

# City of Coral Gables

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



## Agenda

**Tuesday, June 26, 2007**

**1:10 PM**

**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*

**ROLL CALL****INVOCATION****PLEDGE OF ALLEGIANCE****A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. **07-0538** Welcome to Bill Proenza, Director, National Hurricane Center
- A.-2. **07-0532** Introduction of Rudy Fernandez, University of Miami Vice President of Government Relations
- A.-3. **07-0547** Congratulations to Katherine Arguinzoni, Building and Zoning Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of July 2007

**B. APPROVAL OF MINUTES**

**None**

**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. **07-0521** Resolution authorizing the Finance Director to transfer \$100,000.00 from the Coral Gables State (Coral Gables Police Department's S.I.S. Unit and the South Florida Money Laundering Strike Force) Forfeited Asset Fund (F.A.F.) to the City of Coral Gables General Fund for repayment of unbudgeted and or non-operational Police Department equipment and activities.
- C.-2. **07-0522** Resolution authorizing the expenditure in the amount of \$2,000.00 from the Coral Gables Police State Forfeited Asset Fund (FAF) monies to provide for a donation to the Florida Chapter FBI National Academy Associates Retraining Conference as provided for under the Florida Contraband Forfeiture Act.
- C.-3. **07-0523** Resolution authorizing the expenditure in the amount of \$2,661.00 from the Coral Gables Police State Forfeited Asset Fund (F.A.F.) to provide matching funds to obtain a federal grant under the Edward Byrne Memorial Justice Assistance Grant Program as provided for under the Florida Contraband Forfeiture Act.
- C.-4. **07-0525** Resolution authorizing the expenditure in the amount of \$12,000.00 from the Coral Gables Federal (Department of Justice and Department of Treasury) Forfeited Asset Fund

(FAF) monies for the purchase of emergency operations equipment.

- C.-5. [07-0529](#) Resolution authorizing the expenditure in the amount of \$22,000.00 from the Coral Gables Federal (Department of Justice and Department of Treasury) Forfeited Asset Fund (FAF) monies to provide for the purchase of a crime scene investigation vehicle conversion kit.
- C.-6. [07-0524](#) Resolution authorizing an encumbrance in the amount of \$7,197.36, or 15% of the Forfeited Asset Fund (F.A.F.) monies to provide for the purchase or funding of crime prevention programs, as directed under FSS 932.7055, the Florida Contraband Forfeiture Act.
- C.-7. [07-0560](#) Resolution establishing guidelines for the Coral Gables Merrick House Governing Board and House Usage Policies for the Coral Gables Merrick House and repealing all Resolutions inconsistent herewith. (Deferred from the June 26, 2007 Meeting)
- C.-8. [07-0565](#) Resolution authorizing a sewer connection outside the City Sanitary Sewer districts to serve the University of Miami located at 1305 Stanford Drive, Coral Gables, Florida, subject to the requirements of the Public Works Department as provided in Resolution Nos. 24481 and 27941 and provided that the executed agreement be made part of this Resolution.
- C.-9. [07-0568](#) Resolution authorizing seven (7) sewer connections outside the City Sanitary Sewer Districts, to serve the University of Miami at various locations on the University of Miami main campus, Coral Gables, Florida, subject to the requirements of the Public Works Department, as provided in Resolution Nos. 24481 and 27941, and provided that the executed agreement be made part of this Resolution.
- C.-10. [07-0518](#) Resolution authorizing the City Manager to apply for the Florida Cities of Excellence Award recognizing the City of Coral Gables as a Florida City of Excellence.

