

# **City of Coral Gables**

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



## **Meeting Minutes**

**Tuesday, May 11, 2010**

**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*

**ROLL CALL**

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

**INVOCATION**

Rabbi Edwin Goldberg from Temple Judea gave the Invocation.

**PLEDGE OF ALLEGIANCE**

Vice Mayor Kerdyk 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) Resolution(s) adopted (Resolution No. 2010-81 through Resolution No. 2010-90); (b) Video; (c) Audio Recording; (d) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

**A. PRESENTATIONS AND PROCLAMATIONS**

**A.-1. 10-0348** Presentation of a plaque to the Mayor and Commissioners from the Dade Heritage Trust for the Country Club Prado Entrance Restoration as the 2010 Outstanding Restoration Project.

[Note for the Record: Mayor Slesnick prefaced his remarks by acknowledging the presence of George Hernandez, architect, First Vice President and President Elect of the Dade Heritage Trust, the largest not-for-profit organization in Miami-Dade County; further stating for over 30 years, it has been actively involved in such initiatives as saving Cape, Florida Lighthouse, saving the Freedom Tower, Marine Stadium, etc. ; further adding that the City of Coral Gables has distinguished itself for taking care of its city resources; further noting that on April 28th, 2010, the Dade Heritage Trust gave awards to various projects in Miami-Dade County, including an award for the Best Preservation Project in the county, as more particularly seen in the extraordinary restoration of the Country Club Prado Entrance, as well as maintaining other entrances ; further stating that the city has been very careful in its dedication of stewardship regarding the beautiful features, in furtherance of the planning of our city to be appreciated by all, which he emphasized is something that all of us can pause for a moment and express our gratitude; further thanking the City Commission, Historic Preservation, Mr. Pino, along with the Public Works Departmental staff, etc.

Mayor Slesnick also acknowledged the members of our City Commission whom he credited for working hard with the City management to put together the necessary resources for said initiative].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 1

**B. APPROVAL OF MINUTES**

**B.-1. 10-0352** Regular City Commission Meeting of April 27, 2010

**Attachments:** [Meeting Minutes.pdf](#)  
[Verbatim Transcript - Agenda Item G-1 - Reso authorizing Ad Valorem tax relief 1:](#)  
[Verbatim Transcript - Agenda Item H-1 - Quarterly Report ending March 31, 2010,](#)  
[Verbatim Transcript - Agenda Item I-1 - Resolution filing action against Bijan's - br](#)

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution No Number Assigned. The motion passed by the following vote:

**Yea**s : 4 - Commissioner Anderson, Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

**Absent** : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 2

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

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

**RESOLUTION NO. 2010-81****C.-1. 10-0338**

Resolution authorizing and accepting the modification of a recorded Declaration of Restrictive Covenant for Lots 19-26, inclusive, Block 7, Coral Gables Coconut Grove Section Part One, according to the Plat thereof as recorded in Plat Book 14, Page 25 of the Public Records of Miami-Dade County, Florida, located at 3280 Ponce de Leon Blvd., Coral Gables, Florida.

**Attachments:**

[RESOLUTION 3280 PONCE](#)  
[Letter of Request 3280 Ponce](#)  
[Declaration of Rest. Cov. 7-26-1966](#)  
[Declaration of Rest. Cov. 7-12-1984](#)  
[Survey - 3280 Ponce](#)  
[C-1 Signed Cover Memo](#)

RESOLUTION AUTHORIZING AND ACCEPTING THE MODIFICATION OF A RECORDED DECLARATION OF RESTRICTIVE COVENANT FOR LOTS 19-26, INCLUSIVE, BLOCK 7, CORAL GABLES COCONUT GROVE SECTION PART ONE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 25, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

**This Matter was adopted by Resolution Number 2010-81 on the Consent Agenda.**

City Clerk Item No. 3

**RESOLUTION NO. 2010-82****C.-2. 10-0340**

Resolution authorizing the City to assess and collect fees for public, educational and government access channels from all applicable cable and video service providers as authorized by Florida Statute §610.109(11); and providing for an effective date.

**Attachments:** [Agenda Item - Resolution authorizing city staff to assess and collect fees for PEG](#)  
[Coral Gables Resolution PEG Fees](#)  
[C-2 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE CITY TO ASSESS AND COLLECT FEES FOR PUBLIC, EDUCATIONAL AND GOVERNMENT ACCESS CHANNELS FROM ALL APPLICABLE CABLE AND VIDEO SERVICE PROVIDERS AS AUTHORIZED BY FLORIDA STATUTE §610.109(11); AND PROVIDING FOR AN EFFECTIVE DATE.

**This Matter was adopted by Resolution Number 2010-82 on the Consent Agenda.**

City Clerk Item No. 4

**RESOLUTION NO. 2010-83****C.-3. 10-0341**

Resolution authorizing the extension of an existing contract with Micro Security Solutions for a period through September 30, 2010 for security equipment and installation and maintenance of CCTV systems, access control systems, fire alarm systems and all associated software, hardware and accessories.

**Attachments:** [C-3 Signed Cover Memo](#)  
[Micro Security Resolution](#)

RESOLUTION AUTHORIZING THE EXTENSION OF AN EXISTING CONTRACT WITH MICRO SECURITY SOLUTIONS FOR A PERIOD THROUGH SEPTEMBER 30, 2010 FOR SECURITY EQUIPMENT INSTALLATION AND MAINTENANCE OF CCTV SYSTEMS, ACCESS CONTROL SYSTEMS, FIRE ALARM SYSTEMS AND ALL ASSOCIATED SOFTWARE, HARDWARE AND ACCESSORIES.

**This Matter was adopted by Resolution Number 2010-83 on the Consent Agenda.**

City Clerk Item No. 5

**RESOLUTION NO. 2010-84**

C.-4. 10-0353 Resolution amending the 2009-2010 Annual Budget and authorizing an appropriation of funds for the City of Coral Gables Art in Public Places Public Art Master Plan.

**Attachments:** [Agenda Item - Resolution Amending Buget for Art Master Plan Grant](#)  
[Resolution amending 09-10 budget for Culture Builds Florida grant](#)  
[C-4 Signed Cover Memo](#)

RESOLUTION AMENDING THE FISCAL YEAR 2009-2010 ANNUAL BUDGET AND AUTHORIZING AN APPROPRIATION OF FUNDS FOR THE CITY OF CORAL GABLES ART IN PUBLIC PLACES PUBLIC ART MASTER PLAN.

