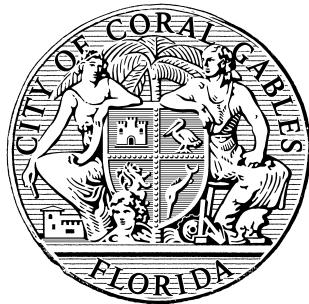


# **City of Coral Gables**

*City of Coral Gables*  
405 Biltmore Way  
Coral Gables, FL 33134  
[www.coralgables.com](http://www.coralgables.com)



## **Meeting Minutes**

**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*

**Present:** 5 - Mayor Slesnick II, Commissioner Anderson, Commissioner Cabrera Jr., Vice Mayor Kerdyk Jr. and Commissioner Withers

## INVOCATION

[Note for the Record: Reverend Arnold Perry during his presentation of the invocation made reference to Police Memorial Day, in recognition of the herein below referenced slain officers whom sacrificed their lives while serving in the line of duty:

Cyril Guest; Sergeant Homer Barton; Constable Luther T. Hardison; Officer Billy Stephens; Officer Walter Stathers; Officer Robert DeKorte; Officer Luis Pena; Alfred Terrinoni and Officer Robert Bonent].

## THE NATIONAL ANTHEM

[Note for the Record: International Recording star Fanny Lu, a resident of Miami and Colombia, delivered the National Anthem; said individual, who was nominated for eight Grammy Awards; Mayor Slesnick acknowledged Consul General Luis Ignacio Guzman Ramirez, pointing out the City of Coral Gables Sister Cities relationship with Cartagena, Colombia].

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City Manager David L. Brown.

## LEGISLATIVE SUMMARY

The following minutes summary includes all presentations made, and actions taken which information is supplemented by the following exhibits on file in the Office of the City Clerk, and which are by reference made a part of the record herein: (a) Ordinance(s) adopted (Ordinance 2008-11 and Ordinance 2008-12); (b) Resolution(s) adopted (Resolution No. 2008-63 through Resolution No. 2008-72); (c) Video; (d) Audio Recording; (d) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

**A. PRESENTATIONS AND PROCLAMATIONS**

A.-1. 08-0322 Recognition of Robert and Marian Fewell for their donation to the Coral Gables Museum

[Note for the Record: Commissioner Withers acknowledged the members present from the Coral Gables Museum Board, including George Kakouris, Christine Rupp, Dr. Al Smith (not yet officially recognized as the Ambassador to the Museum,) but who has recruited many of the donors to the Coral Gables Museum; Board Members, Zeke Guilford Esq. and Director, Jeanette Slesnick, along with Robert Fewell; whereupon George Kukoris further acknowledged said members of the Museum Board in attendance inviting them to join him on the dais; further acknowledging the members of the City Commission; finally praising Robert and Marian Fewell (the latter who was not in attendance) for their two million donation in furtherance of the Museum Board's initiative to create a new edition to said museum facility. Christine Rupp further thanked the Fewell's for their generous donation; further expressing optimism that in the future it is hopeful that said incredible act of generosity by the Fewell's may inspire others to proffer similar donations.

Mr. Fewell stated that he has received phone calls regarding said donation, inquiring as to why he had not considered making a donation to the Coral Gables Country Club; further expressing his need to return to his office, in order that he may accumulate enough funds to begin working on his next donation, to the delight of the audience.

Mayor Slesnick stated that the Fewell's have shown tremendous integrity and civility in their business relationships; further acknowledging that this is not the first time that the Fewell's have displayed an act of generosity, in proffering a donation; further presenting Mr. Fewell with a book on the City of Coral Gables; a keepsake, including the City's seal, etc.]

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 1

**A.-2. 08-0153**

Presentation of a Proclamation declaring May 13, 2008 as Baptist Health South Day in Coral Gables

[Note for the Record: Mayor Slesnick acknowledged Ms. Phyllis Oeters (Vice President of Baptist Health), along with those representatives whom were present from Baptist Hospital, including but not limited to Lincoln Mendez President, Baptist Hospital; Dr. Thinh (Chief Quality Officer); representative from Baptist Health Systems located on Red Road; representatives from Baptist Health Center; further acknowledging that Baptist Health South is one of the largest employers in Miami-Dade County, employing over 11,500 employees; which contributes and will continue to assist Miami-Dade County in helping said organization become one of the best counties to work for in the future, forming an integral part of our South Florida community].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 2

**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

**Attachments:** [2008 Proclamation Verbiage Police Memorial Week.doc](#)  
[COMMISSION COVER MEMO - POLICE MEMORIAL 2008.doc](#)

[Note for the Record: In speaking on behalf of his department, Public Works Director Alberto Delgado stated that the public works function is one of the oldest functions of government; further witnessing the emergence of the Public Works function in conjunction with the development of small towns, whereby the Public Works Department has assumed providing for certain services (i.e. roads; drainage, those services in the community that people need; further noting its involvement with those services that people in our community need, namely health services; safety and comfort.