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

- C.-11. [07-0591](#) Board of Adjustment Meeting of May 7, 2007
- C.-12. [07-0581](#) Budget/Audit Advisory Board Meeting of June 14, 2007
- C.-13. [07-0534](#) Coral Gables Advisory Board on Disability Affairs Meeting of May 2, 2007
- C.-14. [07-0571](#) Coral Gables Merrick House Governing Board Meeting of April 25, 2007
- C.-15. [07-0570](#) Coral Gables Merrick House Governing Board Meeting of May 23, 2007
- C.-16. [07-0533](#) Economic Development Board Meeting of April 4, 2007
- C.-17. [07-0540](#) International Affairs Coordinating Council Meeting of May 31, 2007
- C.-18. [07-0531](#) Landscape Beautification Advisory Board meeting of June 7, 2007  
**Attachments:** BC Cover Sheet 6-7-07 na.DOC  
[Minutes BC 6-7-07.doc](#)  
[Final LBAB Minutes 6-7-07.pdf](#)
- C.-19. [07-0535](#) Library Advisory Board Meeting of June 13, 2007  
**Attachments:** LB Cover Sheet 6-13-07na.DOC  
Library Minutes 6-13-07.doc  
[Library Board 6-13-07.jpg](#)  
[Final Library Minutes 6-13-07.pdf](#)
- C.-20. [07-0578](#) Parking Advisory Board Meeting of April 26, 2007
- C.-21. [07-0583](#) Pinewood Cemetery Advisory Board Meeting of April 10, 2007
- C.-22. [07-0561](#) Retirement Board Meeting of May 10, 2007
- C.-23. [07-0563](#) Traffic Advisory Board Meeting of May 15, 2007

**D. PERSONAL APPEARANCES**

- D.-1. [07-0503](#) Robert Balogh, with Balobro 25-26, LLC, requesting consideration of releasing the Unity

of Title for property legally described as Lots 25 - 28, Block 2, Coral Gables Crafts Section, Pb/Pg 10/40 and located at 2418 -22 Ponce de Leon Boulevard, Coral Gables, Florida. (Deferred from the June 26, 2007 Meeting)

## **E. PUBLIC HEARINGS**

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

### **E.-1. [07-0542](#)**

Board of Adjustment Appeal - Application No. 8633-Z

F.W. Zeke Guilford, Esq., of Guilford & Associates, P.A. applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment at its regular meeting of Monday, May 7, 2007, 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: 6-0)

Summary of Appeal:

The Board of Adjustment denied the request for a variance submitted by the applicant, in connection with the subject property located at 2800 Ponce de Leon Boulevard, legally described as : Lot(s) 13 through 26 and Lot 12 (lengthy legal), Block 18, Coral Gables Crafts Section, PB/PB: 10/40.

The applicant is appealing the denial of the proposed building signage to have a letter height of 36" vs. 30" as outlined more fully under the Applicant's Proposal as follows:

1. Grant a variance allowing the proposed building signage for the existing high-rise commercial office building to have a maximum letter and logo height of thirty-six (36") inches vs. the proposed building signage for the existing high-rise commercial office building having a maximum letter and logo height of thirty (30") inches as provided for by Article 5, Division 19, Section 5-1904 (table at page 5-88) of the Coral Gables "Zoning Code."

### **E.-2. [07-0589](#)**

Board of Architects Appeal - Application No. 33629

Maribel Biamon, applicant, has filed an appeal to the Coral Gables City Commission, from a decision of the Board of Architects at its regular meeting of June 14, 2007, wherein the Board denied Application No. 33629, in connection with the re-roofing with Monier Lifetile Concrete Spanish "S" Roof Tile.

Summary of Appeal:

The Board of Architects denied a request for Monier Lifetile Concrete Spanish "S" Roof Tile for the existing single family residence located at 1246 Bird Road, legally described as the: E16.67 FT of Lot 9, and all of Lot 10, Block 95, Coral Gables County Club Section 5, Coral Gables, Florida.

## **Items E-3 and E-4 are related**

### **E.-3. [07-0593](#)**

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, amending Chapter 78 of the Coral Gables City Code ("City Code") to add a new Division IV to Article III, Sanitary Sewer System, as the City of Coral Gables Sanitary Sewer Capacity Fee Ordinance; providing a short title; providing findings, intent, authority, and definitions; providing for applicability; establishing a benefit district; providing for imposition of capacity fees; providing for calculation of capacity fees and

establishing capacity fee schedule; providing for administration of the capacity fee system and periodic updates of the fees; providing for a service charge; providing for administrative petitions; providing for appeals to the City Commission; providing for judicial appeals; providing for effect on zoning and subdivision regulations; providing for capacity fees an additional and supplemental requirement; providing for alternative collection methods; providing for liberal construction; providing for severability; and providing for an effective date and time. (Passed on First Reading June 26, 2007)

