

# City of Coral Gables

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



## Agenda

**Tuesday, September 9, 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 Worth Carson, Granada Presbyterian Church*

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

- A.-1. [08-0592](#) Presentation of 2008/2009 Donald R. Hopkins Scholarship awards to Latifha T. Williams, Monica White and Stephanie Glover

**B. APPROVAL OF MINUTES**

- B.-1. [08-0585](#) Regular City Commission Meeting of August 26, 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. [08-0579](#) A Resolution authorizing the City Manager to execute a "Special Conditions of the Contract Required by Historic Preservation Grant Award Agreement" as requested by the State of Florida Division of Historical Resources for Grant No. SC530 - Restoration of the Old Police and Fire Station.
- C.-2. [08-0581](#) A Resolution granting a one-day permit to John Martin's Restaurant to sell alcoholic beverages from 7:00 p.m. until 12:00 midnight on Friday, October 31, 2008, on Salzedo Street from Aragon Avenue to Miracle Mile, one half block of Aragon Avenue, as part of the Halloween Party to benefit the Young Rotarian Charity, subject to Florida Department of Professional Regulation requirements.
- C.-3. [08-0582](#) A Resolution authorizing Fritz and Franz Bierhaus to sell alcoholic beverages at the plaza located at 60 Merrick Way from Tuesday, October 2, 2008, through Monday, October 13, 2008, weekdays from 11:00 a.m. until midnight and weekends from 11:00 a.m. until 2:00 a.m., during the OKTOBERFEST event, subject to Florida Department of Professional Regulation requirements.
- C.-4. [08-0591](#) A Resolution authorizing the Kiwanis Club of Little Havana to sell alcoholic beverages as a part of the Art in the Park event at Ponce Circle Park on the following Fridays in 2008: October 3, November 7, December 5; and the following Fridays in 2009: January 2, February 6, March 6, and April 3. Hours are from 6:00 p.m. until midnight on each of the dates listed.

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

- C.-5. [08-0561](#) Public Safety Committee Meeting of July 8, 2008
- C.-6. [08-0562](#) Property Advisory Board Meeting of July 9, 2008
- C.-7. [08-0565](#) Insurance Advisory Committee Meeting of August 21, 2008
- C.-8. [08-0567](#) Retirement Board Meeting of August 7, 2008
- C.-9. [08-0568](#) Board of Adjustment Meeting of August 4, 2008
- C.-10. [08-0571](#) Property Advisory Board Meeting of August 20, 2008
- C.-11. [08-0583](#) Historic Preservation Board Special Meeting of July 31, 2008
- C.-12. [08-0601](#) A Resolution authorizing the City Manager to compensate exempt employees at time and one half the regular rate of pay for duty in excess of forty hours per week under local, state, or federal declared or non-declared emergencies.

**D. PERSONAL APPEARANCES**

**Items D-1 and H-4 are related**

- D.-1. [08-0587](#) Mr. Alex Trujillo, President of GOVXU, Inc., to present Green Power, Inc., waste-to-fuel solution plant to the City of Coral Gables
- D.-2. [08-0584](#) Ms. Harriet Stiger Liles, Author of "Pinewood Cemetery, Coral Gables, Florida - A History with Pioneer Biographies"

**E. PUBLIC HEARINGS**

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

**BOARD OF ADJUSTMENT APPEAL****E.-1. [08-0540](#) Board of Adjustment Appeal - Application No. 8675-Z**

Laura L. Russo, Esq., Applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment at its Regular Meeting of August 4, 2008, wherein it denied an application for variance pursuant to Ordinance No. 1525, as amended and known as the "Zoning Code." (Board of Adjustment Vote 4-0).

**SUMMARY OF APPEAL:**

The Applicant is appealing the Board of Adjustment decision in regards to the proposed signage for the existing commercial building located at 2901-11 LeJeune Road, as outlined more fully under the Applicant's Proposal as follows:

Consideration of an appeal from a decision made by City Staff in connection with a variance to allow the location of the proposed sign for the tenant "Sunstate Bank" to be placed at the rear of the building abutting an alley versus only one (1) tenant sign per street level, per street right-of-way frontage, as required by Section 5-1904 of the Coral Gables Zoning Code.

**ORDINANCES ON SECOND READING****Items E-2 and H-2 are related****E.-2. [08-0473](#) An Ordinance of the City Commission of Coral Gables amending Article IV of Chapter 78 of the Code of the City of Coral Gables entitled "Stormwater Management Utility" for the purpose of redefining developed property, dwelling, impervious area, nonresidential developed property, and residential developed property; and providing a definition and utility fee computation for mixed-use developed property, reserving the City's right to commence in-house billing, increasing the City's discretion to not file notices of lien for amounts less than \$100.00, providing an effective date, and repealing all Ordinances inconsistent herewith. (Passed on First Reading July 15, 2008)****E.-3. [08-0539](#) An Ordinance of the City Commission of Coral Gables amending the text of the Official Zoning Code, Article 5., "Development Standards", Division 14, "Parking, Loading and Driveway Requirements", Section 5-1410., "Miscellaneous Parking Standards"; and Article 8., "Definitions"; providing for updated automated parking storage provisions and definitions; providing for repeal, providing severability, providing for codification thereof, an effective date, and repealing all Ordinances inconsistent herewith. (Passed on First Reading August 26, 2008)**

- E.-4. [08-0498](#) An Ordinance of the City Commission of Coral Gables amending Chapter 2 of the City Code entitled "Administration" establishing a policy for the use of the City Seal, and providing penalties for misuse of the City Seal. (Passed on First Reading July 15, 2008)

#### **ORDINANCES ON FIRST READING**

##### **Items E-5 and E-6 are related**

- E.-5. [08-0575](#) An Ordinance of the City Commission of Coral Gables for a change of land use from "Residential Use (Single-Family) Low Density" to "Parks and Recreational Use" for the following: Maggiore Park on Lots 1-3, Block 99, Riviera Section #2; Rotary Centennial Park on Lots 5-6, Block 17, Flagler Street Section; and, San Sebastian Park on Lots 5-6, Block 44, Crafts Section, Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (PZB recommended approval, Vote: 6-0)
- E.-6. [08-0576](#) An Ordinance of the City Commission of Coral Gables for a change of zoning from "SFR", Single Family Residential to "S", Special Use for the following: Maggiore Park on Lots 1-3, Block 99, Riviera Section #2; Rotary Centennial Park on Lots 5-8, Block 17, Flagler Street Section; and, San Sebastian Park on Lots 5-6, Block 44, Crafts Section, Coral Gables, Florida, and including required conditions; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (PZB recommended approval, Vote: 6-0)
- E.-7. [08-0593](#) An Ordinance of the City Commission of Coral Gables amending the City Code, Chapter 34, entitled "Nuisances", Division 2 entitled "Vehicles", Section 34-77 by adding a definition for junk motor vehicles and dilapidated motor vehicles and Section 34-78 by adding dilapidated motor vehicles to the Prohibitions Section; providing for severability, repealer, codification, and an effective date.

##### **Items E-8 through E-10 are related**

- E.-8. [08-0577](#) An Ordinance of the City Commission of Coral Gables approving a change of land use from "Commercial, Low-Rise Intensity" to "Commercial, High-Rise Intensity" for the proposed project referred to as the "2600 LeJeune Office Building", on the property legally described as Lots 25-32, Block 6, Biltmore Section (2524 LeJeune Road), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date. (PZB provided no recommendation with a 3-2 Vote)
- E.-9. [08-0578](#) An Ordinance of the City Commission of Coral Gables approving the change of zoning from "MFSA", Multi Family Special Area to "C", Commercial for the proposed project referred to as the "2600 LeJeune Office Building", on the property legally described as Lots 25-32, Block 6, Biltmore Section (2524 LeJeune Road), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date. (PZB recommended approval, Vote: 4-1)

**RESOLUTIONS**

- E.-10. [08-0580](#) (For discussion purposes only. Adoption of Resolution will occur at Second Reading of related ordinances.) A Resolution of the City Commission of Coral Gables granting site plan approval for the proposed commercial project referred to as the "2600 LeJeune Office Building", and legally described as Lots 25-32, Block 6, Biltmore Section (2524 LeJeune Road), Coral Gables, Florida; as set forth in Application No. 02-07-455-P; subject to certain conditions, and providing an effective date. (PZB provided no recommendation with a 3-2 Vote)

**F. CITY COMMISSION ITEMS**

None

**G. BOARDS/COMMITTEES ITEMS**

- G.-1. [08-0574](#) Presentation of excerpts of the Property Advisory Board Meeting of August 20, 2008, recommending the following action:

· To proceed with a new lease with the State of Florida, Department of Highway Safety and Motor Vehicles, for the Driver's License office located at 4520 Ponce de Leon Boulevard.

**H. CITY MANAGER ITEMS**

- H.-1. [08-0560](#) A Resolution accepting the bid of Megawattage LLC, 9820 S.W. 168 Street, Miami, Florida 33157, the lowest and most responsive bid for the construction of the Pump Station A Generator Upgrade, in the City of Coral Gables, Florida, for an amount not to exceed \$149,000.00, the project to be charged to Sanitary Sewer Fund account No. 410-1540-535-6300.

**Items H-2 and E-2 are related**

- H.-2. [08-0570](#) A Resolution redefining the average impervious area of all residential developed property per dwelling unit located within the City to be 2,346 square feet, and increasing the rate for the Stormwater Services provided in connection with the Coral Gables Stormwater Management Utility, which Utility was created pursuant to Ordinance No. 3032 and codified as Article IV of Chapter 78 of the Code of the City of Coral Gables, from \$4.50 to \$5.00 per month for Residential Service and \$5.00 per ERU (Equivalent Residential Unit of 2,346 square feet) per month for Non-residential Service; repealing all resolutions inconsistent herewith and providing for an effective date of January 1, 2009.
- H.-3. [08-0573](#) A Resolution accepting the bid of Gavarrete, Inc., in the sum of \$84,500.00, as the lowest and most responsive bid for the City Hall Ramp and Accessibility Improvements Project adding new accessible parking, a new ramp and stairs at Coral Gables City Hall to comply with ADA requirements, PWD #A-08-001.

**Items H-4 and D-1 are related**

- H.-4. [08-0588](#) A Resolution authorizing the City Manager to develop a non-binding Letter of Intent with Green Power, Inc., a Washington based corporation, setting forth all terms and conditions for the installation of Green Power, Inc. Waste-To-Fuel Solution Plants to be operated by the City.

**I. CITY ATTORNEY ITEMS**

- I.-1. [08-0589](#) A Resolution authorizing the City Attorney to file suit against Quantum Leap Network, Inc., a Florida corporation, and Robert Burr, individually, for failure to comply with the terms of the agreement to transfer the domain name, www.venetianpool.com, to the City as agreed.

**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**