Mayor Slesnick pointed out that many of the protocol documents presented to departments are national recognitions; therefore, our City Commission also recognizes the need to acknowledge said recognitions, the same as other municipalities do].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 4

**A.-4. 08-0336**

Presentation of a Proclamation declaring the week of May 18-24, 2008 as Public Works Week in Coral Gables

[Note for the Record: Commissioner Cabrera invited all of the members of the Coral Gables Police Department—"the men in blue," to join him on the dais; whereupon he further informed the public that as a son of a former police officer, it gave him great pleasure to recognize the members of our City's Police Department; further reading the proclamation which pointed out that in October of 1962, Congress passed legislation designating May 15th of each year as "Police Memorial Day; further stating that in 1991, our Police Department initiated a special memorial ceremony separate from the Miami-Dade County ceremony, to be held each year in Tropical Park, whereby the residents of the City have the opportunity to honor those law enforcement officers (said nine officers whom have passed away since 1928, and whose names were previously listed herein above), who sacrificed their lives while serving in the line of duty; further declaring the week of May 11th through May 17th, 2008 as "Police Appreciation Week in Coral Gables; and in particular May 15th, 2008 as "Police Officer Memorial Day in Coral Gables."

Assistant Chief Naue thanked the members of the Commission, especially Commissioner Cabrera with his deep family ties to the law enforcement community, along with those officers whom have passed through those hallowed halls before us, those that have served as a foundation to our City's Police Department; further recognizing the importance of said dedication in recognition of their tragic loss; further expressing his personal desire not add any more officers to the hallowed walls, as referenced above, and to do our best to maintain safety standard in our community; further thanking our governing body in taking the time out to commemorate the Police Department].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 3

**A.-5. 08-0335**

Presentation of a Proclamation declaring the week of May 18-24, 2008 as Emergency Medical Services Week in Coral Gables

[Note for the Record: Commissioner Anderson in recognizing the fact that Commissioner Cabrera had talked about certain personal experiences as it relates to the Coral Gables Police Department, also shared her personal experiences as it relates to the Coral Gables Fire Department; further recalling the matter of her older brother John, upon the occasion of his retirement from the United States Navy, becoming a paramedic; also pointing out that he and retired Fire Chief Cook having attended Columbus High School together; further recalling her experiences in having ridden along in a Fire Truck, so aptly characterized as covering the "depth and breath of the entire human experience"; further describing said firefighters as being professional; warm, knowledgeable, and as setting the gold standard by which all of these services should be set by; whereupon Commissioner Anderson read the proclamation declaring the week of May 18-24, 2008 as "Emergency Services Week," in Coral Gables.

Fire Chief Walter Reed in accepting said protocol document, thanked the Mayor and members of the Commission, City Manager and the City of Coral Gables in having given the department this opportunity; further recognizing that it goes a long ways when the department has the support of the entire community].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 5

[Note for the Record: Mayor Slesnick stated that Agenda Items G-1 and E-7 were deferred].

**B. APPROVAL OF MINUTES****B.-1. 08-0327**

Regular City Commission Meeting of April 29, 2008

**Attachments:**

[April 29 Commission Meeting Minutes.pdf](#)

[Verbatim Transcript Agenda Items E-1- & E-3 - Gables Gateway.pdf](#)

[Verbatim Transcript Agenda Item H-4 Charter Amendment.pdf](#)

[Verbatim Transcript Agenda Item E-2 - Pensions.pdf](#)

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be approved. The motion passed by the following vote:**

**Yea**s : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 8

**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.

**Passed the Consent Agenda**

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., to Adopt the Consent Agenda. The motion carried by the following vote:**

**Yeas :** 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

**RESOLUTION NO. 2008-63****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

**Attachments:** [Cover Memo -\\$12000 Explorer Post FAF.DOC](#)  
[RESOLUTION - \\$12000 00 Explorer Program.doc](#)

A RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$12,000.00 FROM PREVIOUSLY ENCUMBERED FORFEITED ASSET FUND (FAF) MONIES TO PROVIDE FOR THE SUMMER ACTIVITIES PROGRAM OF CORAL GABLES POLICE DEPARTMENT'S POLICE EXPLORER POST #594.

**This Matter was adopted by Resolution Number 2008-63 on the Consent Agenda.**

City Clerk Item No. 9

**RESOLUTION NO. 2008-64****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.

**Attachments:** [art in public places - um art master plan - 05 01 08](#)  
[agendacoversheet\\_UMmasterartplan](#)  
[memorandum\\_ummasterartplan](#)

A 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.

