will be enhanced through the deployment of ICE, the web module for TRIM Context 6, as well as our video streaming linked minutes initiative].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-114. The motion passed by the following vote:

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 61

K. DISCUSSION ITEMS

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: Yes, a couple of things. I've asked the City Attorney and I've asked the City Clerk to look into seeing if what is now our voluntary Campaign Fair Practices Oath can be made mandatory. Its no secret that the last campaign that I went through, endured was, the opponent did not sign this, and this particular oath, although it is voluntary, allows you to talk about issues and talk about City affairs, but it doesn't as a code of conduct, doesn't allow you to slander, defame or do other things to any candidate, and that could be an incumbent doing that; and I think Coral Gables needs to set a higher standard as far as its campaign and make it a gentler, better process for all who might want to seek public office; it's a noble endeavor, and those of us who do it, do it because we really love our City, and really love to talk about issues and love to debate things that are of importance, and love to stand before the people in the democratic process, but what's really difficult and what would be a deterrent for anybody who wants to run for public office is a kind of dirty politics that is not part of our Gables tradition; and I would hope that we could do it or figure out a way to do something that holds us to a higher standard. Second issue was something I brought up back in March about the north end Gables. We did indeed have a meeting; Public Works went out there and talked to the homeowners last week about traffic calming alternatives. Commissioner Cabrera and I both attended the meeting and found it was a lively discussion would you say?

Commissioner Cabrera: Yes ma'am.

Commissioner Anderson: And at Commissioner Cabrera's suggestion, I think its really important that we have a follow up, but I think it would be important to have more staff hear a lot of issues, there is traffic, not only traffic, there is parking, there is crime, there are things that they want to talk about, and I think if we can organize a public meeting, I think that would be a fabulous thing; and I'll let Commissioner Cabrera talk about his observations as well, I just want to add that they consider themselves the forgotten Gables; and I issued them a challenge to take that name off themselves and give themselves a name like other homeowner's groups, not to my credit, but to their credit, I think they are now the North End Gables Group and they are naming themselves that, so I'm proud to have participated in that particular meeting and look forward to setting up another one with broader issues, and I'll leave that. The last thing will be to congratulate our new City Manager; I feel very confident that we are going to be able to navigate these tough waters ahead with steadiness and calm and you've portrayed that, and I know that we will get through this, and I appreciate that.

City Manager Salerno: Thank you.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: Well just to piggyback on Ms. Anderson's comments about the North End Gables community. I think she brings up a very good point, and what I would suggest Mr. Manager is, as she put it, to bring a number of City Department heads to help us with some of their ongoing concerns and as she pointed out, the real reason we were there was because of a traffic calming initiative and it turned out to be an entire community-type, disgruntled feedback session, and the unfortunate part for us as well as some of the City staffers, was that there were a lot of allegations made about Police response times, and the cleanliness of the area, and the initiatives of the area that really had no opportunity to respond to. So if we were to have the appropriate staff members; I think Mr. Delgado was the one that took it on the chin for the City; and I know that he takes great pride in his work, and I believe that one of the things he's putting together is an entire list of all the work that has been performed in that end of the Gables to show that community that in fact they are not the forgotten Gables. You know, Ms. Anderson and I tried to say things, or I tried to explain things like the park that we established as well as the gorgeous median that was established in that very large asphalt area that was just all concrete, or asphalt; just seemed that there was an impression up there that they don't belong or they are not considered to be part of our City, and obviously we tried to impart to them that we had just finished an election and had just gotten elected and we should be somewhere under a shade tree drinking pina coladas and instead we were there listening to their concerns; and again I wanted to take this opportunity though, because Mr. Delgado really took it on the chin along with our traffic calming engineer; and I just very much appreciate the fact that he was there. Maybe what we do next time when we have one of these meetings, Mr. Delgado, you start off by singing God Bless America. I think that will change the whole perception of the meeting, we should talk about that.