**E.-4. [07-0573](#)**

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, establishing Article 60 of the Coral Gables City Code ("City Code") the City of Coral Gables Development Impact Fee Ordinance; providing a short title; providing findings, intent, authority, and definitions; providing for applicability; establishing benefit districts; providing for imposition of impact fees; providing for calculation of impact fees and establishing impact fee schedules for police, fire, general government, and parks; providing for administration of the impact fee system and periodic update of the fees; providing for a service charge; providing for administrative petitions; providing for appeals to the City Commission; providing for judicial appeals; providing for effect on zoning and subdivision regulations; providing for impact fees as an additional and supplemental requirement; providing for alternative collection methods; providing for liberal construction; providing for severability; providing for codification; and providing for an effective date and time. (Passed on First Reading June 26, 2007)

**E.-5. [07-0550](#)**

Ordinance on Second Reading. Zoning Code Text Amendment - Metal Roofs. An Ordinance of the Coral Gables City Commission amending the Zoning Code, Ordinance No. 2007-01, as amended, to permit metal roofs in a site-specific area or areas of the City; providing a repealer provision; a savings clause, and a severability clause; and providing for an effective date. (Passed on First Reading June 26, 2007)

**E.-6. [07-0549](#)**

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, creating a definition for "Automated External Defibrillators"; creating Chapter entitled "Automated External Defibrillators" to require automated external defibrillators at certain buildings; providing for the installation and operation requirements to maintaining an automated external defibrillator; providing for fees, penalties and applicability, providing for severability, repealer, codification, and an effective date. (Passed on First Reading June 26, 2007)

**E.-7. [07-0543](#)**

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, deleting Section 34-61 through 34-68 of City Code Chapter 34 entitled "Nuisances", Article III entitled "Lost, Stolen, Junked, Abandoned Property" and adopting by reference Chapter 705, Florida Statute's standards and procedures for the administration of lost or abandoned property and unclaimed evidence; providing for severability, repealer, codification and an effective date. (Passed on First Reading June 26, 2007)

**E.-8. [07-0541](#)**

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, approving settlement in Robson v. City of Coral Gables, Case No. 01-16301 CA 06, and waiving the provisions of the City Procurement Code pursuant to Sec. 2-2011, entitled "Purchase, Sale or Lease of Public Property", as inconsistent with City Commission approvals at the time of purchase of the Miracle Mile Theatre Property Ground Lease, for the purchase of the three retail leases/properties in the amount of One Million Fifty Thousand Dollars (\$1,050,000.00); providing a repealer provision, a savings

clause, a severability clause and an effective date. (Passed on First Reading June 26, 2007)

- E.-9. [07-0548](#) Resolution. Evaluation and Appraisal Report (EAR) of the Comprehensive Land Use Plan. Resolution of the Coral Gables City Commission adopting and transmitting the revised Evaluation and Appraisal Report (EAR) of the City of Coral Gables Comprehensive Land Use Plan; requesting that the Florida Department of Community Affairs continue to delegate the sufficiency review of the EAR to the South Florida Regional Planning Council; and providing an effective date.

**F. CITY COMMISSION ITEMS**

- F.-1. [07-0537](#) Discussion regarding trolley fares. (Deferred from the June 26, 2007 Meeting)  
Mayor Donald D. Slesnick, II

**G. BOARDS/COMMITTEES ITEMS**

**None**

**H. CITY MANAGER ITEMS**

- H.-1. [07-0539](#) Resolution. A Resolution of the City Commission of the City of Coral Gables amending Resolution 2006-211 which established fees for various licenses, permits, services and penalties by the City of Coral Gables, providing for severability, repealer, codification and an effective date.

- H.-2. [07-0596](#) Resolution. A Resolution approving settlement proposal of the Courtelis lawsuit and related Coral Gables Country Club financial issues.

**I. CITY ATTORNEY ITEMS**

- I.-1. [07-0544](#) Pending Litigation Report

**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**