**This Matter was adopted by Resolution Number 2008-64 on the Consent Agenda.**

City Clerk Item No. 10

**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

**Attachments:** [minutes april 2008.doc](#)  
[communicationsminutesagendamarch08.doc](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 11

**C.-5 08-0310**

Parks and Recreation Advisory Board Meeting of April 18, 2008

**Attachments:** [Cover Memo 04-18-08 Summary](#)  
[Min 04-18-08](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 12

C.-6. [08-0311](#) Landscape Beautification Advisory Board Meeting of May 1, 2008

**Attachments:** [BC Cover Sheet 5-1-08 na](#)  
[Minutes BC 5-1-08](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 13

C.-7. [08-0312](#) Economic Development Board Meeting of April 2, 2008

**Attachments:** [minutes 4-2-08](#)  
[Commission cover no action 5-13-08](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 14

C.-8. [08-0314](#) Cultural Development Board Meeting of April 7, 2008

**Attachments:** [CDB Minutes April 7 2008](#)  
[Commission cover no action 5-13-08](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 15

C.-9. [08-0318](#) Historic Preservation Board Meeting of April 17, 2008

**Attachments:** [NoAction04.17.08MinutesforCC05.13.08.pdf](#)  
[HPB April 17 2008.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 16

C.-10. [08-0319](#) Coral Gables Merrick House Governing Board Meeting of April 7, 2008.

**Attachments:** [Merrick House Board Minutes-April 7 2008.pdf](#)  
[CGMHNoAction-04.07..08Minutes.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 17

C.-11. [08-0321](#) Parking Advisory Board Meeting of March 27, 2008

Attachments: [cover\\_pab 03-27-08](#)  
[pab minutes 03-27-08](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 18

C.-12. [08-0324](#) Property Advisory Board Meeting of March 13, 2008

Attachments: [PAB cover for March](#)  
[PAB 3-13-08](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 19

C.-13. [08-0325](#) Property Advisory Board Meeting of April 23, 2008

Attachments: [PAB cover for April](#)  
[PAB 4-23-08 Meeting Minutes](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 20

C.-14. [08-0331](#) School and Community Relations Committee Meeting of April 22, 2008

Attachments: [summary of april 22-2008](#)  
[memo on gang issuesponce de leon](#)  
[april 22](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 21

C.-15. [08-0340](#) International Affairs Coordinating Council Meeting of April 24, 2008

Attachments: [IACC COVER MEMO April 24th 2008 revised.pdf](#)  
[IACC Draft Meeting April 24th 2008.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 22

**Pulled from Consent Agenda****RESOLUTION NO. 2008-65**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

**Attachments:** [COVER MEMO - \\$18000 PAL Summer Camp FAF Request.DOC](#)  
[RESOLUTION - \\$18000. PAL Summer Camp May 2008.doc](#)

A RESOLUTION AUTHORIZING EXPENDITURES 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.

[Note for the Record: Commissioner Cabrera pulled Agenda Item C-1 from the Consent Agenda for further clarification, inquiring as to the following issues:

- (1) How is the City involved with the Police Department's Athletic League Summer Camp Program?
- (2) Are the participating campers in said program Coral Gables residents?
- (3) Following the summer camp, he would like to see a breakdown in terms of how many students are Coral Gables residents, etc., how we are spending the money, to ensure that the value is going toward our citizens.
- (4) The locations as to where specific activities are being held.

Major McNichol pointed out that last year there were approximately 80 campers; this year the department is anticipating roughly 100 campers; further noting that because youth are more vulnerable to the influences that exist, the youth diversion activities will provide more constructive options; further stating that a baseball/softball camp will be established at Coral Gables High School; marine related activites will be provided in the bay area; swimming activites will be provided at UM; soccer activities will also be provided at Coral Gables High School; bowling and movie related events will be provided on rainy days; further noting that food will also be provided during this two week Marine Patrol camp period.

Commissioner Cabrera stated that he was aware that an estimated 90 percent of the students attending Coral Gables High School were non-Coral Gables residents; further noting that an estimated 80 percent of the students attending Ponce de Leon Middle School were non-Coral Gables residents.

Major Naue further pointed out that since an estimated 85 percent of the people who are arrested live outside of our jurisdiction, that there is a need to focus on something that is positive; building some modicum of respect; reaching out through youth diversion activities year round; further stating that because of the state mandate, there

is a 50 percent set aside for crime prevention and youth related activities; therefore I=there is an attempt to divert them away from potentially criminal activities, away from gang related activities in building a report with law enforcement personnel.

Commissioner Cabrera reiterated his support for the PAL Program; further translating the dollar value per participant based on the \$18,000 request to be roughly \$180 per participant; further expressing his desire to ensure that the program benefit is going to our City].

**A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-65. The motion passed by the following vote:**

**Yea**s : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 23

#### **D. PERSONAL APPEARANCES**

**None**

City Clerk Item No. 24

## E. PUBLIC HEARINGS

### 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".

**Attachments:** [NOTICE OF APPEAL.pdf](#)  
[Cover Memo](#)

A RESOLUTION OF THE CORAL GABLES CITY COMMISSION, AFFIRMING THE DECISION OF THE BOARD OF ADJUSTMENT THEREBY DENYING THE APPEAL BY THE APPLICANT F.W. ZEKE GUILFORD, ESQ., APPLICATION NO. 8659-Z, ISSUED ON APRIL 7, 2008, DENYING AN APPEAL PURSUANT TO ORDINANCE NO. 1525, FOR A BUILDING SITE DETERMINATION FOR THE PROPERTY LOCATED AT 4701 SANTA MARIA STREET.

