

CITY OF CORAL GABLES, FLORIDA
ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF CORAL GABLES
PERMITTING THE BANK UNITED CENTER ON THE
UNIVERSITY OF MIAMI CAMPUS TO EXCEED THE ONE
THOUSAND AND SIX HUNDRED (1,600) SPECTATOR
LIMITATION ON APRIL 7, 2010, NOTWITHSTANDING
LIMITATIONS IMPOSED BY PRIOR UMCAD
APPROVALS, IN CERTAIN LIMITED CIRCUMSTANCES,
PROVIDING CONDITIONS FOR APPROVAL;
PROVIDING FOR REPEALER PROVISION, SAVINGS
CLAUSE, AND A SEVERABILITY CLAUSE; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the previously approved UMCAD limits the use of the Bank United Center on the University of Miami Campus during the regular academic year between the hours of 8 AM and 4 PM to one thousand and six hundred (1,600) spectators;

WHEREAS, the limitation on the number of spectators was intended to avoid traffic congestion and parking demand in excess of existing parking capacity assuming access by way of private automobiles;

WHEREAS, the University of Miami proposes to host a one-time event involving the Cultural Passport Program for Miami-Dade County public schools for elementary school children to attend a performance of "Peter and the Wolf" on Wednesday, April 7, 2010 from 10:30 AM to 11:30 AM performed by The Frost Symphony Orchestra;

WHEREAS, the six thousand (6,000) school children that are proposed to attend the event will be transported to and from the event by buses;

WHEREAS, the University of Miami has prepared a plan with proper parking, unloading and loading of the buses such that the impact of the proposed event is such that the amount of traffic to be generated and the number of off-street parking required for vehicles does not exceed the traffic and parking demand generated by one thousand and six hundred (1,600) spectators assuming access by way of private automobiles.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption.

Section 2. The proposed Cultural Passport Program presentation of "Peter and the Wolf" on April 7, 2010 is hereby authorized as planned notwithstanding any provision of a prior UMCAD approval.

Section 3. It is the intent of the Commission that the decision with regard to the Cultural Passport Program on April 7, 2010 is based on the specific facts of the particular proposed activity and is in the nature of a license and shall not be considered as precedent for any other particular proposed activity at the Bank United Center, no matter how similar.

Section 4. That all ordinances or parts of ordinances inconsistent with or in conflict herewith shall be and are hereby repealed insofar as there is a conflict or inconsistency.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D.,
_____.

APPROVED:

DONALD SLESNICK, II
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

WALTER FOEMAN
CITY CLERK

ELIZABETH M. HERNANDEZ
CITY ATTORNEY