

City of Coral Gables

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



Agenda

Tuesday, March 14, 2017

9:00 AM

City Hall, Commission Chambers

City Commission

*Mayor Jim Cason
Vice Mayor Frank C. Quesada
Commissioner Patricia Keon
Commissioner Vince Lago
Commissioner Jeannett Slesnick*

*Cathy Swanson-Rivenbark, City Manager
Craig E. Leen, City Attorney
Walter J. Foeman, City Clerk*

INVOCATION

Father Fouad Saba, Saint George Antiochian Orthodox Cathedral

PLEDGE OF ALLEGIANCE**A. PRESENTATIONS AND PROTOCOL DOCUMENTS**

- A.-1. [17-5859](#) The City of Coral Gables, in concert with the Coral Gables Community Foundation, honor Havana Harry's, 19th Hole Bar & Grill at the Biltmore Hotel, Red Fish Grill and Graziano's with the Coral Cube Award, as enduring Coral Gables restaurants which have become landmarks in their own respect.
- A.-2. [17-5858](#) Presentation of twenty year service pin to Ramon Alvarez, Public Works Department/ Sanitation.
- A.-3. [17-5872](#) Congratulations to Firefighter Ishmael Roig, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of March 2017.
- A.-4. [17-5856](#) Congratulations to Mariana Price who holds the title Administrative Assistant, recipient of the "Employee of the Month Award," for the month of March, 2017.
- A.-5. [17-5898](#) Presentation of Dayron Garcia, "City of Coral Gables 2016 Employee of the Year."

B. APPROVAL OF MINUTES

- B.-1. [17-5887](#) Regular City Commission Meeting of February 14, 2017.

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. [17-5740](#) A Resolution approving the annual review required by the City of Coral Gables and University of Miami Agreement and Section 163.3235 of the Florida Statutes, for the period from September 28, 2015, to September 27, 2016.
- C.-2. [17-5836](#) A Resolution approving a Memorandum of Understanding between the City of Coral Gables Baptist Health South Florida for the implementation of community health education programs.
- C.-3. [17-5860](#) A Resolution accepting the Urban Areas Security Initiative (UASI) Grant Program Memorandum of Agreement between the City of Miami and the City of Coral Gables; and authorizing an amendment to the Fiscal Year 2016-2017 Annual Budget to recognize the \$62,691.81 grant as revenue and to appropriate such funds to cover the grant expenditures.
- C.-4. [17-5878](#) A Resolution accepting the recommendation of the Chief Procurement Officer to award and negotiate the Occupational Health Services contract to Richard L. Dolsey PHC Inc. d/b/a Physicians Health Center., the most responsive-responsible proposer, pursuant to Section 2-828 of the Procurement Code entitled "Contract Award" and Request for Proposals (RFP) 2016.11.YG-3; with said contract running for a period of two (2) years with an option to renew for two (2) additional two (2) year periods exercisable at the option of the City Manager, subject to negotiations of unit prices and percentage discounts for each renewal term of the contract, pursuant to Section 2-768(h)(3) entitled "Competitive Sealed Proposals; Award"; should negotiations fail with the most responsive-responsible proposer, negotiations shall commence with next most responsive-responsible proposer until an agreement and contract amount acceptable to the City has been reached. (This contract will primarily be used for pre-employment health screenings and workers compensation treatment services.)
- C.-5. [17-5870](#) A Resolution authorizing a change order for the Citywide Tree Succession contract with South Florida Maintenance in the amount of \$259,069 under the same Schedule of Values and terms and conditions as the Citywide Tree Succession contract, pursuant to Section 2-829, approval of change orders and contract modifications, to provide tree removal, planting, and one year maintenance for newly planted trees in support of the City's street tree succession plan.
- C.-6. [17-5877](#) A Resolution of the City Commission of the City of Coral Gables, Florida, approving a Memorandum of Understanding between the City of Coral Gables and Tahiti Beach Homeowners Association, Inc. for police and code enforcement routine patrol.

- C.-7. [17-5871](#) A Resolution authorizing Satchmo Blues Bar and Grill, Inc. to sell alcoholic beverages from 6:00 pm until 12:00 am at the Plaza, located at 60 Merrick Way from Friday, May 5, 2017, through Sunday, May 7, 2017, during "Bluesfest" event, to benefit the Woody Foundation, subject to Florida Department of Professional Regulation Requirements.
- C.-8. [17-5874](#) A Resolution authorizing Satchmo Blues Bar and Grill, Inc. to sell alcoholic beverages from 11:00 am to 2:00 pm at the Plaza located at 60 Merrick Way on Sunday, April 23, 2017 during the "El Clasico Watch Party" event to benefit the Woody Foundation, subject to Florida Department of Professional Regulation Requirements.
- C.-9. [17-5899](#) A Resolution authorizing a change order in the amount of \$200,000 to AECOM Technical Services, Inc. to allow the continuation of Owner's Representative Services for the Miracle Mile and Giralda Avenue Streetscape project.

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

- 1.-1. [17-5861](#) Budget/Audit Advisory Board Meeting of February 2, 2017.
- 1.-2. [17-5897](#) City of Coral Gables / University of Miami Community Relations Committee meeting of March 6, 2017
- 1.-3. [17-5867](#) Code Enforcement Board Hearing of February 15, 2017.
- 1.-4. [17-5865](#) Coral Gables Arts Advisory Panel Meeting of January 25, 2017.
- 1.-5. [17-5864](#) Cultural Development Board Meeting of January 3, 2017.
- 1.-6. [17-5885](#) Economic Development Board and Property Advisory Board Joint Meeting of February 8, 2017.
- 1.-7. [17-5876](#) Historic Preservation Board Meeting of January 19, 2017.
- 1.-8. [17-5851](#) Library Advisory Board Meeting of February 8, 2017

2. Presentation of Boards and/or Committees draft/final minutes requesting action from the City Commission [Note: A vote to accept the minutes does not mean approval of the substance within the minutes]:

- 2.-1. [17-5884](#) Excerpt minutes from the School and Community Relations Committee meeting of February 17, 2017, and the Economic Development Board meeting of March 7, 2017, including a Resolution urging the City Commission to purchase a dedicated classroom at Henry S. West Laboratory School, at a cost of approximately 4.2 million dollars, securing one classroom per grade level from kindergarten through eighth grade, for a total of approximately one hundred eighty student stations for Coral Gables residents in perpetuity.

D. PERSONAL APPEARANCES

- D.-1. [17-5842](#) Presentation by Angie Chirino, Donor Relations Manager for Voices for Children regarding Voices For Children and how it works with the Guardian ad Litem Program to help children in foster care in Miami-Dade County and specifically the City of Coral Gables.

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in. Presentations made to the City Commission are subject to the City's False Claims Ordinance, Ch. 39 of the City of Coral Gables Code.

Anyone who wishes to address the City Commission on an item to be considered for public hearing must fill out a Speaker Card and turn it in to the City Clerk. Speaker Cards can be obtained on the credenza located outside the office of Commissioners Lago and Keon, during the day of the City Commission Meeting.

ORDINANCES ON SECOND READING

- E.-1. [17-5855](#) An Ordinance amending Chapter 50, Article II of the Code of the City of Coral Gables, entitled "Retirement System For City Employees", implementing provisions of the 2016 - 2019 Collective Bargaining Agreement between The City and Fraternal Order of Police, Lodge No. 7; amending Section 50-230, Normal Retirement Income; amending Section 50-246, Deferred Retirement Option Plan; repealing all ordinances inconsistent herewith; providing for a repealer provision, severability clause, codification, and providing for an effective date.

ORDINANCES ON FIRST READING

- E.-2. [17-5869](#) An Ordinance of the City Commission of Coral Gables, Florida, requiring landscape maintenance contractors, tree trimmers, gardeners and others similarly situated, to register annually with the City prior to performing any work in the City; providing for a repealer provision, severability clause, codification, enforceability, and providing for an effective date.
(Sponsored by Commissioner Lago)
- E.-3. [17-5881](#) An Ordinance of the City Commission of Coral Gables, Florida, establishing a voluntary Private Security Camera Registry and Providing Incentive Program for voluntary security camera installation, providing for a repealer provision, severability clause, codification, and providing for an effective date.
(Sponsored by Mayor Cason)

Time Certain 10:00am (Agenda Item E-4)

- E.-4. [17-5879](#) An Ordinance of the City of Coral Gables Commission authorizing the City Manager and City Attorney to negotiate and enter into a Purchase and Sale Agreement related to a land exchange with C/LeJeune, LLC involving the City's current Public Safety Building at 2801 Salzedo St and the vacant parcel located at 250 Minorca Ave that will be improved with a new Public Safety Building and a mixed use Parking Garage Structure; waiving certain requirements of the Procurement Code pursuant to Section 2-2011 and 2-583 thereof; allowing for the transfer of C/LeJeune's LLC's owned development rights to 2801 Salzedo St which is outside the Central Business District; and allowing for an impact fee credit; and providing for a repealer provision, severability clause, and providing for an effective date.

Time Certain 12:30pm (Agenda Item E-5)

- E.-5. [17-5900](#) An Ordinance of the City Commission of Coral Gables, Florida, amending the City of Coral Gables Code by: Creating Section 62-245 "Prohibition on Use of Single-Use Carry Out Plastic Bags" In Chapter 62, Article VII Special Events; and Creating Article Ix "Sale, Use or Distribution of Single-Use Carry Out Plastic Bags by Retail Establishments within the City" In Chapter 34 Nuisance, of the City Code; providing for a repealer provision, severability clause, codification, enforceability, and providing for an effective date.
(Sponsored by Commissioner Lago)

F. CITY COMMISSION ITEMS

- F.-1. [17-5886](#) Discussion regarding the Cocoplum Bridge Project.
(Sponsored by Commissioner Keon)

G. BOARDS/COMMITTEES ITEMS

None

H. CITY MANAGER ITEMS

- H.-1. [17-5888](#) An update regarding the proposed plans for "The Plaza of Coral Gables" previously referred to as the "Mediterranean Village."

I. CITY ATTORNEY ITEMS**Time Certain 10:30am (Agenda Item I-1)**

- I.-1. [17-5873](#) Abandoned Property Report.

Time Certain 11:00am (Agenda Item I-2)

- I.-2. [17-5863](#) Settlement hearing regarding resolution of Starbucks matter relating to drive through at 475 South Dixie Highway, Coral Gables, FL.
- I.-3. [17-5875](#) Discussion regarding House Bill 17 and Senate Bill 1158.
- I.-4. [17-5880](#) Request for an Executive Session (if any).

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

L. EXECUTIVE SESSION**Time Certain 1:00pm (Agenda Items L-1 and L-2)**

- L.-1. [17-5866](#) Attorney-Client executive session, closed to the public, for purposes of discussing the litigation styled Starbucks Corporation v. City of Coral Gables, 2016-000418 AP 01 (Eleventh Judicial Circuit Appellate Division) and Starbucks Corporation v. City of Coral Gables, 2016-029939 CA 01 (Eleventh Judicial Circuit). This session may be attended by the following individuals: Mayor Jim Cason, Vice Mayor Frank Quesada, Commissioner Pat Keon, Commissioner Vince Lago, Commissioner Jeannett Slesnick, City Manager Cathy Swanson-Rivenbark, City Attorney Craig E. Leen, Deputy City Attorney Miriam S. Ramos, Assistant City Attorney Cristina Suarez, Assistant City Attorney Stephanie Throckmorton, special counsel Adolfo Jimenez, special counsel Vivian de las Cuevas-Diaz, special counsel Frances Guasch de la Guardia and special counsel Craig Collier. A certified court reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-styled litigation. At the conclusion of the attorney-client session, the public meeting will be reopened, and termination of the attorney-client session will be announced.
- L.-2. [17-5868](#) Attorney-Client executive session, closed to the public, for purposes of discussing the litigation styled Robert Murhee, Marie Mandeville, Daryl Blakely, Bridgette Hodge, for themselves and on behalf of all others similarly situated v. City of Coral Gables, Case No. 2013-20731 CA 01 (Eleventh Judicial Circuit). This session may be attended by the following individuals: Mayor Jim Cason, Vice Mayor Frank Quesada, Commissioner Pat Keon, Commissioner Vince Lago, Commissioner Jeannett Slesnick, Diana Gomez as Acting City Manager, City Attorney Craig E. Leen, Deputy City Attorney Miriam S. Ramos, Assistant City Attorney Cristina Suarez, Assistant City Attorney Stephanie Throckmorton, special counsel Raoul G. Cantero, III, special counsel Neal McAiley and Mediator George F. Knox (in compliance with Court Order). A certified court reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-stated litigation. At the conclusion of the attorney-client session, the public meeting will be reopened, and termination of the attorney-client session will be announced.

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 who needs assistance in another language in order to speak during the public hearing or public comment portion of the meeting should contact the City's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service) in order to attend or participate in the meeting should contact the City's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

**Walter J. Foeman
City Clerk**