[Note for the Record: F.W. Zeke Guilford, Esq. proffered to the City Commission his criterion for determination of what a building site is, as well as what the Zoning Division of our City's Building and Zoning Department reasons were for denying said application:

-Where one has a constructed building on a building site, if it contains more than one platted lot, it's all tied together; however, he also points out that in Section 2 of the letter received from staff which states that whenever one has a single family residence -so one has an existing single family residence ---"duplex or any lawful accessory structure which was heretofore constructed on property, containing one or more platted lots or portions thereof, such lot or lots shall thereafter constitute one building site and no permit shall be issued for the construction of more than one single-family residence or duplex building." Mr. Guilford acknowledges that there was a building on Lots 1 and 2; and Lots 1 and 2 will be a building site; however, nothing was ever constructed on Lots 14 and 15.

-Mr. Guilford acknowledges that the Zoning Division staff points to the permit history. Mr. Guilford further informed the Commission that one cannot rely on the building permit, or a building permit history quite simply because they include some lots, all lots, partial lots, as well as lots that were not part of the application; further adding that the

only thing one may find are the plumbing permits, electrical permits, roofing permits that tie it together that relate to the house on Lot 1 and 2, because nothing has ever been built on Lots 14 and 15.

Mr. Guilford further pointed out that regarding the Tax Folio Number, one cannot say with certainty that from the beginning of time since there is only one folio, that the Lots were always tied together.

Mr. Guilford stressed the fact that there is a set of criteria that must be followed in making a site determination, more particularly summarized as follows: In accordance with Section 3-206 subparagraph (E) (1) of the Zoning Code, it says all building sites must contain one platted lot and at least 50 feet of frontage; further pointing out that in accordance with subparagraph (c) the Building and Zoning Department may advise a property owner of an encroachment by an abutting property owner, but shall only consider encroachments created by the current property owner or their predecessor interest; further pointing out the third criterion-Removal of Buildings, wherein one has a house on a couple of lots and one tears it down, which in your estimation constitutes multiple lots; further noting the City's acknowledgement of same as one building site; finally referencing the fourth criterion which states that any application which meets the following criteria not the previous criteria, the following criteria, shall be deemed a lawful building site; further stating at minimal the Zoning Administrative Staff must state the reason as to why they denied the application, etc.

Vice Mayor Kerdyk queried Mr. Guilford as to whether or not in Calendar Year 1947, if building permits were taken out on Lots 1, 2, 14 and 15, respectively; further questioning whether the sprinkler system does in fact tie up all of the lots as one building site; finally, questioning Mr. Guilford as to how can one put a house on said property wherein one has mature oak trees at said property location; whereupon Mr. Guilford stated that there were no findings of fact that the four lots are together; and owned by one person; further noting that said matter only suggested a Unity of Title in Theory; further stating that the sprinkler system was considered below grade, wherein the sprinkler heads were above ground and the sprinkler system was below ground, etc; further noting that the issue regarding the mature oak trees was not an issue before this Commission on appeal.

Commissioner Withers stated that in matters involving lot separation, he was leaning toward the view of the City Administration; further expressing the view that he is unsure as to what would be placed on said property location].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be denied by Resolution Number 2008-69. The motion passed by the following vote:**

**Yea**s : 4 - Commissioner Withers, Commissioner Anderson, Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

**Absent :** 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 36

## ORDINANCES ON SECOND READING

### ORDINANCE NO. 2008-11

**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)

**Attachments:** [04 08 08 City Commission Cover Memo:David William ZC text amendment 1st reading](#)  
[04 08 08 Exhibit A: Ordinance - David Williams site specific ord 1st reading](#)  
[04 08 08 Exhibit B: 03 12 08 David Williams Staff Report and attachments](#)  
[05 13 08 Cover Memo and Exhibits re David Williams 2nd Reading](#)

[Note for the Record: Following the reading of the title to the ordinance into the public record by City Attorney, Planning Department Director Eric Riel provided a legislative history, stating that during the City Commission Meeting of April 8th, 2008, the Commission recommended a majority approval (4-0); further instructing staff to include language to be contained in the WHEREAS clauses to said legislation, that ensures that said particular amendments that the proposed (i.e. "site specific" zoning code text amendment) does not set a precedent with reference to allowing residential unit sizes below the established City Zoning Code Requirement of 575 square feet; and that the proposed "site specific" zoning code text amendment; was necessary for this property based upon "safety" circumstances particular to this property) is not precedent setting, for the minimum size residential units on other properties within the city; further adding said WHEREAS clauses in said legislation].

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Ordinance Number 2008-11. The motion passed by the following vote:**

**Yea**s : 4 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

**Absent :** 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 25

**ORDINANCE NO. 2008-12****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)

**Attachments:**

[CM\\_OrdinanceFF](#)  
[Ordinance\\_FF Contributions\\_42208\\_Updated](#)  
[CM\\_OrdinanceOn2ndReadingFF](#)  
[Ordinance\\_FF Contributions](#)

[Note for the Record: Following the reading of the title to the ordinance by the City Attorney into the public record, and after Human Resource Director Marj Adler responding to Mayor Slesnick's inquiry, that there had not been a change to said legislation between first and second reading; further acknowledging that there had been no public comment regarding same, the Mayor instructed the City Clerk to commence with the roll call vote on said proposed legislation].

**A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2008-12. The motion passed by the following vote:**

**Yea**s : 4 - Commissioner Anderson, Commissioner Cabrera, Jr., Commissioner Withers and Mayor Slesnick II

**Absent** : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 26

**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.

**Attachments:** [05 13 08 City Commission Cover Memo re: Metal roofs 1st Reading](#)  
[05 13 08 Exhibit A Ordinance Metal roofs 1st Reading](#)  
[05 13 08 Exhibit B: 03 12 08 Excerpts of PZB Meeting Minutes with attachments](#)  
[05 13 08 Exhibit C: 03 17 2008 BOA Recommendation Metal Roofs](#)  
[05 13 08 Exhibit D: 03 12 08 PZB Metal Roofs staff report \(w attachments\)r](#)  
[05 13 08 Exhibit E: 8x11 - metal roofs - 05 02 08](#)  
[05 13 08 Exhibit F: Metal Roofs Emailed Comments NEW\\_05.13.08](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item E-4, is available for public inspection in the City Clerk's Office and in Legistar].

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading. The motion FAILED by the following vote:**

**Yea**s : 2 - Commissioner Withers and Commissioner Anderson

**Nay**s : 3 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

City Clerk Item No. 32

**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) (Passed on First Reading on May 13, 2008)

**Attachments:** [05 13 08 Cover Memo w/all Exhibits re St George 1st Reading](#)  
[05 27 08 Cover Memo w/all Exhibits re: St George](#)

[Note for the Record: Following the City Manager reading the Ordinance on First Reading into the public record, Scot Bolyard, Planning Department provided the Commission with a history regarding said issue, stating that on December 17, 2002, the Commission passed and adopted Ordinance No. 3608, a change of land use and zoning for a mixed use project referred to as the "Gables Rental Apartment Hotel (3,481 square foot restaurant; 123 unit extended stay hotel, and 99 residential units with a maximum permitted building height of 97 feet; further stating that said item is

before the Commission because the applicant is requesting to remove a provision from the Declaration of Restrictive Covenant that restricts the maximum length of stay for hotel occupants to no more than 60 continuous days and no more than 90 days within a calendar year; further stating that said applicant is requesting an amendment to the site plan to provide general commercial use in place of the previously specified restaurant use on the ground floor.

Attorney F.W. Zeke Guilford, representing Gables Centre, LLC, requested to make two modifications to Ordinance No. 3608 and the Declaration of Restrictive Covenant (i.e. to delete the maximum length of stay by an individual or entity, since under the new Zoning Code, all references have been removed regarding maximum and minimum lengths of stay); further including a further modification in Ordinance No. 3608 and the Declaration of Restrictive Covenant deleting the word restaurant and adding the word commercial, which will provide additional Parking in the building.

Questions by the Commission: Commissioner Withers inquired of Attorney Guilford as to whether future consideration would be given regarding consideration of this project as a condo type of a deal; whereupon Mr. Guilford stated that extended stay and suite hotels is supposed to be considered. Commissioner Withers inquired of the City Attorney as to whether said matter would have to come back before the Commission. Mr. Guilford stated that 117 hotel rooms have been designated as extended stay and suite hotels; 99 have been designated as condominiums, however, no decision as of yet has been made regarding whether these units will be condominiums with the ability to rent, etc.

Mayor Slesnick expressed optimism that said project gets underway, pointing to the four to five year interval it has taken to move forward. Mr. Guilford stated that the permitting process has taken two years, alone].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be approved as an Ordinance on First Reading. The motion passed by the following vote:**

**Yea**s : 4 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

**Absent** : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 33

**ORDINANCE NO. 2008-40****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)

**Attachments:** [Letter of Understanding Memo from City Attorney](#)  
[Blue Road Bridge Resolution](#)  
[Blue Road Bridge Cover](#)  
[Signed Resolution - 2008-40\(Blue Road Bridge Resolution\).pdf](#)  
[Waterway Ordinance Backups 051308](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item E-6, is available for public inspection in the City Clerk's Office and in Legistar].