Mayor Slesnick: Maybe like the Blues Brothers movie, when you have the big change thing in front of you, so they throw the coins. (Laughter)

Commissioner Cabrera: There it is; I'll sing with you, you know. Anyway, I asked the Manager if he could in some point in time in the near future come back to us with a status report of all our rents, the rents that we have for properties that belong to the City of Coral Gables that is rented by contractors; I would be interested to see how up to date we are with those rents. I remember Mr. Nelson giving us a quick overview of that at a recent workshop; and I was interested to know that we had that report, and I think it would be very advantageous for all of us to know exactly how much rent are we getting, and who are we getting it paid by, and who is not paying on a timely basis. And last but not least, to piggyback on what Mr. Kerdyk talked about with regards to water conservation, I think you are absolutely right; many of our citizens do not know what are the days that they are to water their lawns, and I would just encourage the Manager's office to put out some sort of communication both in electronic news and

even perhaps our website; we may want to have some sort of a link to Miami-Dade Water and Sewer, or whomever that is responsible for this so that our citizens in fact know when it is the appropriate time to water. Anyway, I look forward to these coming years with all of you, and I was very pleased that my family was here to be part of the swearing in ceremony, and I want to thank staff for putting it all together. I know a lot of people worked on that, and I did not take the opportunity then, but I'd like to take the opportunity now to thank all the members of staff that put that wonderful ceremony together. Thank you so much.

Mayor Slesnick: Mr. Kerdyk.

Vice Mayor Kerdyk: Thank you Mayor; three brief issues, the first has to do with something that was mentioned earlier today regarding the open spaces that are currently sitting there waiting for building permits to be executed on. The suggestion by the Mayor was that we look at the possible alternatives of making that green space and allowing the residents to use that, I think that's a great alternative, but what I'd like staff to do is go around and visit those sites right now and make sure the protective fencing and the covers, everything the City wants to be, because as you drive in and out especially the downtown areas you'll see a lot of those covers not completed and those sites are very, very ugly and not becoming to the City of Coral Gables lifestyle, so please do that. The second issue has to do with, we are about ready to make our Board appointments, and there was some conversation up here from the City Commission level that we were going to consider extending the Retirement Board Members, maybe at some point we need to have that discussion because my Board member, very good Board member Manny Garcia-Linares rotates off, and I have to make a decision in the next month, so if that's something the Commission wants to move forward on, let's go ahead and have a discussion maybe at the beginning of May.

Mayor Slesnick: I think at the workshop for those of us who were there, we agreed that we wanted to move forward and adding the Retirement Board to one of the list of Board's list beyond the eight year mark with a four-fifth vote. So could that be presented to us next time? Liz?

City Attorney Hernandez: I'm sorry I apologize Mr. Mayor, I was writing some notes.

Mayor Slesnick: We had talked at the workshop about adding the Retirement Board to the list of Boards that can extend people beyond eight years with a four-fifth vote. Could that be presented to us next time?

City Attorney Hernandez: Yes - absolutely, and the justification for that is the Retirement Board is one of the three statutorily created Boards; we have our Code Enforcement Board, and we have our Construction Regulation Board, and those three

would be appropriate for exemption from those provisions if the Commission so desires. So I'll bring it back.

Vice Mayor Kerdyk: Great. Thank you. And the final thing is as we very well already know, Dade County receives stimulus money from the Federal Government; Coral Gables got their portion of that or is going to receive their portion of that stimulus money, Mr. Delgado could you update us, and if you could do it briefly here on what we are doing with that stimulus money and the logistics of when that project is going to move forward.

Mr. Delgado: Sure the middle one is the stimulus money that we received for the median on Ponce de Leon, which is Phase II; this project will actually include the median, the installation of the median between Alcazar and Salamanca, which is a transition to....the stimulus program is granting us one million thirty-six thousand seven hundred and ninety-six dollars (\$1,036,796) that we are going to be matching with the impact fees money that we already allocated for that particular project, about one point five million dollars (\$1.5M), that will get us about two and-a-half million dollars for that particular phase of that project. Plans have already been submitted to the Department of Transportation; the City has already obtained the last certification for local communities, which allows us to present plans, prepare the specs, and do all the actual administration of the project, and we already obtained that certification from DOT, and we are proceeding according to the deadlines; the plans have already been permitted by DOT, and we are right now preparing the specs, which have to comply with all the federal guidelines in that particular project.

Vice Mayor Kerdyk: I guess the reason I'm raising this is two-fold; one is of course making sure we comply with everything that is necessary to get the funding, but just as importantly is if we are extending the Ponce median, we want to make sure that we do it mostly in the off-times of the year, which is in the summer time; is this when we plan on moving forward on that project.

Mr. Delgado: Most likely we won't be able to do the summer time, but what we are going to do because the funding will probably most likely become available in July, that's what they said; and this is when they are going to allow us to start the bidding process. So the plan is to break ground early next year.

Vice Mayor Kerdyk: Early next year.

Mr. Delgado: Exactly, so that we can avoid all the holidays and all the holiday season, and then we can start at the beginning of the year, so that would be less disruptive to the merchants and businesses in the area, so that's the plan. The other funding that we received actually from the transit component is the monies for the new trolleys, to buy new trolleys. We have a combined funding of four hundred and thirty-seven thousand

dollars from the stimulus, plus the three hundred and seventy-seven six forty-one dollars that we had from DOT before, for a total of eight hundred and fourteen thousand dollars; this will give us between two to three trolleys, we don't know yet...

Commissioner Cabrera: How many do we have now?- how many trolleys do we have?

Mr. Delgado: We have eleven (11) trolleys....

Vice Mayor Kerdyk: Five are going out.

Mr. Delgado: Five of those trolleys remember, are the hybrid electric, which right now there are only two in operation, three are sitting there; so we have a fleet of eight (8) trolleys right now. The idea is to obtain two or three more trolleys possible, so that we can leave the hybrid trolleys for light duty, I would say for back-up only, and keep our fleet in operation. This is a very good chunk of money that we can use for the trolleys, and if we are proceeding with all the work we will get this.

Mayor Slesnick: Mr. Delgado in purchasing new trolleys can we keep in mind, and this is just me, I'm not speaking for everybody up here, that one of the things that has been such a great public relations thing about the trolley has been the look of the trolley, and so buying some of these great big busses that are converted into paint job trolleys isn't really continuing and so if there is any way when we purchase to try to find the most attractive looking, that look like trolleys.

Mr. Delgado: As part of the specs, actually we are not only looking for the look, but also the low platform, the low platform is important, this is what really is good for our trolleys because any disabled person(s) can get into the trolley without having to disengage the platform, they can actually go into the trolley with no problems. So, yes absolutely, that's part of the specs; we cannot piggyback on the old contract that we have with the trolleys because there are new federal guidelines that we need to live with in this new package, but the specs are going to be tailored to look for trolleys that would be in line with the other trolleys.

Commissioner Cabrera: Mr. Kerdyk...?

Vice Mayor Kerdyk: Yes.

Commissioner Cabrera: While Mr. Delgado is up, can I just ask him one quick question?

Vice Mayor Kerdyk: Sure.

Commissioner Cabrera: So are we meeting at Venetian Pool this Friday to go swimming, May 1?

Mr. Delgado: The project is going to be completed this Friday.

Commissioner Cabrera: So Friday, I'll meet you over there, the water slide is working.

Mr. Delgado: The people from Parks and Recreation are going to be working this weekend in cleaning the pool and cleaning the area because the contractor is going out Friday.

Commissioner Cabrera: So when can we go swimming? OK - you see, that's the problem; you guys tell us something, then we go and tell the public and now its fifteen days later, fourteen days later, that's a problem; I'm not mad at you Fred.

Mr. Couceyro: I can explain, the construction will be over April 30th; we need to go in; we need to clean the area; we need to indoctrinate our safety staff, and then we'll be ready to begin.

Commissioner Cabrera: Mr. Manager, I really need staff to understand that when they tell us something and then we communicate it to the public its our faces, its our word, its our responsibility that makes us look bad, and the word that was given was that we would have the pool ready to go May 1st, and now we are going to be fourteen days later than May 1st; and I'm OK with it as long as that was given to me to tell, but now two weeks later people are going to say, you see, I knew you would never get this job done right, because you are government, and you can never get anything done right. Thank you gentlemen.

Mayor Slesnick: Back on the trolleys - advertising - where are we?

Mr. Delgado: The advertising - they just completed installation of two of the screens in the trolleys, I think they are working on the others; they are expected to have those completed by the end of this month, and start the advertising program, so they are progressing on that. We also have another stimulus program which is the energy that we are working on that also, two hundred and twelve thousand dollars, that we have already been granted to the City, and we are working to disperse.

Mayor Slesnick: But Mr. Delgado, Mr. Salerno, this Commission has invested a lot of energy, we don't do the physical work, so I don't want to overstate this, but a lot of intellectual energy on the advertising, and as you have announced we are facing challenging economic times and we are all going to address these issues and try to find a way; one of the ways to finance the trolley system is through the advertisement, and this kind of like the red light camera issue I brought up, we have gone along, and gone

along, and gone along, and gone along, so if there is something internally that we can do to facilitate the advertising that is not being done, I think we should do that.

Mr. Salerno: Understand.

Mayor Slesnick: Well the cameras - I opened the paper after Mr. Salerno and I had a discussion last night about me expressing my dismay at the delays, and delays, and delays, where thirty other cities have cameras and we don't; I opened the paper last night to find out that sure enough the bill in the Legislature is moving along, and it was passed out of the House yesterday, and they will now, unless those cities that are "grandfathered" because they have cameras, consume like forty percent of the income; the State is going to take income for the State and income for hospitals and income for all this stuff. So if there is a "grandfathering" clause we'll miss out because we are not installing them...I don't know, and I've asked and I don't know if anybody has given me an answer what took it so long. Mr. Withers.

Commissioners Withers: I just want to compliment the City Clerk's office on the recent election. The Canvassing Board, one of the members of the Canvassing Board attended the audit of the ballots, I was there, and the audit was done and polled the precincts and hand counted the votes and they added up exactly as what the optical scan stated, congratulations Walter and good work.

Commissioner Cabrera: Did you have as a Canvassing Board member; did you have a lot of questionable?

Commissioner Withers: We had forty-seven that we looked at, and I think we probably approved twenty-five percent of them.

Vice Mayor Kerdyk: Probably, probably.

Commissioner Withers: You know we looked at the date, if it was an older person and their signature had changed, you know, ones that had a signature on file and just had, and this is a good comment because they notify everybody when their ballot was rejected; they had found that the name was signed and they just put an initial there, but it was not many, not many at all Ralph, the number. That's all I have sir.

Mayor Slesnick: Mr. Salerno.

Mr. Salerno: Mayor and Commissioners I have just a couple of items, one is a point of information, the settlement that the City Attorney briefly talked about a moment ago, those local dollars that are not coming from insurance will be coming from reserves, and I just wanted to make you aware where those dollars were coming.

Commissioner Cabrera: Its approximate one hundred and fifty-five thousand dollars?

Mr. Salerno: Yes. I have some brief remarks about the City's finances that I'd like to share with you. In the last quarter of 2008 American households lost a record nine percent of their wealth; you don't have to be a futurist to foresee that everyone needs to adjust to this new reality and do things differently than what they have done in the past. Our friends, family are stretching their budgets to get the most for their dollars and so are we. Over the past year or so the City of Coral Gables has been able to adjust to a gradual decrease in revenue without any significant loss of positions or reduction of services; however, our latest financial information has revealed that the City is facing significant decreases in revenues. In basic terms, there is less money coming in than what is needed to cover the City's operating costs. Coral Gables is not alone, local governments all over Florida and throughout the nation are facing similar conditions. Unfortunately, there are no quick or easy fixes; as first and important steps, the citywide freeze on hiring, capital and discretionary spending has already been implemented, and other measures and strategies will be taken. Since I joined the staff some three weeks ago, I had been impressed by the level of commitment and enthusiasm that our employees had demonstrated. By working together with all stakeholders we will meet this financial challenge and become an even greater and more beautiful community. Lastly, I'd just like to take a personal moment regarding Cathy. Although I have only worked with Cathy for three short weeks and I have learned to value her advice and counsel. Cathy, I wish you the best and we will miss your service and dedication to this great City. That's all I have Mayor.

Mayor Slesnick: Going back to monies coming into our City; we hadn't made a big deal about it, but before stimulus started we did get, and I'd like to thank those who worked on it, and Al Cardenas firm in particular, six hundred and something thousand dollars in the last federal budget that was before the stimulus package, and Alberto, is he still there?- that six hundred thousand dollars, I believe, was dedicated to water projects, I mean sewers.

Mr. Delgado: Five hundred thousand would be for sanitary sewers which would be toward our Sanitary Sewer Force Main Phase 4, because right now we are doing Phase 3, so that will end our force main replacement; and one hundred and forty-two thousand for pedestrian bridge, which we are going to be looking into the Granada Bridge or the Hardee Bridge, one of the two for a pedestrian bridge.

Mayor Slesnick: Very good. I really want to make the point it's the first time we've gotten direct monies from the federal government. I hate to use the term, but its an earmark, seems to be out of favor these days, but thanks to our Congressional Delegation for sticking with that and making one of the last earmarks, but its certainly needed and the citizens of Coral Gables I think are well deserving for the amount of federal taxes we pay to get some of it back, so we are appreciative. Alberto, there

was another e-mail that came out about two hundred thousand dollars saying that we were eligible for renewable....

Mr. Delgado: Its two hundred and twelve thousand dollars which is for actual energy conservation, and we are looking into this building, City Hall building, remember that was e-mailed, saying that they saw the building looking naked at night, so we are looking to see if we can do some energy conservation in this building and also in our 72nd Avenue Maintenance Facility, because the idea is to conserve, actually to improve the consumption of energy.

Mayor Slesnick: And I take it that was part of the stimulus package that kind of just showed up.

Mr. Delgado: Yes.

Mayor Slesnick: So we are moving forward to grab that money, right?

Mr. Delgado: Yes; and we are moving; we are in line for June and we are moving along with that, yes.

Mayor Slesnick: We are moving forward to grab the money.

Mr. Delgado: We already have the money, we need to....the lines and we are meeting those....

Mayor Slesnick: I would like to publicly note that we are aware as your public officials, the Commissioners, the City Manager, of the health challenges that face the nation, and Mr. Salerno I just ask that you work with staff to make sure that our public is informed as to any measures the City is taking, might consider taking, or helping distribute informational literature so that citizens can be assured of their health as we face the possibility of various flues or pandemics that come our way. I know that we worked before on this; and I just want to make sure the public feels comfortable that we take our share of the responsibility for moving forward into that protective situation of making our community healthy, even though that it mostly falls on the Federal hands, State hands, and County hands, we have always stepped forward to do our part.

Mr. Salerno: We will be advising our residents as to what precautionary measures they can take for them and their family members in that regard.

Mayor Slesnick: One of the nicest things that the Commission and the City administration has been able to do is provide this prescription discount card. Its now available to members of our community, and its through the fact that we are members of the National League of Cities, its CVS and National League of Cities, Caremark

and National League of Cities have bound together to do this; its free, you just pick up a card, you don't even have to fill out an application, you carry the card to your pharmacy, and its not just CVS, even though they are sponsoring it, it includes Walgreens and other major pharmacies, and you can get a twenty percent discount on prescription drugs that are not covered by your insurance. So for those especially senior members of our population that may have prescription drugs that are not covered by insurance, or they may have no insurance, this is an automatic twenty percent discount, and the nice thing is too we will get an accounting from the National League of Cities of how much people have saved by using these cards that are coded for the City of Coral Gables; and one city is West Virginia that reported at the national meeting recently suggested that they had already, in a small town of West Virginia, saved something like cumulatively fifteen thousand dollars in a very short period of time. Their citizens had saved not the city. Just a couple of my congratulatory things for people appearing that are Coral Gables citizens, I'd like to congratulate Susan Amat, who is pictured on the front cover of Business Monday, Susan is a citizen, a University of Miami faculty member, and a member of our Museum Board, and she is on the front cover of Business Monday yesterday, and on the front cover of Neighbors this week we have Camilla Canessa who is a champion writing person, she just won another major event in Wellington, and she is on the front cover and she is a citizens of Coral Gables, congratulations to her; and finally in the Coral Gables Community Newspaper the Coral Gables TV is earning another Telly Award for "Gables Goes Green," is highlighted but the entire staff of that department is pictured and we congratulate them, they are truly an award winning department; and I happen to come home last night, I happen to watch Gables TV for a while, I was very impressed with the programming; one of the things that was asked up here before about different things like watering schedules, it seems to me that we can run those schedules across the bottom on a tape type presentation, and that way any time you are watching any other program you'd still see, you'd be reminded of what your watering dates are; but what wonderful programming we have. I think we might be the envy of any city for our TV station; we have some work to do on our radio station. If anyone ever hears it let me know.

Commissioner Anderson: I've heard garbled; it's a noble attempt.

Mayor Slesnick: It's a radio station for emergency times and we hope it's ready to operate; we hope there are no emergencies. Anything else?- Well I'd like to thank everyone for their participation this morning in our first meeting of the new year for the Commission. Welcome back again Commissioner Anderson and Commissioner Cabrera, and congratulations on your election victories; we will be back here again on May 12th. Thank you.

City Clerk Item No. 62

ADJOURNMENT

[Note for the Record: There being no further business on the Regular City Commission Meeting Agenda. The Commission of the City of Coral Gables adjourned its meeting at 11:42 am on April 28, 2009. The next regular meeting of the City Commission has been scheduled for May 12, 2009, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK