

City of Coral Gables

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



Agenda

Tuesday, May 27, 2008

9:00 AM

City Hall, Commission Chambers

City Commission

*Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael "Ralph" Cabrera, Jr.
Commissioner Wayne "Chip" Withers*

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

INVOCATION

The Very Reverend Jennie Lou Reid, St. Thomas Episcopal Church

PLEDGE OF ALLEGIANCE

The Honorable Judge Douglas Chumbley

A. PRESENTATIONS AND PROCLAMATIONS

- A.-1. [08-0365](#) Presentation of a Proclamation declaring May 27, 2008 as Paul Dee Day in Coral Gables
- A.-2. [08-0366](#) Presentation of a Proclamation declaring May 28, 2008 as Harold Cole Day in Coral Gables
- A.-3. [08-0383](#) Presentation of a Proclamation declaring May 29, 2008 as Barbara Brophy Day in Coral Gables
- A.-4. [08-0384](#) Presentation of a Proclamation declaring the month of May 2008 as Older Americans Month in Coral Gables
- A.-5. [08-0350](#) Presentation of 20 year service pin to Dan Keys, Public Service Department
- A.-6. [08-0351](#) Presentation of 20 year service pin to David Drescher, Fire Department
- A.-7. [08-0352](#) Presentation of 20 year service pin to Carlos Eguiluz, Fire Department
- A.-8. [08-0354](#) Presentation of 20 year service pin to Tim Mungovan, Fire Department
- A.-9. [08-0356](#) Presentation of 20 year service pin to George Valladares, Fire Department
- A.-10. [08-0357](#) Congratulations to Andrew Clute, Building and Zoning Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of June 2008

B. APPROVAL OF MINUTES

- B.-1. [08-0346](#) Regular City Commission Meeting of May 13, 2008

C. CONSENT AGENDA

All items listed within this section entitled "Consent Agenda" are considered to be self-explanatory and are not expected to require additional review or discussion, unless a member of the City Commission or a citizen so requests, in which case, the item will be removed from the Consent Agenda and considered along with the regular order of business. Hearing no objections to the items listed under the "Consent Agenda", a vote on the adoption of the Consent Agenda will be taken.

- C.-1. [08-0386](#) Resolution authorizing the City Manager to increase the fee limit for the security service contract with Micro Security Solutions from \$150,000.00 to \$250,000.00 per year for the remainder of the contract period.

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

- C.-2. [08-0323](#) Parking Advisory Board Meeting of April 24, 2008
- C.-3. [08-0341](#) Board of Adjustment Meeting of May 5, 2008
- C.-4. [08-0345](#) Senior Citizens Advisory Board Meeting of May 5, 2008
- C.-5. [08-0362](#) Code Enforcement Board Meeting of March 19, 2008
- C.-6. [08-0364](#) Communications Committee Meeting of May 15, 2008
- C.-7. [08-0368](#) Coral Gables Advisory Board on Disability Affairs Meeting of April 9, 2008
- C.-8. [08-0376](#) Budget/Audit Advisory Board meeting of May 8, 2008
- C.-9. [08-0385](#) Traffic Advisory Board Meeting of April 16, 2008

D. PERSONAL APPEARANCES

- D.-1. [08-0374](#) Legislative update by Fausto Gomez, of Gomez Barker, P.A.
- D.-2. [08-0367](#) Carolina Rendeiro, Chair of the International Affairs Coordinating Council and Chair of the Coral Gables Chamber of Commerce Executive Committee, to brief the City Commission on the Coral Gables Delegation's recent trip to Italy.
- D.-3. [08-0372](#) Willy A. Bermello, President of BAP Development, to request permission to exercise first right to negotiate with the City of Coral Gables for the development of the parking garage located at 245 Andalusia Avenue, in accordance with Resolution No. 2004-95.

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in.

E.-1. [08-0349](#)**Board of Architects Appeal**

Marcia Simon Kaplan, applicant, has filed an appeal to the Coral Gables City Commission, from a decision of the Board of Architects at its regular meeting of May 1, 2008, wherein the Board denied Application AB 08.04.0829, in connection with the installation of accordion shutters on the street elevation of the residence located at 3809 Anderson Road, Coral Gables, Florida. This property is legally described as Lots 13 & 14, Block 135, Coral Gables Country Club Section 6, PB 20 / Page 1, Miami-Dade County, Florida.

ORDINANCES ON SECOND READING**E.-2. [08-0305](#)**

An Ordinance of the City Commission of Coral Gables amending previously approved Ordinance No. 3608, which approved a mixed-use project (Gables Rental Apartment Hotel/St. George) on Lots 13-34 and east 7 feet of Lot 35, Block 18, Section "K" [bounded by Navarre Avenue (north), Minorca Avenue (south) and Salzedo Street (east)], Coral Gables, Florida; whereas, the applicant desires to amend two conditions which include the removal of a self-imposed provision restricting the maximum length of stay for hotel occupants and a modification to provide commercial use in place of a restaurant on the ground floor, the approval and all other conditions of approval contained in Ordinance No. 3608 and the Restrictive Covenant shall remain in effect; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (PZB Vote: 5-0) (Passed on First Reading on May 13, 2008)

RESOLUTIONS**E.-3. [08-0118](#)**

A Resolution of the City Commission of Coral Gables reconsidering previously approved Resolution No. 2007-16, which granted approval of a separation of a building site pursuant to Zoning Code Section 12-5, for Lots 17-19 and 40-42, Block 127, Riviera Section Part 10 (5705 Riviera Drive), Coral Gables, Florida; whereas the applicant desires to amend the condition requiring a Restrictive Covenant from the four (4) adjoining property owners; and the approval and all other conditions of approval contained in Resolution No. 2007-16 shall remain in effect; and providing for an effective date. (PZB Vote: 5-0) (Deferred from the March 11 and from the May 13, 2008 Meetings)

Items E-4 and E-5 are related**E.-4. [08-0360](#)**

A Resolution of the City Commission of Coral Gables approving final plat entitled "Ponce Place Villas East" being a re-plat of an approximately 1.5 acre site, being a portion of the previously approved "Old Spanish Village" Planned Area Development (PAD) site plan, legally described as Block 23 less a portion of Lot 11 and Lot 12, all of Block 24 and adjacent public rights-of-ways (ROW), Crafts Section (2901 Ponce de Leon Boulevard), Coral Gables, Florida; as set forth in Application No. 10-07 037-P; and providing for an effective date. (PZB Vote: 7-0)

- E.-5. [08-0361](#) A Resolution of the City Commission of Coral Gables approving final plat entitled "Ponce Place Villas West" being a re-plat of an approximately 3.0 acre site, being a portion of the previously approved "Old Spanish Village" Planned Area Development (PAD) site plan, legally described as all of Block 30, Lot 45, Block 31, Lots 12-13, Block 33 and adjacent public rights-of-ways (ROW), Crafts Section, Tracts A, B and C, Catamal Corner (3001 Ponce de Leon Boulevard), Coral Gables, Florida; as set forth in Application No. 10-07-038-P; and providing for an effective date. (PZB Vote: 7-0)

F. CITY COMMISSION ITEMS

- F.-1. [08-0380](#) Annexation Update
Commissioner Rafael "Ralph" Cabrera, Jr.
- F.-2. [08-0381](#) Update on the Coral Gables Country Club
Commissioner Rafael "Ralph" Cabrera, Jr.

G. BOARDS/COMMITTEES ITEMS

- G.-1. [08-0342](#) Presentation of excerpts from the Parking Advisory Board Meeting of April 24, 2008, requesting the following action from the City Commission:
- To recommend that the City consider restricting the use of mechanical lifts in any development with parking requirements exceeding 50 spaces to not more than 20 percent of the required parking. Mechanical lifts should not be used to satisfy parking required for services or retail customers. Restriction on the use of mechanical lifts should not apply to automated or robotic parking systems.

H. CITY MANAGER ITEMS

- H.-1. [08-0358](#) A Resolution of the City Commission of the City of Coral Gables, declaring the City's intent to participate in the Florida Retirement System for elected officials, effective on or about October 1, 2008; providing that all elected officials hired by the City on or after the effective date of the City's participation in the Florida Retirement System shall become members of the Florida Retirement System; providing that all elected officials who are participating in another City retirement plan on the effective date of the City's participation in the Florida Retirement System shall have the right to elect to continue participating in such plan or transfer to the Florida Retirement System; providing for the City's purchase of past service credit under the Florida Retirement System for eligible employees; authorizing the City Manager to enter into agreements with the Florida Division of Retirement to accomplish the intent of this resolution; providing for withholding social security contributions from employees' pay; providing for payment of required Florida Retirement System contributions by the City; providing for the establishment, maintenance and submission of such records as may be required for participation in the Florida Retirement System; providing that the City's decision to participate in the Florida Retirement System shall be irrevocable; providing for repeal of all ordinances and resolution in conflict; providing for severability; and providing an effective date.
- H.-2. [08-0387](#) Update on the Segovia Median Project

I. CITY ATTORNEY ITEMS

- I.-1. [08-0373](#) A resolution of the City of Coral Gables instructing the City Attorney to proceed with filing an action for possession against ZBA, LLC, d/b/a Karma, for breach of the lease agreement by failing to provide proof of insurance and for ceasing operation for fifteen (15) continuous days; and for failing to keep the premises open for business for six (6) days a week; and further authorizing the City Attorney to take all action necessary to represent the interest of the City.
- I.-2. [08-0375](#) A Resolution of the City of Coral Gables instructing the City Attorney to proceed with filing a claim against Media3 Publishing Group for return of money due to the City upon its failure to publish an advertisement; and authority to take all action necessary to represent the interests of the City.
- I.-3. [08-0382](#) Resolution authorizing execution of settlement agreements regarding Maria Thornhill, and the United States Department of Housing and Urban Development ("HUD") for the purpose of settling claims made by Thornhill pursuant to the Federal Fair Housing Law, 42 U.S.C. Sections 3601-3619, and Section 504 of the Rehabilitation Act of 1973, and settling City Code violations as established in Case Nos. 99-6743, 99-6764 and 99-6748.
- I.-4. [08-0378](#) Pending Litigation Report

J. CITY CLERK ITEMS

None

K. DISCUSSION ITEMS

This time is for informal discussion among the City Commissioners, the City Manager and the City Attorney

ADJOURNMENT**NOTE**

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Interested persons should, therefore, take the necessary steps to ensure that a verbatim record of the proceedings is made which contains the testimony and evidence upon which the appeal is based.

Any person making impertinent or slanderous remarks or who become boisterous while addressing the Commission, shall be barred from further audience before the Commission by the Chair, unless permission to continue or again address the Commission is granted by the majority vote of the Commission Members present. Clapping, applauding, heckling or verbal outbursts or any remarks in support or opposition to a speaker shall be prohibited. Signs or placards shall not be permitted in Commission Chambers.

Any person requiring special accommodations for participation in the meeting should contact R. Alberto Delgado, Public Works Director, at 305-460-5001, with requests for auxiliary aids or services at least one business day before the meeting.

David L. Brown
City Manager