**A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be approved as an Ordinance on First Reading. The motion passed by the following vote:**

**Yea**s : 4 - Commissioner Withers, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

**Absent** : 1 - Commissioner Anderson

City Clerk Item No. 34

**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) (Deferred from the March 11 and from the May 13, 2008 Meetings)

**Attachments:** [03 11 08 City Commission Cover Memo re 5705 Riviera Drive building site separa](#)  
[03 11 08 Exhibit B: Applicants 06 15 07 letter of request.pdf](#)  
[03 11 08 Exhibit C: Draft Restrictive Covenant.pdf](#)  
[03 11 08 Exhibit D: 07 12 06 PZB Meeting Minutes.pdf](#)  
[03 11 08 Exhibit E: Copy of public notification letters.pdf](#)  
[03 11 08 Exhibit A: Resolution - 5705 Riviera Drive.pdf](#)  
[05 13 08 Cover Memo with Exhibits re: 5705 Riviera \(Resolution\)](#)  
[05 27 08 Cover Memo with Exhibits re: 5705 Riviera w Exhibits](#)

**This Resolution was Deferred**

City Clerk Item No. 6

**F. CITY COMMISSION ITEMS****None**

City Clerk Item No. 27

**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.

**Attachments:** [CDB Minutes April 7 2008 excerpts](#)  
[Excerpts Cultural Board Cover 051308](#)

**This Resolution was Deferred**

City Clerk Item No. 7

**H. CITY MANAGER ITEMS****RESOLUTION NO. 2008-66****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.

**Attachments:** [Cocoplum Guardhouse Reso. Backups 051508](#)

A RESOLUTION AUTHORIZING THE ORDERING OF THE COCOPLUM GUARDHOUSE LOCAL IMPROVEMENT DISTRICT, DESIGNATED AS "CGH-01", SUBJECT TO THE PROVISIONS OF THE CITY CODE, ARTICLE II, ENTITLED "LOCAL IMPROVEMENT ACT", SETTING FORTH LOCATION, PROPOSED IMPROVEMENTS, ESTIMATED COST AND DESIGNATING PROPERTIES DEEMED TO BE BENEFITING 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.

[Note for the Record: Following the reading of the title to the ordinance into the public record by the City Manager, Assistant City Manager Maria Jimenez informed the City Commission that certain representatives from the Cocoplum Homeowners Association were scheduled to come to the Commission Chambers after 11 a.m.; however, since the item has been moved for adoption and approval on first reading, she felt that it would be appropriate with moving forward with the process, since the initial step includes ordering the Special Improvement District, followed by the selected consultant moving forward to complete the plans and specifications and file same with the Office of the City Clerk for public inspection; further informing the Commission that on August 26, 2008, there will be a public hearing, at which time, the affected property owners will be notified of same, in order to hear any objections to the confirmation of the District].

**A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-66. The motion passed by the following vote:**

**Yea**s : 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 28

**H.-2. 08-0300**

Discussion regarding City-sponsored special events (Deferred from the April 29, 2008 Meeting)

**Attachments:** [Special Events Costs by Function Memorandum](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item H-2, is available for public inspection in the City Clerk's Office and in Legistar].

**This Agenda Item was Discussed**

City Clerk Item No. 37

**RESOLUTION NO. 2008-67**

**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.

**Attachments:**

[Kings Bay Cover](#)  
[Kings Bay Resolution](#)  
[Kings 3](#)  
[Kings 2](#)  
[Kings 1](#)  
[Guard House signed cover two pages](#)  
[Tab for Kings Bay](#)

A RESOLUTION ACCEPTING THE BID OF TROPEX CONSTRUCTION, INC., AS BEING THE LOWEST RESPONSIVE BID, IN THE SUM OF \$58,335.39, FOR THE STRUCTURAL CONSTRUCTION OF KINGS BAY GUARD HOUSE SHELL.

[Note for the Record: Following reading the title to said resolution into the public record, City Manager Brown stated that the City had a hard time finding a bidder for the structural construction of a Guard House shell at Kings Bay Subdivision, thus prompting the City to act in the capacity of a general contractor; further pointing out that in accordance with the City's Procurement Code the threshold amount regarding any projects over \$25,000 in the construction end of procurement must come before the City Commission.

In response to Mayor Slesnick's inquiry regarding who is paying for said structural construction of the Guard House, City Manager Brown responded that said cost is being borne by the residents of Kings Bay, and not with City funding.

Commissioner Cabrera inquired of the City Manager as to the timetable for completion of the aforementioned project, wherein Mr. Delgado informed the Commission that the completion timeline for said project has been set for September of 2008; further stating that the most challenging part of the project has been completed, namely the underground utilities; thereby paving the way for the construction of the Guard House;

further noting the timeliness from a financial standpoint, in moving ahead with said project, noting that initially the City had received bids for same for the total cost at approximately \$500,000, now the total cost is approximately \$300,000].