**This Matter was adopted by Resolution Number 2010-84 on the Consent Agenda.**

City Clerk Item No. 6

**RESOLUTION NO. 2010-85**

C.-5. 10-0343 Resolution authorizing an extension to a contract with Vista Building Maintenance through September 30, 2010, under the same terms and conditions as the original contract executed January 1, 2005, and as revised by Resolution No. 2006-161.

**Attachments:** [C-5 Signed Cover Memo](#)  
[Vista Maintenance Resolution](#)

RESOLUTION AUTHORIZING AN EXTENSION TO A CONTRACT WITH VISTA BUILDING MAINTENANCE THROUGH SEPTEMBER 30, 2010, UNDER THE SAME TERMS AND CONDITIONS AS THE ORIGINAL CONTRACT EXECUTED JANUARY 1, 2005, AND AS REVISED BY RESOLUTION NO. 2006-161.

**This Matter was adopted by Resolution Number 2010-85 on the Consent Agenda.**

City Clerk Item No. 7

**RESOLUTION NO. 2010-86**

C.-7. 10-0350

Resolution authorizing the execution of an Assumption of Liability and Guaranty Agreement by and among the City of Coral Gables ("City"), the Biltmore Hotel Golf Management, LLC ("Manager") and the Biltmore Hotel Limited Partnership ("Biltmore"); authorizing a "piggyback" lease agreement for golf carts under Section 2-978 of the Procurement Code attached as Exhibit "A" to the Assumption of Liability and Guarantee Agreement; further appropriating funds from the Biltmore Fund to pay the cost of golf carts under the lease agreement.

**Attachments:**

[ResolutionGolfCartBiltmore5\\_11\\_10](#)  
[AssumptionLiabilityBiltmoreGolfCart5\\_11\\_10](#)  
[LeaseAgreementsBiltmoreGranadaGolfCarts5\\_11\\_10](#)  
[Cover Memo](#)  
[Draft Reso](#)  
[Assumption of Liability](#)  
[Documentation Instructions](#)  
[C-7 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE EXECUTION OF AN ASSUMPTION OF LIABILITY AND GUARANTY AGREEMENT BY AND AMONG THE CITY OF CORAL GABLES ("CITY"), THE BILTMORE HOTEL GOLF MANAGEMENT, LLC ("MANAGER") AND THE BILTMORE HOTEL LIMITED PARTNERSHIP ("BILTMORE"); AUTHORIZING A "PIGGYBACK" LEASE AGREEMENT FOR GOLF CARTS UNDER SECTION 2-978 OF THE PROCUREMENT CODE ATTACHED AS EXHIBIT "A" TO THE ASSUMPTION OF LIABILITY AND GUARANTEE AGREEMENT; FURTHER APPROPRIATING FUNDS FROM THE BILTMORE FUND TO PAY THE COST OF GOLF CARTS UNDER THE LEASE AGREEMENT.

**This Matter was adopted by Resolution Number 2010-86 on the Consent Agenda.**

City Clerk Item No. 8

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

C.-8. 10-0332

Property Advisory Board Meeting of March 17, 2010

**Attachments:**

[PAB 3 17 10.pdf](#)  
[PAB Commission Cover no action 5-11-10.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 9

C.-9. 10-0336 Communications Committee Meeting of April 15, 2010

**Attachments:** [Microsoft Word - communicationsminutesagendamay010.pdf](#)  
[Microsoft Word - minutes april 2010.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 10

C.-10. 10-0337 Code Enforcement Board Meeting of April 21, 2010

**Attachments:** [memo cover april 2010](#)  
[NOTICE APRIL 2010](#)  
[APRIL 2010](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 11

C.-11. 10-0339 Board of Adjustment Meeting of April 5, 2010

**Attachments:** [BOADJ Summary 04-05-10](#)  
[BOARD OF ADJUSTMENT RECAP 4-05-10](#)  
[Cover Memo - 5-11-10 - BOADJ](#)  
[Notice 04-05-10](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 12

C.-12. 10-0344 International Affairs Coordinating Council Meeting of March 16, 2010

**Attachments:** [Microsoft Word - IACC Minutes 03-16-10](#)  
[Microsoft Word - Agenda Cover Memo 3-16-10](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 13

C.-13. 10-0345      Parking Advisory Board Meeting of March 25, 2010

**Attachments:** [pab minutes 03-25-10](#)  
[cover pab 03-25-10](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 14

C.-14. 10-0347      Insurance Advisory Committee Meeting of April 22, 2010

**Attachments:** [CoverMemo\\_IACMtg\\_042210](#)  
[IAC\\_Minutes\\_DRAFT\\_042210](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 15

**Pulled from Consent Agenda****RESOLUTION NO. 2010-87**

**C.-6. 10-0346** Resolution accepting the recommendation of the Chief Procurement Officer to award a contract for Gymnastic Professional Service to Gym Kidz, Inc. pursuant to Section 2-828 of the Procurement Code and Request for Proposal (RFP) 2010.02.19 for an initial three (3) year term with an option to renew for two (2) additional one (1) year periods. (Deferred from the May 11, 2010 City Commission Meeting)

**Attachments:** [Gymnastics Professional Services - Draft Reso - \(2\)](#)  
[gymkidz proposal](#)  
[Tabulation Sheet](#)  
[Score - Evaluation Committee](#)  
[Gymnastics Professional Services - Draft Agenda 2](#)  
[C-6 Signed Cover Memo](#)

RESOLUTION DEFERRING CONSIDERATION OF AGENDA ITEM C-6 (SUBJECT MATTER: ACCEPT THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD A CONTRACT FOR GYMNASTIC PROFESSIONAL SERVICE TO GYM KIDZ, INC. PURSUANT TO SECTION 2-828 OF THE PROCUREMENT CODE AND REQUEST FOR PROPOSAL (RFP) 2010.02.19 FOR AN INITIAL THREE (3) YEAR TERM WITH AN OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS), UNTIL THE NEXT CITY COMMISSION MEETING PRESENTLY SCHEDULED FOR MAY 25, 2010.

[Note for the Record: The verbatim transcript for Agenda Item C-6 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-87. 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. 16

**D. PERSONAL APPEARANCES****RESOLUTION NO. 2010-88**

D.-1. 10-0329 Betsy Adams, past President and Co-Chair of Special Projects of the Coral Gables Garden Club, to discuss plans for the statue of Althea Corilla Fink Merrick to be placed at the Coral Gables Merrick House grounds, 907 Coral Way, Coral Gables, Florida.

**Attachments:** [Betsy Adams Letter](#)  
[Sketch of Statue](#)  
[Historic Preservation Board Excerpts](#)  
[Merrick House Excerpts](#)  
[Cultural Development Board Excerpts](#)  
[D-1 Signed Cover Memo](#)

RESOLUTION GRANTING REQUEST MADE BY THE CORAL GABLES GARDEN CLUB, FOR APPROVAL OF ITS PLAN AND PROCESS TO COMPLETE THE FINAL SEGMENTS OF THEIR EXISTING PARTNERSHIP AGREEMENT WITH THE CITY OF CORAL GABLES, MORE PARTICULARLY DEMONSTRATED VIA ITS EFFORTS IN FURTHERANCE OF PLANNING, DESIGNING, FUNDING, CONSTRUCTING AND DEDICATING A LIFE SIZE BRONZE MONUMENT OF MRS. ALTHEA MERRICK, GEORGE MERRICK'S MOTHER; SAID MONUMENT TO BE LOCATED IN THE GARDEN OF THE HISTORICAL MERRICK HOUSE.

[Note for the Record: The verbatim transcript for Agenda Item D-1 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 Cabrera, Jr., that this motion be adopted by Resolution Number 2010-88. The motion passed unanimously.**

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

City Clerk Item No. 17

**E. PUBLIC HEARINGS****ORDINANCES ON SECOND READING****ORDINANCE NO. 2010-07**

E.-1. **10-0309** An Ordinance of the City Commission of the City of Coral Gables approving purchase of property at 4650 Alhambra Circle, Coral Gables, Florida, pursuant to Ordinance No. 2009-53, the legal description and folio numbers of which are set forth as follows: Coral Gables Country Club Section 5 PB 23-55, Lots 11 to 14 inclusive, Block 77, Folio 03-4119-001-0920, in exchange for a monetary payment of \$1,000,000.00 provided by the Miami-Dade County General Obligation Bond Project 88-70653 for purchases of property for use as park land and the Miami-Dade County Safe Neighborhood Parks Bond Program. Providing a repealer provision, a savings clause, and severability clause, and providing for an effective date. (Passed on First Reading April 27, 2010)

**Attachments:**

[Draft Ordinance](#)  
[Appraisal by R E Analysts - Residential LLC](#)  
[Appraisal by Appraisal Link Corp](#)  
[Appraisal by Tech Appraisers Miami](#)  
[Letter of Intent](#)  
[Map](#)  
[Excerpts of minutes from Budget Advisory Board of March 31, 2010](#)  
[Excerpts of minutes from Economic Development Board of April 7, 2010](#)  
[Excerpts of minutes from Parks and Recreation Advisory Board of April 16, 2010](#)  
[Finance Director Memo dated April 15, 2010](#)  
[Economic Sustainability Memo dated April 15, 2010](#)  
[Excerpts from the Property Advisory Board of April 21, 2010](#)  
[Parking Director Memo dated April 19 2010](#)  
[Public Works Director Memo dated April 21 2010](#)  
[Planning Director Memo dated April 7 2010](#)  
[Historic Preservation Officer Memo dated April 12, 2010](#)  
[E-1 Signed Cover Memo](#)  
[4650 Alhambra Purchase Agreement](#)  
[E-1 Signed Cover Memo](#)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES APPROVING PURCHASE OF PROPERTY AT 4650 ALHAMBRA CIRCLE, CORAL GABLES, FLORIDA, PURSUANT TO ORDINANCE NO. 2009-53, THE LEGAL DESCRIPTION AND FOLIO NUMBERS OF WHICH ARE SET FORTH AS FOLLOWS: CORAL GABLES COUNTRY CLUB SECTION 5 PB 23-55, LOTS 11 TO 14 INCLUSIVE, BLOCK 77, FOLIO 03-4119-001-0920, IN EXCHANGE FOR A MONETARY PAYMENT OF \$1,000,000.00 PROVIDED BY THE MIAMI-DADE COUNTY GENERAL OBLIGATION BOND PROJECT 88-70653 FOR PURCHASES OF PROPERTY FOR USE AS PARK LAND AND THE MIAMI-DADE COUNTY SAFE NEIGHBORHOOD PARKS BOND PROGRAM. PROVIDING A REPEALER PROVISION, A SAVINGS CLAUSE, AND SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the title to Agenda Item E-1 into the

public record, Commissioner Cabrera prefaced his remarks by initially inquiring as to whether there were any plans in the not so distant future regarding the naming of the property (located at 4650 Alhambra Circle) to be used for park space? - Whereby Mayor Slesnick informed his colleagues that he has not heard of any plans. Vice Mayor Kerdyk informed his fellow City Commissioners that the owner of the property wanted to dedicate the property to, in memory of a certain individual (unnamed). Commissioner Anderson further mentioned that there is a process to be followed in connection with the renaming of properties in Coral Gables.

Mayor Slesnick stated that he finds any attempt by the seller of the property to retain naming rights over same as objectionable; further pointing out that the city is paying full market value for same; further adding that he and City Manager Salerno have worked very diligently on this matter, and that he is convinced that the city does not owe anything else other than what it is currently paying to the owner of said property.

City Manager Salerno informed the City Commission that nowhere in the contractual agreement does it provide for the seller any naming rights; further mentioning that the seller had initially requested to retain naming rights, however, said request was rejected during the course of the negotiations regarding said matter; further reiterating that there were no naming rights granted.

Commissioner Cabrera further informed his colleagues that he was in receipt of an email from Mrs. Jean Fields, who had forwarded said correspondence to himself and Mayor Slesnick supporting the purchase of the land and in support of the aforementioned project (also commenting on the matter of the cars that were being parked at said location); further informing City Commissioner Cabrera that in her view, that said initiative was very appropriate for her neighborhood. Commissioner Cabrera stated that he later called Mrs. Fields thanking her for her communication, wherein she alluded to in her conversation that part of the sale of the land also included the naming of the site to be used as park land. Commissioner Cabrera reiterated that both Commissioner Anderson and Mayor Slesnick's observations that there is a process to be followed, including certain established guidelines regarding the naming of park lands (i.e. naming convention can be based on historic significance; people who have contributed to our community; and also naming of parks are oftentimes made after the location in which they reside); further stating that he had been caught off guard, and had no clue what Mrs. Field's was talking about regarding the seller's intent. Commissioner Cabrera also stated, that he had discussed with staff the contract to purchase said park lands, and that the laws did not give the seller any naming rights.

Commissioner Anderson added that she had run into the previous owner of the property, many years back, in a social setting, who had echoed property owner Faustino Garcia's intent regarding the naming of said property; further suggesting to

property owner Faustino Garcia that he would encourage him to go through the process, if he wanted to rename said property after someone. Vice Mayor Kerdyk clarified that he had a similar conversation with property owner Garcia regarding the naming of said property; further stating that the desire to rename said property was not being done for himself, or his family, but instead, it was to rename the park after Enrique "Henry" Cepero who had passed away from cancer; further noting that his intentions were good; further reiterating to his colleagues that following his conversation with him, that he had sent a message to Mr. Garcia that there is a process in place for the naming of public property, and that he suggested that said process be followed; further urging him to follow said process.

Commissioner Anderson stated that the desire to rename the property is a good gesture, and that if he goes through the process and it's approved, then it is good].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2010-07. The motion passed by the following vote:**

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

City Clerk Item No. 18

**F. CITY COMMISSION ITEMS**

F.-1. **10-0130** Resolution appointing \_\_\_\_\_ (Nominated by Commission-As-A-Whole) to serve the unexpired balance of a two (2) year term, as a member of the Firefighters Pension Trust Fund, said term which began on June 1, 2009 through May 31, 2011. (Deferred from the January 26 and May 11, 2010 City Commission Meetings.)

**Attachments:** [Firefighters Retirement Pension Trust Fund](#)  
[R-2010 - Draft re Firefighters Retirement Board](#)  
[C-2 Signed Cover Memo](#)  
[R-2010 - Draft re Firefighters Pension Trust Fund](#)  
[Firefighters Retirement Pension Trust Fund](#)  
[F-1 Signed Cover Memo](#)  
[Firefighters Retirement Pension Trust Fund](#)  
[R-2010 - Draft -Firefighters Pension Trust Fund](#)

[Note for the Record: Mayor Slesnick prefaced his remarks by stating that there is an opening on the Chapter 175 Firefighters Pension Trust Board; further stating that he had been given by the City Clerk, which had been received from the Chairperson of the Firefighters Pension Trust, namely Captain Tom Zelenak, of an interested resident willing to serve on the board, namely Larry Thomas, McMillan, Esquire; further informing the City Commission of another individual currently serving on the board (Charles Sacher), both as Commission appointed trustees, the latter individual who will have served four consecutive terms effective on said board; further requesting of the City Clerk to confirm as to whether the final term of Mr. Sacher will cause him to reach his limit of serving on said board?- whereby City Clerk Foeman inform the City Commission that although he had inform the City Manager of the term of Service of Mr. Sacher, that Mr. Zelenak reminded him of an Advisory Opinion which stipulated that said members are allowed to succeed themselves, and be reappointed.

Mayor Slesnick requested of the City Attorney to review said matter, and deferred consideration of Agenda Item F-1].

**This Resolution was Deferred**

City Clerk Item No. 19

F.-2. 10-0354 Discussion regarding the City of Coral Gables' supporting the resurface project of Sunset Drive from Cocoplum Circle to Red Road to include bicycle lanes. (Deferred from the May 11, 2010 City Commission Meeting)  
Commissioner Rafael "Ralph" Cabrera, Jr.

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

**This Agenda Item was Withdrawn**

City Clerk Item No. 20

**G. BOARDS/COMMITTEES ITEMS**

**None**

City Clerk Item No. 21

**H. CITY MANAGER ITEMS**

**RESOLUTION NO. 2010-89 (As Amended)**

H.-1. 10-0296 Resolution 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 1, 2010; Tuesday, July 13, 2010; and Tuesday, August 24, 2010; and further confirming that the Budget Workshop will be held on Wednesday, July 14, 2010.

**Attachments:** [Summer Meeting Dates Resolution](#)  
[H-1 Signed Cover Memo](#)

RESOLUTION IN ACCORDANCE WITH SECTION 2-26 OF THE CITY OF CORAL GABLES CODE, ENTITLED "REGULAR MEETINGS," SPECIAL MEETINGS" SETTING FORTH MEETING DATES FOR THE SUMMER MONTHS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: TUESDAY, JUNE 1, 2010; TUESDAY, JULY 13, 2010; AND TUESDAY, AUGUST 24, 2010; AND FURTHER CONFIRMING THAT THE BUDGET WORKSHOP WILL BE HELD ON TUESDAY, JULY 13, 2010.

[Note for the Record: City Manager Salerno prefaced his comments by stating that since the agenda was published, that he had discussed with the Mayor our city's upcoming summer schedule of meetings; whereby Mayor Slesnick stated that he had informed the Manager that he would be out of town on the proposed date of Wednesday, July 14th, 2010, for the Budget Workshop; further inquiring from his colleagues as to whether they would be amenable to having the Budget Workshop on the day before the City Commission Meeting date.

Commissioner Cabrera pointed out to his colleagues that the City Commission in the past has held special meetings and workshops the day before a City Commission

Meeting, and he has attempted to avoid having two public meeting days, back to back. Commissioner Anderson proffered that maybe if the meeting has a light agenda during the meeting of July 13th, 2010, then maybe the City Commission could consider having both meetings on July 13th, 2010.

Mayor Slesnick also requested of Vice Mayor Kerdyk to inform him as to his availability inasmuch as he will be out of town during a portion of the summer schedule, whereby Vice Mayor Kerdyk informed the City Commission that he is expected to be back from Japan by June 22, 2010.

Following the discussion on the aforementioned summer meeting schedule, and on a motion being made by Commissioner Anderson and seconded by Commissioner Withers, that the summer schedule (As Amended) was set as follows:

Tuesday, June 1st, 2010: City Commission Meeting (Regular)  
Tuesday, July 13, 2010: City Commission Meeting (Regular)  
Tuesday, July 13, 2010: Budget Workshop (Following City Commission Meeting)  
Tuesday, August 24, 2010: City Commission Meeting (Regular)

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2010-89. 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. 22

## I. CITY ATTORNEY ITEMS

### **RESOLUTION NO. 2010-90**

I.-1. **10-0304** Resolution directing the City Attorney to proceed with a request for an Attorney General Opinion regarding the adoption of an ordinance permitting a quorum to consist of members of a board participating electronically rather than requiring a personal appearance. (Deferred from the April 13, 2010 City Commission Meeting.)

**Attachments:** [Attorney General Opinion Resolution](#)  
[Attorney General Opinion Memorandum](#)  
[Attorney General Opinion Agenda Item Backups](#)  
[I-3 Signed Cover Memo](#)  
[I-1 Signed Cover Memo](#)

**RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH A REQUEST FOR AN ATTORNEY GENERAL OPINION REGARDING THE ADOPTION OF AN ORDINANCE PERMITTING A QUORUM TO CONSIST OF MEMBERS OF A BOARD PARTICIPATING ELECTRONICALLY RATHER THAN REQUIRING A PERSONAL APPEARANCE.**

[Note for the Record: City Attorney Elizabeth Hernandez inform the City Commission

that the attorney for the Retirement Board, namely Alan Greenfield was in attendance in support of a request that would direct the City Attorney to obtain guidance from the Attorney General's Office, as to whether a quorum can exist via electronic participation during a Board meeting; further clarifying to the City Commission that if the Attorney General's Office indicates that said request represents a permissible process, then said matter shall come back before the City Commission for consideration, review and approval in the form of a proposed ordinance; further adding that during this time period, the City Commission may debate the 'pros and cons' of same, as to whether this is a policy decision that the City Commission would take.

Mayor Slesnick requested of Retirement Board Attorney Greenfield, if he wanted to add any comments regarding this matter, whereby Mr. Greenfield stated that there was a unanimous motion that was passed by the Retirement Board, requesting of the Coral Gables City Commission to obtain guidance from the Attorney General's Office; further explaining that the Retirement Board had previously made a request to the Attorney General's Office in connection with whether the Retirement Board could adopt a rule to put the matter of electronic participation into effect- and whether the City Commission could promulgate an ordinance which would provide for a Board member to participate during a Board meeting via electronic participation?

Mr. Greenberg stated that the Attorney General's Office informed him that as to the first question, that the Retirement Board could not make a rule involving electronic participation during a Board meeting. Secondly, if the Board was desirous of such an advisory opinion, then the City of Coral Gables would have to ask for it, not the Retirement Board.

Mayor Slesnick mentioned that his Board appointee, namely Mr. Steven Naclerio had informed him that quite often during the course of a Retirement Board meeting the police officer and firefighter representarives are called away; further stating that such a favorable ruling would afford the opportunity to continue the business of the city.

Mayor Slesnick inquired as to whether in seeking the aforementioned Advisory Opinion from the Attorney General's Office, if she would include the various types of media under the umbrella for participation during public meetings (i.e. telephones, e-mails, etc.).

Commissioner Withers inquired as to whether call-ins, telephones would be included?- further inquiring as to the precedent said policy would set regarding attendance requirements, etc.?- whereby City Attorney Hernandez stated that said initiatives must be reconciled with all of the technical variations, requirements under the Sunshine Law; further adding that there are issues of due process, and having the opportunity to be present and be heard that must also be reviewed].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-90. The motion passed by the following vote:

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

City Clerk Item No. 23

#### **J. CITY CLERK ITEMS**

**None**

City Clerk Item No. 24

#### **K. DISCUSSION ITEMS**

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: Yes, just one item. I had a resident of Castile Plaza, she had expressed a concern here, this is a clump of coconut palms, and one of them on the city right-of-way is going over on her property, and it's very tall, and like I said, leaning precariously into their yard, and also the coconuts drop and they have children in that area, and she actually had the experience of just missing the coconut palm falling on her head, so that would not have been a good thing. So, I just need for staff to look at that particular tree, and the trees around it. I don't know what we can do, but it's certainly a safety concern for her, for anybody; those things are heavy, and the palms are very tall, so. I will forward the address unto the City Manager, and if he could get back with me and let me know I'll do that today.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: One of the ladies that was here this morning with Mrs. Adams apparently took part in the last two Arbor Day celebrations here in the City of Coral Gables, and she made an interesting commentary prior to the meeting to me, and that was apparently the last two Arbor Day celebrations have taken place in the month of May, and Arbor Day is celebrated in the month of April. This particular Arbor Day celebration was a very hot one, I don't know who went to this one, the Manager's office represented us, but she said would it be possible to have the Arbor Day celebration done in April, and it would be cooler for a lot of the ladies that attended. So I'd sure like to have staff look at that and potentially for years to come have it in April.

Commissioner Withers: I think last year there was a tornado when we went to Arbor Day, wasn't it?

Mayor Slesnick: Two years ago, two years ago.

Commissioner Cabrera: You know I've never been because it's always at 10:00 a.m.; you guys had an awful rain storm.

Mayor Slesnick: I'm a little surprised because I always assumed, just assumed that we were celebrating on Arbor Day, I don't know why that it, but I'm not an expert on Arbor Day, but I assumed we were doing that.

Commissioner Cabrera: And you know what?- neither am I, but this lady really seemed to know her stuff, and made sure that Arbor Day was an April event and not a May event, so.

Mayor Slesnick: And I will apologize to the Commission for the fact...

Commissioner Cabrera: Why?

Mayor Slesnick:....well this time is the first Arbor Day in nine years that I didn't represent you all; I wasn't there because I was out of town.

Commissioner Withers: You could have called in (laughter).

City Attorney Hernandez: We could have set up a video screen like at the Academy Awards; we could do like at the Academy Awards and set up a video screen (laughter).

Commissioner Withers: You can have Bill call from Japan (laughter).

Mayor Slesnick: Well one of the things that Commissioner Cabrera raises, and I think it's a good point actually that we need to talk about, and we don't need to have a big discussion, but maybe we can give our ideas to the Manager as we talk to him, and that is, and he and I have talked about this, we had the last celebratory function at about 4:30 p.m. down at Kings Bay; we got more citizens than we normally get at those types of things, and then we try to schedule in the day we could do it. So I'm saying, we have some more things coming up, and if 10:00 a.m. doesn't work for the Commission, if noon works better, or if the end of day works better, I think we should weigh in on that.

Commissioner Cabrera: 10:00 a.m. seems to really break into your business day, and it's also a very warm time of the day, especially in the month of May, in the merry month of May. So April may be a more suitable time to have it, but would certainly participate if it was during the lunch hour or toward the end of the day.

Mayor Slesnick: Well, we'll try the end of day again sometime, and lunch hour again. So, anything else?

Commissioner Cabrera: Yes, something else. I hate to use the - oh, by the way, while we were chatting about the controversial bicycle lane along Miller or Sunset, I'm sorry, Commissioner Gimenez' office one of his senior staff members was watching, and he responded and assured us that, or assured me that he would gladly brief the Commission and provide answers to questions or concerns at our next meeting. So that's very nice of him, and I forwarded that to the Manager's office. My last commentary is a personal one; I wanted to just take the time to wish our daughter a very, very happy tenth birthday, double digits. She said to me, she said to me yesterday, she said Dad, you know, I'm moving away from single digits and there's no going back, and I said, babe you're right. Amanda Rose turns ten. You don't have to sing happy birthday, we did once you know, we sang happy birthday when she was....

Mayor Slesnick: [Note: Mayor sang happy birthday to Amanda Rose].

Commissioner Cabrera: Incidentally, Don Slesnick was performing at the Garden Club recently, he'll be back next month I hear, they'll be a cover charge. It goes to the statue; it goes to the fund of the lighting of the statue.

Mayor Slesnick: I think they use the old line, "it's good when you sing on stage and the stage is on its way out of town."

Commissioner Cabrera: Well, I heard about that, I heard you did a great job.

Mayor Slesnick: Thank you, thank you.

Commissioner Cabrera: A little bit off key, but I heard you did a great job.

Mayor Slesnick: I was praying.

Commissioner Cabrera: Thank you all.

Mayor Slesnick: Bill.

Vice Mayor Kerdyk: Thank you Mayor. Just a few items. With regard to process on our favorite topic up here with the charter schools, can we make sure that whenever we move forward or have something that is going to a Board, that we post it on our website, and we might be doing that, but just to make sure that our process and our outreach is as much as possible for the community, not only for the charter schools, but anything that we are doing with a project that may be coming in front of the City

Commission. Again, I haven't gone on the website, I have no idea if we are already posting it or getting it out in the public, when public meetings are, but just a comment. It would be appreciated if it's not being done already. The second thing is Mr. City Manager, over the next few weeks if you could have some people, or have some staff look at the possibilities of pressure cleaning Miracle Mile and maybe some of the garages behind Miracle Mile; and I see Brad here, and Brad makes me think about the B.I.D. (Business Improvement District) Maybe the B.I.D. could assist in chipping in the city a little bit cleaning up Miracle Mile to a certain degree to get it into a way we'd like to have it.

Mayor Slesnick: But Bill - you bring up a good point. I have been concerned for a long time as to what the B.I.D.'s responsibilities are, the word responsibility may be wrong, but what do we expect from the B.I.D. other than them promoting business?- I mean, that's what it seems to me.

Commissioner Cabrera: That's the main....

Commissioner Withers: The original, original, original, it was to augment security and landscaping and cleaning, it was more than just marketing.

City Attorney Hernandez: Chapter 170 provides the detailed provisions that allow a Business Improvement District to exist, and I'm happy to provide a memo, but the primary purpose is the marketing, also they were wanting to speak with one voice as opposed to fifty different residents.

Commissioner Withers: I think when we approved the tax rates and tax hikes, I think we were presented with a breakdown of when some of these funds were going, if I remember; and I remember other than marketing there was additional security, I mean, there was other things other than marketing, I think that's what Don's getting at.

Mayor Slesnick: Absolutely and I don't see any of that happening, and I may be wrong. So, I mean, at some point Mr. Manager, we need to really kind of look at - it's wonderful that the B.I.D. promotes downtown Coral Gables, that's a tremendous thing and a good purpose, but I think that, and it was especially brought to my mind when I read the Manager's latest memo to us about his suggestion about having an ambassador and working with people downtown and making them feel welcome, which I support, but I'm thinking what does the B.I.D. do to do that?- what does the B.I.D. do about security?- what does the B.I.D. do about people who are on the Mile that are disruptive of other people who are trying to shop and eat, and so forth?- I just think that we need to get into that discussion as to the B.I.D. living up to its full potential. This is not by the way, Brad, not by the way any kind of accusation, I just don't know if we all have a clear understanding of what they should be doing.

Commissioner Cabrera: Why don't we start with the original agreement?

City Attorney Hernandez: Right and we'll work with the Manager's office and the B.I.D. to provide you a chronology, but if you remember initially it was so successful that they then changed the formula to be able to charge less to be a part of the B.I.D. because - so there may be a disconnect on what they believe they are there for, and what we believe they are there for, because at some point they even gave a refund, because we are doing marketing, we are doing this informational, and we are giving back this money to all the members because this is what we are doing, so perhaps we need to revisit that and be able to establish the parameters that may be were originally envisioned by the Commission that may have somehow along the way evolved and changed.

Vice Mayor Kerdyk: I'm not so sure this is where I wanted to go on it, but I'm glad we are having this discussion because I think it's very germane for us to know what's going on there, and it's the B.I.D. has by any means kept it to themselves or anything like that, the fact is we just need to revisit that situation. I'd like to see what their budget is, and how much money they are bringing in as opposed to past years, and yes, I think we are all in this as a team, unless I'm missing something; and if the city, we are having some financial issues, then the B.I.D. needs to come and help us with some of these other issues that we are going to spend money on to enhance your location, to enhance Miracle Mile, to enhance Aragon, to enhance....I mean, that's what we are here for, right? So you need to chip in and work with the City Manager's office to better that location in my opinion.

Commissioner Cabrera: Can I just say something? That was good, I was watching you, I was watching you; no, I was enjoying watching you, I'm starting to watch you all on TV now, that way I don't have to watch you later. You know, my only commentary with regards to what's being discussed is, I was a founding member of the Business Improvement District, and I can tell you back in those days, it was a highly, highly contentious issue, and in order to make this thing happen and much of the credit, if not all of the credit needs to go to Gene Becker, and also to the Coral Gables Chamber of Commerce with Ron Robison as President, because they worked very hard to make this a reality, but the point that I'm trying to make is, a lot of the things that were planned for the B.I.D. to do we had to curtail because there was a lot of push back, and much of the push back had to do with funding, and the actual - when I say funding I'm talking about the monies that were going to be paid by the members of the B.I.D. So in all fairness to them I do recall a lot of the things that we wanted to do we weren't able to do because of that lack of funding, so. But it would be interesting from a historical institutional aspect to go back and see what the original agreement looked like. You know, I still have my original file on the B.I.D. It's actually a three ring binder, and I'm going to go back to it and kind of refresh my memory because I know that they all worked very, very hard to make this a reality. Judy Weisel, Bruce

Hornick, I mean there were so many participants; we even had the people from Starwood Urban who got involved in this. So a lot of good work was done back in those days.

Commissioner Anderson: And actually still today because I know that they as the ex-officio Board member from the Commission, I know that the B.I.D. has put money toward the consultant for the streetscape, so. I think they are forward thinking from the time, over the years they've tried to tackle on real projects that will help not only the city, but I think the business community, that's one in the same. So you know, I welcome more information, but to their credit they have taken on, they contributed a good portion of that consultant fee.

Vice Mayor Kerdyk: I don't think anybody questions what the B.I.D. has done; I mean, I think they have worked very hard and they really refocused from an advertising perspective, but it is going to be good to reopen this issue, at least see what we can do and what we can't do. On an interesting note, they had the Corporate Run about two weeks ago, and....

Commissioner Cabrera: Here in Coral Gables?

Vice Mayor Kerdyk: No, they actually had it in downtown Miami...

Commissioner Cabrera: OK, no I was wondering....

