

# City of Coral Gables

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



## Agenda

**Tuesday, May 13, 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 Reverend Arnold Perry, St. Mark's Lutheran Church*

**THE NATIONAL ANTHEM**

*Sung by Fanny Lu, Colombian International Recording Artist*

**PLEDGE OF ALLEGIANCE****A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [08-0322](#) Recognition of Robert and Marian Fewell for their donation to the Coral Gables Museum
- A.-2. [08-0153](#) Presentation of a Proclamation declaring May 13, 2008 as Baptist Health South Day in Coral Gables
- A.-3. [08-0308](#) Presentation of a Proclamation declaring the week of May 11-17, 2008, as Police Appreciation Week in Coral Gables; and in particular, May 15, 2008, as Police Memorial Day in Coral Gables
- A.-4. [08-0336](#) Presentation of a Proclamation declaring the week of May 18-24, 2008 as Public Works Week in Coral Gables
- A.-5. [08-0335](#) Presentation of a Proclamation declaring the week of May 18-24, 2008 as Emergency Medical Services Week in Coral Gables

**B. APPROVAL OF MINUTES**

- B.-1. [08-0327](#) Regular City Commission Meeting of April 29, 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. [08-0316](#) Resolution authorizing the expenditure in the amount of \$18,000.00 from previously encumbered Forfeited Asset Fund (FAF) monies to provide for the operation of the Coral Gables Police Department Police Athletic League Summer Camp Program
- C.-2. [08-0317](#) Resolution authorizing the expenditure in the amount of \$12,000.00 from previously encumbered Forfeited Asset Fund (FAF) monies to provide for the summer activities program of the Coral Gables Police Department Police Explorer Post #594
- C.-3. [08-0332](#) Resolution finding the University of Miami Campus Art Master Plan sufficient in meeting the requirements of the Art in Public Places Ordinance, as required under the exemption criteria which provides that an accredited college and/or university that maintains at its campus a publicly-accessible permanent collection of art of at least thirty (30) sculptures and/or other public art in accordance with a campus art master plan.

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

- C.-4. [08-0306](#) Communications Committee Meeting of April 17, 2008
- C.-5. [08-0310](#) Parks and Recreation Advisory Board Meeting of April 18, 2008
- C.-6. [08-0311](#) Landscape Beautification Advisory Board Meeting of May 1, 2008
- C.-7. [08-0312](#) Economic Development Board Meeting of April 2, 2008
- C.-8. [08-0314](#) Cultural Development Board Meeting of April 7, 2008
- C.-9. [08-0318](#) Historic Preservation Board Meeting of April 17, 2008
- C.-10. [08-0319](#) Coral Gables Merrick House Governing Board Meeting of April 7, 2008.
- C.-11. [08-0321](#) Parking Advisory Board Meeting of March 27, 2008
- C.-12. [08-0324](#) Property Advisory Board Meeting of March 13, 2008
- C.-13. [08-0325](#) Property Advisory Board Meeting of April 23, 2008
- C.-14. [08-0331](#) School and Community Relations Committee Meeting of April 22, 2008
- C.-15. [08-0340](#) International Affairs Coordinating Council Meeting of April 24, 2008

**D. PERSONAL APPEARANCES**

**None**

**E. PUBLIC HEARINGS**

*All Individuals desiring to give testimony shall be sworn in.*

**APPEAL****E.-1. 08-0309**

Board of Adjustment Appeal. Application No. 8659-Z.

F.W. Zeke Guilford, Esq., has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment at its regular meeting April 7, 2008, wherein it denied an application for a variance pursuant to Ordinance No. 1525, as amended and known as the "Zoning Code." (Board of Adjustment Vote 4-3)

Summary of Appeal:

The Applicant is appealing the Board of Adjustment upholding the decision of staff that the property located at 4701 Santa Maria Street constitutes one building site, as outlined more fully under the Applicant's Proposal as follows:

Consider an appeal from a decision made by City staff in regard to a building site determination, pursuant to Section 3-604 of the Coral Gables "Zoning Code".

**ORDINANCES ON SECOND READING****E.-2. 08-0248**

An Ordinance of the City Commission of Coral Gables amending the Zoning Code, Appendix A, "Site Specific Zoning Regulations", "Section A-12, Biltmore Section", also known as the David Williams Hotel/Condominium located at 700 Biltmore Way; providing for a minimum residential unit size for the property legally described as Lots 6-22 inclusive, Block 10, Biltmore Section; providing for repeal, providing severability, providing for codification thereof, an effective date, and repealing all ordinances inconsistent herewith. (PZB Vote: 6-0) (Passed on First Reading April 8, 2008)

**E.-3. 08-0287**

An Ordinance amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," clarifying the effective date of the five percent employee contribution by firefighter participants; providing for an effective date; and repealing all Ordinances inconsistent herewith (Passed on First Reading April 29, 2008)

**ORDINANCES ON FIRST READING****Time Certain 10:00 a.m.****E.-4. 08-0304**

An Ordinance of the City Commission of Coral Gables amending the Zoning Code, Ordinance No. 2007-01, as amended, to permit standing seam metal roofs in the City; providing a repealer provision; a savings clause, and a severability clause; and providing for an effective date.

- E.-5. [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)
- E.-6. [08-0154](#) An Ordinance of the City Commission of Coral Gables amending City Code Chapter 86, entitled "Waterways", Division 2, entitled "Anchoring, Mooring, etc."; in particular, Section 86-59, entitled "To Abutting Property", by restricting the placement and projection of boats or watercraft when anchored, moored, or tied up to waterfront property; Section 86-60, entitled "Other than abutting property" by allowing anchoring or mooring of boats or watercraft to others during dock construction or improvements, subject to sufficient access for safe navigation; Section 86-61, entitled "Enforcement by Chief of Police" by further authorizing Code Enforcement Officers to enforce certain provisions of the Code; adding Section 86-62, entitled "Definitions"; Division 3, entitled "Ocean and Waterway Regulations", modifying the title of Section 86-84, to "Watercraft as hazards; Unobstructed waterways", in addition within the same section, declaring it unlawful to position a boat or watercraft in such a way to interfere with the navigation through the City waterways; and further amending Section 86-86, entitled "Hurricane Procedure - Regulations", by declaring it unlawful to moor a boat or watercraft to private property without consent; providing for severability, repealer, codification, and an effective date. (Deferred from the December 17, 2007 City Commission Meeting)

## RESOLUTIONS

- E.-7. [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)

**F. CITY COMMISSION ITEMS**

None

**G. BOARDS/COMMITTEES ITEMS**

- G.-1. [08-0315](#) Presentation of excerpts from the Cultural Development Board Meeting of April 7, 2008 requesting the following action:

To encourage the City Commission to maintain cultural grant funding of at least \$175,000 in the next budget cycle.

**H. CITY MANAGER ITEMS**

- H.-1. [08-0320](#) Resolution authorizing the ordering of the Cocoplum Guardhouse Local Improvement District, designated as "CGH-01", subject to the provisions of City Code, Article II, entitled "Local Improvement Act" setting forth location, proposed improvements, estimated cost and designating properties deemed to be benefitting from the guardhouse, that will be levied a special assessment for the improvements, located on Cocoplum Road, at the entrance of the Cocoplum Subdivision, Coral Gables, Florida.
- H.-2. [08-0300](#) Discussion regarding City-sponsored special events (Deferred from the April 29, 2008 Meeting)
- H.-3. [08-0339](#) Resolution accepting the bid of Tropex Construction Services, Inc., in the sum of \$58,335.39, as the lowest and most responsive bid for the structural construction of the Guard House shell at Kings Bay Subdivision.
- H.-4. [08-0338](#) Resolution accepting the bid of Gavarrete, Inc., in the sum of \$99,100.00, as the lowest and most responsive bid for the renovation of City Hall's ADA improvements to the first floor bathroom facility and renovations to the building to comply with ADA requirements, PWD #A-08-003.
- H.-5. [08-0330](#) Country Club Update
- H.-6. [08-0329](#) Discussion setting forth future City Commission dates

**I. CITY ATTORNEY ITEMS**

- I.-1. [08-0333](#) Resolution of the City of Coral Gables instructing the City Attorney to proceed with filing an action against Applied Digital Programming Technologies, Inc., and Robert Rugilo, individually, for breach of the Professional Services Agreement for failure to provide the City with an index and for failure to microfilm and digitize the plans and documents as required under the terms of the agreement.

**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**