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2008-67. The motion passed by the following vote:**

**Yea**s : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 29

**RESOLUTION NO. 2008-68**

**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.

**Attachments:**

[City Hall cover](#)  
[City Hall tab-scanned](#)  
[City Hall Improvements Scanned](#)  
[City Hall Resolution](#)  
[Cover for Gavarrete first page](#)  
[Cover for Gavarrete Pag 2](#)

A RESOLUTION ACCEPTING THE BID OF GAVARRETE, INC., AS BEING THE LOWEST RESPONSIVE BID, IN THE SUM OF \$99,100.00, FOR THE RENOVATION OF CITY HALLS' ADA IMPROVEMENTS TO THE FIRST FLOOR BATHROOM FACILITY AND RENOVATION TO THE BUILDING TO COMPLY WITH ADA REQUIREMENTS, PWD #A-08-003.

[Note for the Record: Following the reading of the title to said resolution into the public record. Public Works Department Director Alberto Delgado explained to the Commission that said project in City Hall, is part of the A.D.A. Improvement Project, wherein all of the remodeling will be done during the summer months, since there are less Commission Meetings during this period; further pointing out that the first floor bathroom will be remodeled; the first floor conference room will be enlarged, by taking out the structure of the mailroom; further stating that another focus of the project is to complete all of the other remaining A.D.A. improvements needed for City Hall.

In response to Vice Mayor Kerdyk's inquiry regarding funding of same, Mr. Delgado stated that funding emanates from the Capital Improvement Fund budgeted for A.D.A. Improvement. In response to Commissioner Cabrera's inquiry regarding whether there will be a temporary bathroom facility for the duration of the renovation period, Mr. Delgado assured the Commission that the men's bathroom will be open at all times; notwithstanding the fact that there may be some occasional inconvenience].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-68. The motion passed by the following vote:

**Yea**s : 5 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

City Clerk Item No. 30

**H.-5. 08-0330**      Country Club Update

**Attachments:** [051308-Memo CC-Country Club Update](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item H-5 is available for public inspection in the City Clerk's Office and in Legistar].

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 35

**H.-6. 08-0329**      Discussion setting forth future City Commission dates

[Note for the Record: A copy of the verbatim transcript of Agenda Item H-6 is available for public inspection in the City Clerk's Office and in Legistar].

**This Agenda Item was Discussed**

City Clerk Item No. 31

**I. CITY ATTORNEY ITEMS****RESOLUTION NO. 2008-70****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.

**Attachments:** [adpt - authority to file suit - 05 07 08](#)  
[agendacoversheet\\_file suit ADPT](#)  
[memorandum ummasterartplan](#)

A 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.

[Note for the Record: City Attorney Hernandez informed the Commission that she needed the Commission to instruct her to proceed with the filing of a claim against Applied Digital Programming Technologies Inc., and Robert Rugilo, individually, in connection with breach of the professional services agreement, failure to provide the City with a microfilm and digitization of plans and documents pursuant to said agreement; further informing the Commission that she will take all actions necessary to represent the interests of the City regarding said matter].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-70. The motion passed by the following vote:**

**Yea**s : 3 - Vice Mayor Kerdyk, Jr., Commissioner Anderson and Mayor Slesnick II

**Absent** : 2 - Commissioner Withers and Commissioner Cabrera, Jr.

City Clerk Item No. 38

**Non-Agenda Item****RESOLUTION NO. 2008-71****NA.I. [08-0343](#)****-1.1.**

A Resolution authorizing the City Attorney to file an appeal with the Third District Court of Appeals to review the Circuit Court's Appellate Division decision in Pinon V. City of Coral Gables, Case No. 07-442 AP.

A RESOLUTION AUTHORIZING CITY ATTORNEY TO FILE AN APPEAL WITH THE THIRD DISTRICT COURT OF APPEAL TO REVIEW THE CIRCUIT COURT'S APPELLATE DIVISION DECISION IN PINON V. CITY, CASE NO. 07-442 AP.

[Note for the Record: City Attorney Hernandez requested of the City Commission authorization to file an appeal with the Third District Court of Appeal to review the Circuit Court's Appellate Division in the Raul Pinon v. City of Coral Gables Case; further stating that it is felt the decision of the judges was not supported by the case law; further adding she believes they substituted their judgment for that of the Retirement Board].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-71. The motion passed by the following vote:**

**Yea**s : 3 - Vice Mayor Kerdyk, Jr., Commissioner Anderson and Mayor Slesnick II

**Absent** : 2 - Commissioner Cabrera, Jr. and Commissioner Withers

City Clerk Item No. 39

**RESOLUTION NO. 2008-72**

NA.I. **08-0344**  
-1.2.

A Resolution of the City of Coral Gables instructing the City Attorney to proceed with filing a counterclaim and third party claim in the action entitled Granada, LLC Vs. City of Coral Gables, Case No. 07-23410 CA 40; the counterclaim would be against the Granada LLC for failure to fulfill its obligations under the operative agreement and for breach of the settlement agreement entered into with Courtelis Construction Company, and a third party complaint against Stuart Bornstein, individually, and breach of the operative agreements, and breach of the settlement agreement entered into with Courtelis Construction Company.

A RESOLUTION OF THE CITY OF CORAL GABLES INSTRUCTING THE CITY ATTORNEY TO PROCEED WITH FILING A COUNTERCLAIM AND THIRD PARTY CLAIM IN THE ACTION ENTITLED GRANADA L.L.C. VS. CITY OF CORAL GABLES, CASE NO. 07-23410 CA 40; THE COUNTERCLAIM WOULD BE AGAINST THE GRANADA L.L.C. FOR FAILURE TO FULFILL ITS OBLIGATIONS UNDER THE OPERATIVE AGREEMENT AND FOR BREACH OF THE SETTLEMENT AGREEMENT ENTERED INTO WITH COURTELIS CONSTRUCTION COMPANY, AND A THIRD PARTY COMPLAINT AGAINST STUART BORNSTEIN, INDIVIDUALLY, AND BREACH OF THE OPERATIVE AGREEMENTS, AND BREACH OF THE SETTLEMENT AGREEMENT ENTERED INTO WITH COURTELIS CONSTRUCTION COMPANY.

[Note for the Record: City Attorney Hernandez requested authorization from the Commission to file a counterclaim and a third party claim in the case of Granada LLC vs. the City of Coral Gables, for failure to fulfill its obligations under the operative agreement and for breach of the settlement entered into with Courtelis Construction Company, and a third party complaint against Stuart Bornstein, individually, for breach of the operative agreements, and breach of the settlement agreement entered into with Courtelis Construction Company].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-72. The motion passed by the following vote:**

**Yea**s : 3 - Commissioner Anderson, Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

**Absent** : 2 - Commissioner Cabrera, Jr. and Commissioner Withers

City Clerk Item No. 40

[Note for the Record: City Attorney Hernandez stated as Chairperson of the City, County/Local Government Section of the Florida Bar, she announced that George Knox was this year's recipient of one of the highest awards given to any public servant or private attorney on behalf of local government; further noting that she will also be a speaker and a presenter at seminars on public records and open meetings].

**J. CITY CLERK ITEMS****None**

City Clerk Item No. 41

**K. DISCUSSION ITEMS**

[Note for the Record: **Zoning Analysis regarding advertising for lot coverage:** Commissioner Anderson stated that she was shown a real estate advertisement regarding home plans with floor coverage; further stating that said realtor was advertising a 22% lot coverage for Hammock Lakes area (Note: Commissioner Anderson stated that she felt that site specific approval was given to the Hammock Lakes area for 15%); further instructing the City Manager to provide her with a zoning analysis of all of the advertising associated with lot coverage, dating back to annexation].

**Cameras regarding traffic infractions at Intersections/Status Update:** Vice Mayor Kerdyk inquired of the City Manager as to when will we begin to see the placement of cameras at the intersections within the City; whereby City Attorney Hernandez stated that said agreement had been reviewed by her regarding some of the provisions, and has been forwarded back to the City Manager with suggestive revisions.

City Manager Brown stated that the suggestive timeline is between 45 and 60 days.

Vice Mayor Kerdyk stated that it is critical that we get this project moving forward; further requesting of the City Manager to provide the Commission with the locations as to where said camera installations will be].

**[Parking Garage on Andalusia Avenue, between Salzedo Street and Le Jejune Road:** Vice Mayor Kerdyk informed the City Manager that he has been informed that City staff has been parking downstairs, instead of upstairs at said parking garage; further stating that it was his opinion that the City policy was to allow the customers access to the retail spaces, and City staff would occupy the upstairs spaces; further urging the City Manager to follow up with him on said matter].

**[Miami Herald March 13th, 2005 Article Regarding a previous directive by the Mayor regarding street signs :** Mayor Slesnick informed his colleagues of a directive to the City Manager over three years ago to make our street signs more user friendly; further stating that because of poor visibility at night, that the City Manager

should have said street signs painted with a reflective paint; further stating that he did not ask our City Manager to incur exorbitant cost; instead to consider having Public Services Department (i.e. usage of weed eaters, etc.) or our Public Works Department (i.e. black reflectors to paint our names, etc.) to consider cost efficient methods to make our street signs look a little better].

**[Wishing Commissioner Cabrera's Father Medical Update:** Mayor Slesnick expressed concern on behalf of our governing body to Commissioner Cabrera and his family, and urged all to keep the Cabrera Family particularly the father, who was last reported to be in stable condition, in their prayers].

## **ADJOURNMENT**

[Note for the Record: There being no further business on the Regular City Commission Meeting Agenda. The Commission of the City of Coral Gables adjourned its meeting at 2:24pm on May 13, 2008. The next regular meeting of the City Commission has been scheduled for May 27, 2008, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK