

City of Coral Gables City Commission Meeting
Agenda Item E-2
March 29, 2016
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

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

Public Speaker(s)

Agenda Item E-2 [11:58:41 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 2, “Decision Making and Administrative Bodies”; Division 3, “Board of Architects,” Section 2-301, “Powers and Duties”; Section 2-302, “Membership; Terms; Vacancies; Removal”; and Section 2-303, Meetings; Quorum; Required Vote”; Article 3, “Development Review”; Section 3-303, “Reconsideration of City Architect Administrative Determination” and Section 3-606, “Procedures for Appeals,” by updating the membership and certain procedures of the Board of Architects and requiring a conflict resolution meeting prior to a quasi-judicial hearing; providing for a repealer provision; severability clause; codification and an effective date.

Mayor Cason: Let’s do E-2, Ordinance on Second Reading.

City Attorney Leen: Thank you Mr. Mayor. Item E-2, is An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 2, “Decision Making and Administrative Bodies”; Division 3, “Board of

Architects,” Section 2-301, “Powers and Duties”; Section 2-302, “Membership; Terms; Vacancies; Removal”; and Section 2-303, Meetings; Quorum; Required Vote”; Article 3, “Development Review”; Section 3-303, “Reconsideration of City Architect Administrative Determination” and Section 3-606, “Procedures for Appeals,” by updating the membership and certain procedures of the Board of Architects and requiring a conflict resolution meeting prior to a quasi-judicial hearing; providing for a repealer provision; severability clause; codification and an effective date. Today you’ll also be separately voting on the Board of Architects Rules of Procedure, updated Rules of Procedure that govern the Board of Architects. This is an Ordinance on Second Reading as well as a Resolution approving the Rules of Procedure. This is a public hearing item. There are a couple of amendments I’d like to read into the record. First is in D, there is provision related to settlement, and right now what it says is that such meeting shall be held with the City Attorney or designee, and any other member of the City staff that the Planning and Zoning Director deems appropriate. Any settlement that is reached should then be presented to a Board of Architects Special Master as part of a quasi-judicial public hearing on the settlement. I would like to change the word “should” to “may” because there are circumstances where it will not be a quasi-judicial settlement. It could be a very simple settlement and that should be approvable under the City Code 2-201. So I would like that to be changed to “may”. The second thing that should be changed is it says, any appointment of the Special Master in accordance with Section 101-182(b) and (c) of the City Code. That’s going to be slightly changed because 101-182(b) and (c) relate to appointments of Special Master related to Code Enforcement. I’ve discussed this with the City Manager and with individual Commissioners. What it will say now is that the appointment of the Special Master is for a two-year term, appointed by the City Manager in consultation with the Board of Architects, subject to the approval of the City Commission. Also, that Special Master just like the members of the Board of Architects serves at the pleasure of the Board, pardon me, of the Commission in the sense that you can remove them, but that’s the same with any member of the Board of Architects. But they are appointed by the City Manager in consultation with the BOA, with the Special Master, and approved by the Commission. The last change – that’s it. Those are all the changes. With that, that’s a public hearing item.

City Manager Swanson-Rivenbark: And Mr. Mayor, at the last meeting I mentioned my hope that Don Sackman would agree to serve as Special Master. I did discuss with him the opportunity and he is very willing to serve, and so I understand that the Board of Architects is excited about that, and because of that they were willing to embrace the Special Master concept, so I would also like confirmation of Don Sackman as a Special Master at the appropriate time.

City Attorney Leen: Mr. Mayor one other thing, and I’m sorry for these changes. This is a complicated ordinance and that’s why they are coming to you now, because I took a final review yesterday, and there is one other change: (C) “Review by full Board,” the last line says, unless

the applicant appeals in accordance with Section 3-606 of the Zoning Code, that should be removed, because now if there is a denial it goes to the Special Master, it doesn't go directly to the Commission. So with those changes, I'd ask for your consideration. It's a public hearing item.

Mayor Cason: Do we have any speaker cards?

City Clerk Foeman: No Mr. Mayor.

Mayor Cason: Close the public hearing. Motion?

Commissioner Lago: I'll make the motion.

Vice Mayor Quesada: Second.

Mayor Cason: Commissioner Lago makes the motion, Vice Mayor seconds.

City Attorney Leen: This will be on the ordinance.

Mayor Cason: That's also for approving...

City Attorney Leen: This is just as to the ordinance, and then there'll be a vote as to the rules, and then they'll be a vote as to Don Sackman.

Mayor Cason: So for the ordinance, we have Commissioner Lago made the motion, the Vice Mayor seconded. City Clerk.

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mayor Cason: And for the appointment of Mr. Sackman.

City Attorney Leen: This is for the Board of Architects, I'm sorry Mr. Mayor, this is for the Board of Architects Rules and Procedures. Do that separately.

Mayor Cason: OK.

Commissioner Slesnick: So moved.

Commissioner Keon: What number is that?

Mayor Cason: No, its just going to be on E-3, after we do E-3.

City Attorney Leen: If you see on E-2, the last part is a Board of Architects Rules of Procedure, we need a separate vote by Code for that.

Commissioner Keon: OK.

Mayor Cason: Do we have a motion?

Commissioner Lago: I'll make the motion.

Commissioner Slesnick: Second.

Mayor Cason: Commissioner Lago makes the motion, Commissioner Slesnick seconds.

City Attorney Leen: Before you vote that is going to be made consistent with the changes we just made to the ordinance, so those rules which you are approving will be slightly amended to reflect what you just did with the ordinance.

Mayor Cason: And is that a public hearing on that?

City Attorney Leen: No, this is not a public hearing.

Mayor Cason: City Clerk.

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Mayor Cason: Yes

(Vote: 5-0)

City Attorney Leen: Finally, Mr. Mayor is the appointment of Don Sackman as the Special Master who's been appointed by the City Manager, you are confirming the appointment.

Commissioner Lago: So moved.

Vice Mayor Quesada: Second.

Mayor Cason: Commissioner Lago makes the motion, Vice Mayor seconds. City Clerk.

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Mayor Cason: Yes

(Vote: 5-0)

[End: 12:04:05 p.m.]