Vice Mayor Kerdyk: I think it was like 20,000 people that were in that Corporate Run, and the City of Coral Gables had a team that they put in themselves, I don't think that the city actually sponsored the team, but there were several individuals from the City of Coral Gables that actually got involved there, and they finished in their division, which had to do with municipalities, they finished second. The winning team was the Miami Beach Ocean Rescue, so pretty fit lifeguards; they are probably the odds on favorite to win...

Commissioner Cabrera: That's what they do all day long up there.

Vice Mayor Kerdyk:...but second and a very strong second was the City of Coral Gables, followed by the City of Sunny Isles, North Miami, North Miami Beach, Miami Gardens, Miami, and couple of other entities after that, but the individuals that were part of our unofficial team, but represented the city to a certain degree was Ernest Pino, Public Works; Dayron Garcia, Building and Zoning; Allen Garcia, Building and Zoning; John Abbott, Building and Zoning, Eduardo Rodriguez, HR, and Troy Easley was the official timekeeper, and they finished their run in an hour and fifty-three minutes, fourteen minutes behind the Miami Beach, and about eleven minutes in front of Sunny Isle Beach. So I thought that was sort of fun. Congratulations to them for

doing that, and representing the City of Coral Gables well. Show that we have some fit individuals working for us. That's it; thank you very much.

Mayor Slesnick: Where is the Commission team?

Vice Mayor Kerdyk: We are doing the skydiving.

Mayor Slesnick: Oh, that's right (laughter). Chip.

Commissioner Withers: Just a quick - we had a meeting with the Dade County Public Schools yesterday, it went real well. Maria from the City Manager's office, and Liz and I participated. I think we've come to an understanding that we were going to use the interlocal agreement, enhance it with a sewer agreement, and actually be able to put some specific numbers down as to students population, but one thing that I'm making the announcement for is, I found out something that floored me, because everyone knows the difficulty of getting into West Lab that they are actually well over a hundred students under-enrolled, and they are looking for students to attend West Lab.

Vice Mayor Kerdyk: Really?

City Attorney Hernandez: Right.

Commissioner Withers: Which is unique to me because I never - it's always been a lottery, it's always been registering your child the minute the birth certificate before the ink is dry, but when they told me that they have somewhere around 320 students stations and they have low 200's, it really surprised me. So all you parents that are looking for educational opportunities West Lab is a great K through 7 opportunity for you.

Vice Mayor Kerdyk: Can I ask you a question about that?

Commissioner Withers: Yes.

Vice Mayor Kerdyk: Was there ever any discussion, because I heard rumors that they were talking about trading the pad that they were on to another pad near the University of Miami, is there any discussion...?

Commissioner Withers: We talked about that Bill; they said there is absolutely one hundred percent....

Vice Mayor Kerdyk:...no truth to it?

Commissioner Withers:...no plans for expansion for the next five years; there are no deals in the offering with UM land swap; there are no deals with reconfiguring the road with a cul-de-sac; there is no physical plan improvement. We even kind of tossed that trial balloon up and said, well let's see if we can get Somerset Academy to come over there and charter that school.

Vice Mayor Kerdyk: How did that go?

Commissioner Withers: They were receptive to that, I mean, there were all kinds of opportunities out there, but that was just general discussion.

Commissioner Cabrera: What's the enrollment over there?

Commissioner Withers: 224-230 - the deal is they allowed to go up, I guess, to our interlocal agreement of fifteen percent increase. So they can actually put 350 student stations in there, right now they have 320 something, and 220 kids are there.

Mayor Slesnick: One of the reasons that they are losing some students that should be explained is that the upper grade has gone almost away, because people are concerned about where they want to go to middle school, private school, have to go in at the first grade offer or they don't get in.

Commissioner Withers: You are absolutely correct. We even got off track and talked about making K through 8, so that there is no middle school component that the kids transition to, would go directly into high school. In all fairness, whether we like it or not, I think this whole Charter School movement throughout the State in the past four-five years has really started to create the Dade County Public School systems, and I'm sure school systems throughout the State, to rethink the way they educate their kids.

Mayor Slesnick: Just to correct - you said K through 8, its K through 6.

Commissioner Withers: Are you sure?

Mayor Slesnick: Yes, its K through 6; and that they are losing the sixth graders because of....you know St. Phillips, by the way Chip, carrying that forward, St. Phillips is cancelling sixth grade next year.

Commissioner Withers: Really?

Mayor Slesnick: The reason is they can't keep kids there because to move to the next level, they either have to enroll in a private school, or wherever they are going to at sixth grade or they don't get in.

Commissioner Withers: You know, you could be right; It's been so long since my kids were there, but since your grandkids are at that age Don, you probably understand a little bit better than I do.

Mayor Slesnick: I've been very interactive with West Lab this year, as I have tried to be with all the schools, but this year particularly because Evelyn Paz who is my assistant, two of her children are at West Lab, and so we've gone over there on a number of occasions to speak to the kids.

Commissioner Withers: And then the only other issue is, maybe this is something that the Historic, maybe Kara can get back to us on, and that is, has there ever been a historic designation to any part of the UBC property? Dona you might know; at some point we had talked about...

Ms. Spain: [Inaudible - off mike]

Commissioner Withers: OK, because I don't want that overlooked as we move forward into the potential of a Charter School there and how that affects the improvements that might be made there.

Commissioner Cabrera: May I piggyback on your comment about...?

Commissioner Withers: Absolutely.

Commissioner Cabrera: I know last Friday reading Sunday's paper, there was a DRC...when does the DRC generate minutes so I can...?

City Attorney Hernandez: They don't.

Commissioner Cabrera: They don't?

City Attorney Hernandez: They don't, but we will get a report to you what they did. It's the comments of the various departments as to concern - before that committee was formed what would happen is, someone who is an applicant would go meet with each department head individually and this way all the department heads meet together and provide their comments or objections or request for modifications and changes, but whatever is generated we'll make sure you get a copy of it.

Commissioner Cabrera: Was it taped by any chance?

City Attorney Hernandez: I wouldn't be able to tell you.

Commissioner Cabrera: Well because reading the paper, and I think the Herald did a nice job of reporting what took place to a degree, but at one point in time the Herald referred to the Board as a Planning and Zoning Board, I don't know if you all saw that.

Commissioner Withers: I saw that.

Commissioner Cabrera: So I just wanted to get as much clarification as I could on that particular meeting that took place last Friday. I happen to just stop by afterwards and I can tell you that it seemed like it was very well attended, and therefore as I said originally I wanted to keep close to this item and have as much information available as possible, and incidentally I appreciate the fact that you got us, I think you responded to a gentleman about the agreement...

City Attorney Hernandez: Yes.

Commissioner Cabrera: ...and I had not seen the agreement between the Charter School and the Miami-Dade County Public School system.

City Attorney Hernandez: We are happy to provide all three notebooks.

Commissioner Cabrera: No, no, but I think what you provided was helpful enough. I didn't even know - it was only a two page document, did you...?

City Attorney Hernandez: No, that was the cover sheet...

Commissioner Cabrera: That was simply the cover sheet.

City Attorney Hernandez: Right. I forwarded to him the actual contract.

Commissioner Cabrera: Well no, I just want that cover sheet, that's good enough for me. Thank you.

Mayor Slesnick: Just a couple of quick comments, and that is, number one, on flags, you'll notice we've added the Dade County flag...

Commissioner Withers: It matches the City Manager's shirt.

Mayor Slesnick: Anyways, I thought that it was appropriate since we are a part of the County and the State that, Mr. Manager thank you and your staff...

Commissioner Cabrera: Is that the correct protocol?

Mayor Slesnick: Well, I don't know, of course I would like to see the Coral Gables flag closer to the center of the stage, so we'll check on the protocol to see. I noticed it's the State, the County, the City, but maybe we can do City, County, State.

Commissioner Cabrera: Speaking of flags, I wanted to thank you for flying the Mexican flag last week on your property; it looked like the Alamo (laughter).

Mayor Slesnick: I put the Coral Gables flag out for our 85th birthday, and I haven't taken it down yet, it's still hanging at my house, and I have people that come by on the sidewalk and stop and say, why are you flying the University of Miami flag?- and I say, well no, this is your city flag. Somebody came by the other night and said, why are you flying the Mexican flag?-

Commissioner Cabrera: I saw the Mariachi Band on Cinco de Mayo in front of your house. I just figured...

Mayor Slesnick: Well that's what they said; they said it was the Cinco de Mayo celebration. Anyway the flag in front of my house at the moment if you see it, is the Coral Gables City flag, which brings to mind, maybe we should have an educational process on our television station about what our flag is, what it looks like, and what it represents; and for those of you who know it's very similar to the City of Miami and the University of Miami, they all came about the same time, I guess, like the color scheme. I was very pleased to open the U.S. Today last Friday to an article about ten great places to give Mom a bouquet, it was preceding Mother's Day, it was about ten great gardens in the United States, and the very first one is Fairchild Tropical Botanical Garden, and of course this is obviously a national publication, and there are only two pictures and one of them is from Fairchild. So it's a great thing and I was very proud of that and pleased. We have a situation where one of the County Commissioners has made the suggestion that the historic tax credit relief be postponed until the economic crisis passes, and the City of Miami Beach took immediate action to object to that and to take opposition to that, and I would like Mr. Manager, for the next meeting for us to get a report on if that is moving forward or not, or maybe we have an update now because I certainly think that our little tax relief program is an encouragement for economic development, not a....

Ms. Spain: That had been scheduled for the County Commission yesterday and it was withdrawn, and it has not been rescheduled.

Mayor Slesnick: OK. Could I ask that we keep an ear to the ground to that, and if we have to take a position next time, I'd like the Commission fully briefed before we take a position; and Chip going back to our discussion last time, I thought about this last night and I was thinking, it was bothering me that I never really enunciated this, because I appreciate it so much of what you said about, and it bothered me too, that

we were giving a historic tax relief to a property that was no longer really historic, it was a copy of a historic, and I just thought in the end in my mind as I wrestled with that, that you know, OK, it was a stretch maybe to call it historic, but on the other hand it was one way that we could encourage development of the Mile in a way we'd like to see it, so that was in the end I really kind of thought - we give bonuses for Mediterranean architecture and that doesn't qualify for that program, but your words have lived with me since the last meeting, Chip, they've haunted me, how's that.

Commissioner Withers: Good.

Mayor Slesnick: Any other business to come before the Commission?- any other comments? If not...

Commissioner Withers: I think the City Manager has something.

Mayor Slesnick: Oh, I'm sorry, City Manager, excuse me.

City Manager Salerno: Thank you Mayor. I'd like to take a brief opportunity just to, since we were talking about the B.I.D. earlier, since coming to Coral Gables, I've found that the B.I.D. has been a wonderful partner, I know you all recognize it, they have been receptive to the items from the Commission, I know Commissioner Cabrera made a suggestion of the closing of Giralda and holding a once a month dinner, they've been partnering with us on efforts to evaluate the streetscape project, and Marty in particular has been a great asset. Many communities and I think it is appropriate always for the City Commission and the city to be aware of what role they are performing. We need to always recognize that this is a voluntary group that decides to assess themselves to provide money to promote our downtown and our city, and therefore to whatever extent they do things, they do it and we are relieved of having to fund those dollars. I just wanted to take that opportunity to thank the B.I.D. Board of Directors, their staff, for partnering with us and being such great supporters of the downtown and the city as we move forward. That's all I have Mayor.

Commissioner Anderson: Could we ask Mari to make one of her quarterly updates soon?

City Manager Salerno: Yes.

Commissioner Anderson: That would be great.

Commissioner Cabrera: You know what?- I am remiss; you made an excellent suggestion about quarterly updates. Mr. Manager, would it be possible to contact the Village of Merrick Park and ask them for an update? We haven't received one in quite some time, and I'm interested in knowing how they are performing, and how things are

going at the Village.

City Manager Salerno: Is that a written report or would you like them here?

Commissioner Cabrera: Well you know what they used to do Mr. Manager?- they used to come to the City Commission, typically the General Manager would come with one of his staff members or sometimes by himself or herself, and they would just give a very brief update as to what was happening from a merchandizing standpoint from just a general operation standpoint, and since we unfortunately have had some very bad things occur, well I don't want to say things, but one particular incident, it might be good to just have them come and from a perspective of giving us an update; and I know they are going through some economic trials and tribulations, and I...

City Manager Salerno: I'd be glad to.

Commissioner Cabrera: Thank you sir.

Mayor Slesnick: Well, I'm just going to...in following up Ralph, we have a new player in the Village and its Janet Badeen, and she represents General Growth out of Chicago, they own the lease, and I'm asking if she would like to come and be part of that update because she's got an overview of what they are trying to do from the headquarters.

Commissioner Cabrera: That would be great, that would be great to have her here.

Mayor Slesnick: OK, with that we are adjourned.

City Clerk Item No. 25

## **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 10:50 am on May 11, 2010. The next regular meeting of the City Commission has been scheduled for May 25, 2010, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK