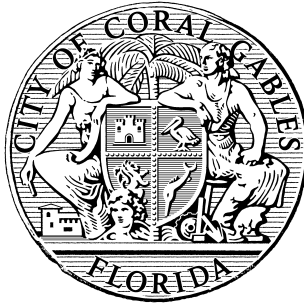


# **City of Coral Gables**

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



## **Meeting Minutes**

**Wednesday, February 10, 2010**

**9:00 AM**

**REVISED - ADDITIONAL ITEMS C-16, C-17, C-18 AND C-19**

**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*

*Patrick G. Salerno, City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

**ROLL CALL**

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

**INVOCATION**

Father Bernard Kirlin from St. Augustine Church gave the Invocation.

[Note for the Record: Mayor Slesnick requested of Father Bernard Kirlin, St. Augustine Church, to carry with him to his parishioners greetings on behalf of our City Commission, in appreciation for their fine parish; further instructing the City Manager to direct his Legislative Coordinator, namely Lillian Quiroz to collect a list of the prayers given by the numerous ministers from the differing Houses of Faith over the last nine years].

**PLEDGE OF ALLEGIANCE**

Commissioner Rafael "Ralph" Cabrera led the Pledge of Allegiance.

**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 No. 2010-01); (b) Resolution(s) adopted (Resolution No. 2010-20 through Resolution No. 2010-35); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [10-0162](#) The Honorable Marco Rocca, Consul General of Italy, and Dr. Pierfrancesco Pacini, on behalf of Sister City Province of Pisa, Italy, to present donation to the City of Coral Gables of replica of the statue "Madonna del Bambino".

**Attachments:** [A-1 Signed Cover Memo](#)

[Note for the Record: Mayor Slesnick stated that because of the timeliness of arrival regarding those representatives from the province of Pisa, that said item has been withdrawn from the agenda; further reminding the public that this coming Friday, February 12, 2010, that there will be a special exhibit from the province of Pisa, Italy taking place at the University of Miami, School of Architecture; further stipulating that said exhibit will display the art of the Leaning Tower of Pisa; displaying the construction of Leaning Tower of Pisa; highlighting the efforts made by the citizens of Pisa, not to straighten out said Tower, but to stabilize the movement of same; further acknowledging that over the past 100 years, there have been efforts to address said issue, but none have been as successful as this most recent initiative; further stating that our Sister City of Pisa will be presenting a donation to our city of the Madonna statute and the Bambino; said presentation will be made on Friday, February 12, 2010, University of Miami School of Architecture; further adding that the statute be presented to the city, and ultimately presented by the City to the Coral Gables Museum].

**This Resolution was Deferred**

City Clerk Item No. 1

**A.-2. [10-0166](#)**

Presentation of a Proclamation declaring February 2010 as Black History Month in Coral Gables.

[Note for the Record: Mayor Slesnick requested of Commissioner Anderson to present the proclamation to representatives of the African American community to join her on the podium in further recognition of this occasion; further stating that it is really an honor to read this proclamation declaring Black History Month with this year's theme of "Black Economic Empowerment," thereby reading said protocol document into the public record.

Mrs. Leona Cooper on behalf of the MacFarlane Homestead, stated that she was indeed happy to accept this honor for her community; further acknowledging that her community is perhaps one of the oldest in Coral Gables, gleefully pointing out that her community was here when George Merrick arrived, and allowed him to stay in Coral Gables upon his arrival to the area (laughter); further pointing out that there is also a police presence in her community, noting that they have one of the lowest incidences of police calls in Coral Gables, citing that they are well behaved; further stating that former Mayor Dorothy Thompson suggested during the early years of her political career that our community engage ourselves with City government; further acknowledging the presence of Mrs. Prime; Debra Kolsky, she and the late Mr. Cooper's eldest grandson; further acknowledging that City Clerk Walter Foeman was a classmate of one of her daughters at Howard University, Washington D.C., one of our nation's historic black universities; further thanking the City Commission for this accolade].

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

City Clerk Item No. 2

**B. APPROVAL OF MINUTES**

- B.-1. [10-0167](#) Regular City Commission Meeting of January 26, 2010

**Attachments:** [Verbatim Transcript - Agenda Item H-1 - Resolution accepting the recommendatio](#)  
[Verbatim Transcript - Agenda Item F-2 - Discussion re City's Green Efforts.pdf](#)  
[Meeting Minutes.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:

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

City Clerk Item No. 4

**C. CONSENT AGENDA****Passed the Consent Agenda**

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

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

**RESOLUTION NO. 2010-21**

- C.-1. [09-0868](#) Resolution granting a one-day permit to O/E Arts and Culture Foundation to sell alcoholic beverages from 2:00 p.m. until 11:00 p.m. on Saturday, February 20, 2010, at the Fred B. Hartnett/Ponce Circle Park as part of the Carnaval de Barranquilla en Miami, Coronation of the Queen, subject to Florida Department of Professional Regulation requirements.

**Attachments:** [Cover Memo El Carnaval De Barranquilla.pdf](#)  
[C-1 Signed Cover Memo](#)  
[Special Events Application for Carnaval de Baranquilla en Miami](#)  
[El Carnaval De Barranquilla Draft Resolution.pdf](#)

RESOLUTION GRANTING A ONE-DAY PERMIT TO O/E ARTS AND CULTURAL FOUNDATION TO SELL ALCOHOLIC BEVERAGES FROM 2:00 P.M. UNTIL 11:00 P.M., ON SATURDAY, FEBRUARY 20, 2010, LOCATED AT FRED B. HARTNETT/PONCE CIRCLE PARK AS PART OF THE CARNAVAL DE BARRANQUILLA EN MIAMI, CORONATION OF THE QUEEN, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2010-21 on the Consent Agenda.

City Clerk Item No. 5

**RESOLUTION NO. 2010-22****C.-2. [10-0137](#)**

Resolution authorizing the Kiwanis Club of Little Havana to sell alcoholic beverages on Saturday, March 6 and Sunday, March 7, 2010 on Miracle Mile from Douglas Road to LeJeune Road as part of the Carnival on the Mile, subject to Florida Department of Professional Regulation requirements.

**Attachments:** [Carnaval on the Mile Draft Resolution.pdf](#)  
[Special Events Application and Permit for Carnaval on the Mile.pdf](#)  
[Cover Memo for Carnaval on the Mile.pdf](#)  
[C-2 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE KIWANIS CLUB OF LITTLE HAVANA TO SELL ALCOHOLIC BEVERAGES ON SATURDAY, MARCH 6th AND SUNDAY, MARCH 7th , 2010 ON MIRACLE MILE FROM DOUGLAS TO LEJEUNE AS PART OF THE CARNAVAL ON THE MILE; SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**This Matter was adopted by Resolution Number 2010-22 on the Consent Agenda.**

City Clerk Item No. 6

**RESOLUTION NO. 2010-23****C.-3. [10-0142](#)**

Resolution authorizing the use of City-owned submerged lands for new waterfront improvements related to the construction of a new dock, boat lift and seawall; installation of coral rock boulders (rip-rap) and the removal of a canoe launch ramp at 530 Arvida Parkway, subject to all permitting requirements of the City of Coral Gables.

**Attachments:** [Arvida Plans](#)  
[Arvida Dock letter](#)  
[Arvida At-Will Consent letter](#)  
[Arvida cover 2](#)  
[530 Arvida Resolution](#)  
[C-3 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE USE OF CITY-OWNED SUBMERGED LANDS FOR NEW WATERFRONT IMPROVEMENTS RELATED TO THE CONSTRUCTION OF A NEW DOCK, BOAT LIFT AND SEAWALL; INSTALLATION OF CORAL ROCK BOULDERS (RIP-RAP); AND THE REMOVAL OF A CANOE LAUNCH RAMP AT 530 ARVIDA PARKWAY, SUBJECT TO ALL PERMITTING REQUIREMENTS OF THE CITY OF CORAL GABLES.

[Note for the Record: Commissioner Withers mentioned to his colleagues that he understands that Agenda Item C-3 is an administrative approval for the use of City-owned submerged lands for new waterfront improvements, so homeowners can do approvals for their waterfront homes; further questioning the Administration as to whether said matter will now go before the Board of Architects?- further inquiring as to whom will be notified and whether the City staff will be providing notification to those affected residents whose homes look out to the waterfront?-further suggesting that maybe the City should contact the appropriate homeowners association to permit them to take on some of the onus of public notification when said issue is considered before the Board of Architects; whereby Assistant to the Public Works Director Jim Kay responded that this will go before the Board of Architects, subject to all of the permitting requirements; further stating that as it pertains to public notification, that those homeowners within a given radius will be notified].

**This Matter was adopted by Resolution Number 2010-23 on the Consent Agenda.**

City Clerk Item No. 7

**RESOLUTION NO. 2010-24****C.-5. [10-0145](#)**

Resolution accepting the donation of \$500 from Navarro Discount Pharmacies for the Coral Gables Farmers Market Grand Finale Picnic on March 27, 2010, including in particular the children's petting farm.

**Attachments:** [Resolution for Navarro donation](#)  
[01a CDB Minutes EXCERPT Re.FM.Navarro donation JANUARY 20 2010.](#)  
[Comm cover - Navarro donation](#)  
[C-5 Signed Cover Memo](#)

A RESOLUTION ACCEPTING THE DONATION OF \$500 FROM NAVARRO DISCOUNT PHARMACIES FOR THE CORAL GABLES FARMERS MARKET GRAND FINALE PICNIC ON MARCH 27, 2010, INCLUDING IN PARTICULAR THE CHILDREN'S PETTING FARM.

**This Matter was adopted by Resolution Number 2010-24 on the Consent Agenda.**

City Clerk Item No. 8

**RESOLUTION NO. 2010-25****C.-6. [10-0146](#)**

Resolution authorizing the City to apply for a grant through the 2009-2011 Forest Health Improvement Initiative Grant Program in sum of \$24,000.00 for purpose of trimming street trees; and further authorizing the execution of a grant memorandum of agreement with the Florida Department of Agriculture and Consumer Services.

**Attachments:** [2010 - cover sheet - ARRA Florida Forest Health Improvement Initiative grant -](#)  
[2010 - RESOLUTION - ARRA Florida Forest Health Improvement Initiative grant -](#)  
[Draft Grant Memo of Agreement 1-26-10](#)  
[C-6 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE CITY OF CORAL GABLES TO APPLY FOR A GRANT THROUGH THE 2009-2011 FOREST HEALTH IMPROVEMENT INITIATIVE GRANT PROGRAM IN SUM OF TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00) FOR THE PURPOSE OF TRIMMING STREET TREES; AND FURTHER AUTHORIZING THE EXECUTION OF A GRANT MEMORANDUM OF AGREEMENT WITH FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

**This Matter was adopted by Resolution Number 2010-25 on the Consent Agenda.**

City Clerk Item No. 9



**RESOLUTION NO. 2010-26****C.-7. [10-0148](#)**

Resolution accepting a grant award in the amount of \$66,200.00 from the FY 2010 Highway Safety Funds Grant Program Award to fund the Coral Gables Pedestrian Educational Program.

**Attachments:** [COMMISSION COVER MEMO - \\$66,200 - DOT](#)  
[RESOLUTION - \\$66,200. - DOT](#)  
[C-7 Signed Cover Memo](#)

RESOLUTION ACCEPTING A GRANT AWARD IN THE AMOUNT OF \$66,200.00 FROM THE FY 2010 HIGHWAY SAFETY FUNDS GRANT PROGRAM AWARD TO FUND THE CORAL GABLES PEDESTRIAN EDUCATIONAL PROGRAM.

**This Matter was adopted by Resolution Number 2010-26 on the Consent Agenda.**

City Clerk Item No. 10

**RESOLUTION NO. 2010-27****C.-8. [10-0161](#)**

Resolution providing for certain accounting treatment for use of funds in the Stormwater Utility Fund; and providing an effective date.

**Attachments:** [RESOLUTION for Certain Accounting](#)  
[Agenda Item - Resolution providing for certain accounting treatment 2](#)  
[C-8 Signed Cover Memo](#)

RESOLUTION PROVIDING FOR CERTAIN ACCOUNTING TREATMENT FOR USE OF FUNDS IN THE STORMWATER UTILITY FUND; AND PROVIDING AN EFFECTIVE DATE.

**This Matter was adopted by Resolution Number 2010-27 on the Consent Agenda.**

City Clerk Item No. 11

**RESOLUTION NO. 2010-28****C.-9. [10-0164](#)**

Resolution accepting and authorizing the 2008 Urban Areas Security Initiative (UASI) Sub Award Agreement between Miami Dade County and the City of Coral Gables.

**Attachments:** [UASI Sub Award Agreement.pdf](#)  
[Cover Memo - UASI Sub Award Agreement.pdf](#)  
[Fire Department Resolution](#)  
[C-9 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE 2008 URBAN AREAS SECURITY INITIATIVE (UASI) SUB AWARD AGREEMENT BETWEEN MIAMI DADE COUNTY AND THE CITY OF CORAL GABLES.

**This Matter was adopted by Resolution Number 2010-28 on the Consent Agenda.**

City Clerk Item No. 12

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

- C.-10. [10-0127](#) Senior Citizens Advisory Board Meeting of January 4, 2010

**Attachments:** [Min 01-04-2010 draft.pdf](#)  
[Cover Sheet.Minutes 01-04-10.pdf](#)

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

City Clerk Item No. 13

- C.-11. [10-0128](#) Parks and Recreation Advisory Board Meeting of January 15, 2010

**Attachments:** [Min 01-15-10.draft.pdf](#)  
[Cover Sheet.Minutes 01-15-10.pdf](#)

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

City Clerk Item No. 14

- C.-12. [10-0140](#) Parks and Recreation Youth Advisory Board Meeting of January 11, 2010

**Attachments:** [Cover Memo YAB 01-11-10.pdf](#)  
[YAB Min 1-11-10.pdf](#)

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

City Clerk Item No. 15

- C.-13. [10-0141](#) Pinewood Cemetery Advisory Board Meeting of January 11, 2010

**Attachments:** [Pinewood Minutes January 11, 2010](#)  
[NoAction01.11.10CCMtgNoAction02.10.10](#)

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

City Clerk Item No. 16

- C.-14. [10-0147](#) Code Enforcement Board Meeting of January 27, 2010

**Attachments:** [memo cover jan 2010](#)  
[ROLLCALLJAN 2010](#)  
[jan 2010](#)

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

City Clerk Item No. 17

- C.-15. [10-0149](#) Coral Gables Merrick House Governing Board Meeting of January 11, 2010

**Attachments:** [Merrick House January 11, 2010](#)  
[CGMNoAction-01.11.10MinutesforCC02.10.10](#)

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

City Clerk Item No. 18

## **ADDENDUM**

### **RESOLUTION NO. 2010-29**

- C.-16. [10-0169](#) Resolution authorizing the execution of a Grant Amendment Request to the State of Florida, Department of State, Division of Cultural Affairs regarding Culture Builds Florida, Grant #10-2599.

**Attachments:** [Commission cover ACTION 2 10 10 Grant Amend](#)  
[Res. CBF grant Amend 2009 02 10 10](#)  
[02 CDB Minutes EXCERPT Re. Public Art Grant Amend rqst](#)  
[Award ltr](#)  
[Res. 2009-318 authorizing acceptance of grant - Signed](#)  
[C-16 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AMENDMENT REQUEST TO THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF CULTURAL AFFAIRS REGARDING CULTURE BUILDS FLORIDA, GRANT #10-2599.

**This Matter was adopted by Resolution Number 2010-29 on the Consent Agenda.**

City Clerk Item No. 19

### **RESOLUTION NO. 2010-30**

- C.-17. [10-0170](#) Resolution authorizing the waiving of the cost of parking meter rentals for the Farmers Market.

**Attachments:** [Resolution](#)  
[Commission cover 2.10.10 Parking FM](#)  
[C-17 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE WAIVING OF THE COST OF PARKING METER RENTALS FOR THE FARMERS MARKET.

**This Matter was adopted by Resolution Number 2010-30 on the Consent Agenda.**

City Clerk Item No. 20

**RESOLUTION NO. 2010-31**

- C.-18. [10-0172](#) Resolution amending Resolution No. 2009-358, related to federal legislative services.

**Attachments:** [Resolution amending federal legislative services](#)  
[C-18 Signed Cover Memo](#)

RESOLUTION AMENDING RESOLUTION 2009-358 RELATED TO FEDERAL LEGISLATIVE SERVICES.

**This Matter was adopted by Resolution Number 2010-31 on the Consent Agenda.**

City Clerk Item No. 21

**RESOLUTION NO. 2010-32**

- C.-19. [10-0173](#) Resolution amending the 2009-2010 Annual Budget and authorizing an appropriation of funds for the 2007 and 2008 Urban Areas Security Initiative (UASI) Sub Award Grants.

**Attachments:** [Agenda Item - Resolution Amending Budget for UASI Grant](#)  
[Resolution amending 09-10 budget UASI Grant](#)  
[C-19 Signed Cover Memo](#)

RESOLUTION AMENDING THE 2009-2010 ANNUAL BUDGET AND AUTHORIZING AN APPROPRIATION OF FUNDS FOR THE 2007 AND 2008 URBAN AREAS SECURITY INITIATIVE (UASI) SUB AWARD GRANTS.

**This Matter was adopted by Resolution Number 2010-32 on the Consent Agenda.**

City Clerk Item No. 22

**Pulled from Consent Agenda****RESOLUTION NO. 2010-33****C.-4. 10-0143**

Resolution authorizing an increase in the contract limit with Metro Express, Inc. by \$150,000 for further street improvements for the remainder of the final contract period ending on September 30, 2010.

**Attachments:** [Metro 2008-16](#)  
[Metro 2007 Res](#)  
[Metro Resolution](#)  
[Metro cover last](#)  
[C-4 Signed Cover Memo](#)

RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT LIMIT WITH METRO EXPRESS, INC. BY \$150,000 FOR FURTHER STREET IMPROVEMENTS, FOR THE REMAINDER OF THE FINAL CONTRACT PERIOD ENDING ON SEPTEMBER 30, 2010.

[Note for the Record: Commissioner Cabrera stated that he had pulled Agenda Item C-4, read the Brief History in connection with same regarding an increase in the contract limit with Metro Express, Inc. to \$150,000, for further street improvements for the remainder of the final contract period, and that he needed staff to provide him with further information regarding same, in as much as it appears that the City had a contract that was supposed to end within a specified period of time.

Interim Public Works Director Pino stated that his department has some funds remaining in the Gasoline Tax Roadway Improvement Fund, a very limited amount of funds remaining in the Purchase Order with Metro Express Inc., our city's contractor; further stating that in order to fulfill our obligations to complete said road improvements, that his department needs to increase the contract limit for the remainder of the final contract period ending September 30, 2010.

Commissioner Cabrera further queried whether said matter like this ever goes out to bid?-further asking as to the timetable for completion of said project?- whereby Mr. Pino stated that normally, his department does not go out to bid, since we have our own contractor on board; what is needed is to raise the contract limit with Metro Express, Inc. for the remainder of said final contract period; further stating that it is anticipated that said project will be completed by the end of the summer].

**A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-33. The motion passed by the following vote:**

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

City Clerk Item No. 23

[Note for the Record: Commissioner Cabrera requested of the City Manager to work with the Board/Committee Liaisons (Secretaries) in connection with the frequency of absenteeism in accordance with those pertinent provisions of our city's Code; further noting that he recently reviewed attendance sheets wherein one board member had been absent for two consecutive times; further recalling that many years ago that he remembered having a board member who had been absent for two consecutive times, that was forwarded a letter by the Secretary of the Board, resulting in taking said board member off the board.

Mayor Slesnick stated that he thought that three is the number of excessive absences allowable under our City's Code; further requesting of the City Clerk to check to ensure that the stated amount is the correct number of excessive absences allowable; whereby City Clerk Foeman stated that three is the consecutive number of absences allowed in accordance with the City Code Section 2-61 (Note: that for a Board that meets monthly on a regular basis, more than three unexcused absences in any consecutive 12-month period is excessive absenteeism; further stating that three absences over a two year period, are grounds for automatic termination, with exceptions; made for being out of town due to illness, Jury Duty, or absences approved by the Board)].

[Note for the Record (Non-Agenda Item): Commissioner Cabrera requested of the City Clerk to provide him with the names of his City Boards and Committee appointees, who have failed to file their financial disclosure documents, in order that he may personally call them. Mayor Slesnick prefaced his remarks by saying that personally, he felt that the advisory board appointees should not have to file financial disclosure documents, however since it is a County requirement, he understands that said appointees are bound by it.

Commissioner Withers inquired of City Clerk Foeman whether said appointees are now retroactively required to file said documents?-further inquiring of City Attorney Hernandez as to why we are requiring to file current financial data now?-whereby City Clerk Foeman stated that those board members who were active through December 31, 2008 are the ones that were required to file by the July 1, 2009 filing deadline. City Attorney Hernandez added that said individuals are filing financial reporting data for the preceding year for the filing deadline of 2009; further providing a chronology of the reporting process, citing that a letter was forwarded to all appointees, that the City Clerk informed said appointees of the filing deadline of July 1st, 2009; that the City Clerk has forwarded to the City Attorney the master data base of those board members whom had file, as well as those delinquent appointees; that upon communicating with the City Clerk, she has held in abeyance forwarding a list to the

Miami-Dade Commission on Ethics of those board appointees failing to file said financial documents, pending receipt by the City Clerk of those individuals responding to one final request for same; further emphasizing that said mandate is a Code requirement from Miami-Dade County, as well as a state regulation].

[Note for the Record (Non-Agenda Item): Commissioner Cabrera inquired of his colleagues as to what they were doing following the end of the City Commission meeting with their entire agenda packets?-whereby Commissioner Anderson informed her colleagues that she returns same to the City Manager's Office for placement in a recycle bin; wherein Commissioner Cabrera further suggested that maybe our City Commission will consider this as a possible practice for the entire Board. Mayor Slesnick suggested that his colleagues leave the agenda packets on the dais, and allow the City Clerk's staff to place same in a recycle bin; further stating that he is uncertain as to whether said staff may already be currently following said practice].

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

##### **RESOLUTION NO. 2010-20**

**D.-1. [10-0165](#)**

Leona Cooper, in support of a resolution renaming Washington Park located at 4920 Washington Drive in the Golden Gate Subdivision of Coral Gables, William Alexander Cooper Park in honor of William Alexander Cooper.

**Attachments:** [Recommendations from City Boards](#)  
[Proposal](#)  
[Excerpts from Parks & Recreation](#)  
[Excerpts from Cultural Affairs](#)  
[Wording for Plaque](#)  
[CooperParkReso](#)  
[D-1 Signed Cover Memo](#)

RESOLUTION RENAMING WASHINGTON PARK LOCATED AT 4920 WASHINGTON DRIVE IN THE GOLDEN GATE SUBDIVISION OF CORAL GABLES WILLIAM ALEXANDER COOPER PARK IN HONOR OF WILLIAM ALEXANDER COOPER.

[Note for the Record: Mrs. Leona Cooper, speaking on behalf of her late husband in connection with a resolution renaming Washington Park (located at 4920 Washington Park Drive, in the Golden Gate Subdivision of Coral Gables) to William Alexander Cooper Park, stated that he was one of the driving forces in the neighborhood and was well loved in City Hall and in her community, which was a combination of several neighborhoods into the Greater Coral Gables community.

Commissioner Anderson stated that this was one of the nicest projects that she has ever worked on. Commissioner Withers reminded Mrs. Cooper that she can only

water the grass on Mondays, Wednesdays and Fridays (laughter).

Former Mayor Thompson thanked the City Commission for the privilege to talk on behalf of the late William Cooper; further adding that he was a great contributor to the community; further citing that as Chief Pat Kiel, Executive Director of the Crime Watch would acknowledge, that Mr. Cooper was an effective board member of the Crime Watch who never missed a meeting without appropriate justification; further acknowledging that he was a faithful community activist until his last days who also served on the Code Enforcement Board, always willing to step up and help to do a good job; further stating that he was a gem in the community.

Mrs. Cooper prefaced her remarks by initially thanking the City Commission for the renaming of the city's park in her husband's honor; further stating that she missed his presence on this occasion because usually, he was the one who told her what to say; further reiterating that although she was very grateful for this accolade, that many of her family members were unable to be in attendance here today; further pointing out that her husband was born on 201 Washington Drive and that he passed away on 200 Washington Drive; further acknowledging that he was the last Parent Teacher's Association President at George Washington Carver Middle School when it remained an all black school; further recalling that during his collegiate days at St. Augustine College in Raleigh, North Carolina, that the students nicknamed him the "Kid from Coral Gables"; further pointing out that he was of the Episcopalian denomination; further reiterating her thanks to the City Commission, particularly Commissioner Anderson].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-20. The motion passed by the following vote:**

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

City Clerk Item No. 3

**D.-2. [10-0157](#)**

Representatives of the Coral Gables Chamber of Commerce on greening.

**Attachments:** [CGCCPresentation2010.City Commission](#)  
[D-2 Signed Cover Memo](#)

[Note for the Record: A copy of the verbatim transcript on file in the Office of the City Clerk and in Legistar].

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 26



- D.-3. [10-0158](#) Sallye Jude, of the Coral Gables Garden Club, on greening.

**Attachments:** [D-3 Signed Cover Memo](#)

[Note for the Record: A copy of the verbatim transcript is available on file in the Office of the City Clerk and in Legistar).

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 25

## E. PUBLIC HEARINGS

### ORDINANCES ON SECOND READING

#### **ORDINANCE NO. 2010-01**

- E.-1. [09-0785](#) An Ordinance of the City Commission of Coral Gables amending the Official Zoning Code, Article 3, Division 20, entitled "Art in Public Places," in particular Section 3-2002, entitled "Definitions"; Section 3-2003, entitled "Art Funds", for the purpose of allowing the collection of funds to the Historic Public Art Fund and Art Acquisition Fund; providing for severability, repealer, codification, and an effective date. (Passed on First Reading December 15, 2009)

**Attachments:** [11 CDB Minutes Excerpt re AiPP November.pdf](#)  
[Afta Letter of Support.pdf](#)  
[12 15 09 Art in Public Places Amend 1st reading - clean](#)  
[12 15 09 Art in Public Places Amend 1st reading - marked](#)  
[08 CDB Minutes EXCERPT re AiPP AUGUST 19 2009](#)  
[Commission cover ACTION AiPP Amend 12.15.09 final](#)  
[E-6 Signed Cover Memo](#)  
[Verbatim Transcript - CCMtg December 15 2009 - Ordinance Art in Public Places.](#)  
[02 10 10 Art in Public Places Amend 2nd reading - strike and undrln](#)  
[02 10 10 Art in Public Places Amend 2nd reading - clean clean](#)  
[01 13 10 PZB EXCERPT Minutes](#)  
[Art in Public Places Cover Memo - 2nd Reading](#)  
[E-1 Signed Cover Memo](#)

An Ordinance of the city commission of coral gables amending the official zoning code, article 3, division 20, entitled "art in public places," in particular section 3-2002, entitled "Definitions"; section 3-2003, entitled "art funds", for the purpose of allowing the collection of funds to the historic public art fund and art acquisition fund; providing for severability, repealer, codification and an effective date.

[Note for the Record: Following the reading of the title to Agenda Item E-1 by the City Attorney into the public record, there being no testimony proffered by any member of the public, nor there being any deliberations by any member of the City Commission, upon a motion being made by Commissioner Anderson and seconded by

Vice Mayor Kerdyk, Mayor Slesnick requested of the City Clerk to call the roll].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2010-01. The motion passed by the following vote:**

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

City Clerk Item No. 24

## **ORDINANCES ON FIRST READING**

### **E.-2. [10-0150](#)**

An Ordinance of the City Commission of Coral Gables amending the Zoning Code, Article 5, Division 19, entitled, Signs, and Article 8 providing for provisions for monument signs; and providing for severability, repealer, codification, and an effective date. (Passed on First Reading February 10, 2010)

**Attachments:** [02 10 10 Exhibit A - Ordinance](#)  
[02 10 10 Exhibit C - Staff Report w attachments](#)  
[02 10 10 Exhibit D - 01 13 10 PZB mtg minutes](#)  
[02 10 10 CC Cover Memo re: ZC Text Amend - Monument Signs - 1st Reading](#)  
[E-2 Signed Cover Memo](#)  
[02 10 10 Exhibit B - Photographs](#)  
[02 23 10 CC Cover Memo re: Monument Signs - 2nd Reading](#)  
[02 23 10 Exhibit A - Ordinance re: ZC Text Amend - Monument signs](#)  
[E-1 Signed Cover Memo](#)

[Note for the Record: City Manager requested of Planning Director Eric Riel to provide the presentation for Agenda Item E-1, wherein Mr. Riel stated that our Zoning Code allows for monument signs on US Highway One and SW 8th Street, but the term monument sign is not listed within the provisions of the Code, nor is there a definition for same; further stipulating that said proposed amendment to the Zoning Code allows for up to three tenant names on monument signs, as compared to the current Code which only permits one tenant; further providing for additional flexibility for multi-tenant buildings and also encourages monument signs which is aesthetically more appealing.

Mr. Riel also added that the Zoning Board recommended approval on January 13, 2010, and that staff recommended approval as well].

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

**Yeas :** 3 - Commissioner Cabrera, Jr., Commissioner Withers and Mayor Slesnick II

**Absent :** 2 - Commissioner Anderson and Vice Mayor Kerdyk, Jr.

City Clerk Item No. 27

**F. CITY COMMISSION ITEMS**

None

City Clerk Item No. 28

**G. BOARDS/COMMITTEES ITEMS**

None

City Clerk Item No. 29

**H. CITY MANAGER ITEMS**

None

City Clerk Item No. 30

**I. CITY ATTORNEY ITEMS**

I.-1. [10-0155](#) Pending Litigation Report.

**Attachments:** [Pen02 10 10](#)

**This Resolution was Discussed and Filed**

City Clerk Item No. 31

**RESOLUTION NO. 2010-34**

Non [10-0198](#)  
Agenda

A Resolution accepting the escrow agreement with the Biltmore Hotel.

RESOLUTION GRANTING APPROVAL TO THE CITY MANAGER TO ENTER INTO AN ESCROW AGREEMENT BY AND AMONG THE CITY OF CORAL GABLES, A FLORIDA MUNICIPAL CORPORATION WHOSE PRINCIPAL ADDRESS IS 405 BILTMORE WAY, CORAL GABLES, FLORIDA, THE BILTMORE LIMITED PARTNERSHIP AND THE HOTEL MANAGEMENT FLORIDA LIMITED PARTNERSHIP (WHOSE PRINCIPAL ADDRESS IS 1200 ANASTASIA AVENUE, CORAL GABLES, FLORIDA 33134), TOGETHER WITH THE SUBSIDIARIES OF SAID PARTNERSHIPS AND THE ENTITIES WHICH OWN SAID PARTNERSHIPS IN ORDER TO ALLOW THE CITY TO PROCEED FORWARD WITH ANY NEGOTIATIONS IN CONNECTION WITH FUTURE RENTAL ARRANGEMENTS WITH THE BILTMORE.

[Note for the Record: City Attorney Hernandez handed out copies of the final agreed upon escrow agreement that was signed by the Biltmore, and submitted same before the City Commission for its consideration, review and approval; she further referenced several points pertaining to said document, such as by having a neutral party to hold the records, the dispute as to any type of trademarks and/or any proprietary interest with the Biltmore, would be resolved either by way of contract or by way of objection by the Biltmore, the latter would have to file the appropriate suit in Court at that time.

Questions, Inquiries, Comments and Concerns by the City Commission: Vice Mayor Kerdyk queried a point of clarification inquiring as to whether the aforementioned escrow agreement amend the existing lease agreement that the City has with the Biltmore?- wherein the City Attorney responded in the negative. Mayor Slesnick added that if anything, this initiative expands the oversight role of the City Commission, since the aforementioned documents were never included in the original lease agreement].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-34. The motion passed unanimously.**

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

City Clerk Item No. 32

**RESOLUTION NO. 2010-35****Non     10-0199  
Agenda**

A Resolution scheduling an executive session to discuss pending litigation in the case of City of Coral Gables vs. Quantum Leap Network, Inc.

A RESOLUTION TO AUTHORIZE CONVENING OF AN ATTORNEY-CLIENT SESSION, CLOSED TO THE PUBLIC FOR PURPOSES OF DISCUSSING SETTLEMENT NEGOTIATIONS AND STRATEGY IN THE CASE OF CITY OF CORAL GABLES V. QUANTUM LEAP NETWORK INCORPORATED (MIAMI-DADE CIRCUIT CASE NO. 09-17991CA27), PURSUANT TO SECTION 286.011(8), F.S. (2009); THAT SESSION IS TO BE RECORDED BY CERTIFIED COURT REPORTER, WITH TRANSCRIPT TO BECOME PART OF PUBLIC RECORD UPON CONCLUSION OF LITIGATION; WITH REASONABLE PUBLIC NOTICE TO BE GIVEN TIME AND DATE OF ATTORNEY-CLIENT SESSION (THAT SAID SESSION WILL BE CONDUCTED AT APPROXIMATELY 11 A.M., TUESDAY, FEBRUARY 23, 2010, IN THE OFFICE OF THE CITY MANAGER, LOCATED AT 405 BILTMORE WAY, CORAL GABLES, FL 33134), AND NAMES OF PERSONS ATTENDING (MEMBERS OF CORAL GABLES CITY COMMISSION, DONALD D. SLESNICK, II, MARIA ANDERSON, RAFAEL "RALPH" CABRERA, JR., WILLIAM H. KERDYK, JR., AND WAYNE WITHERS, CITY ATTORNEY ELIZABETH M. HERNANDEZ, SPECIAL COUNSEL STEVEN R. REININGER, AND CITY MANAGER PATRICK G. SALERNO.

[Note for the Record: City Attorney Hernandez informed the City Commission that her office has exchanged discussions in the case of the City of Coral Gables v. Quantum Leap Network, and will commence with mediation; further informing the Commission that pursuant to section 286.011, Florida Statutes (entitled "Public Meetings and Public Records; Public Inspections; Criminal and Civil Penalties,") during our regular meeting of February 23, 2010, that the person chairing the meeting will announce a recess of our City Commission meeting and that the Commission will convene an Attorney-Client session at approximately 11 a.m., in the Office of the Mayor (Note: The venue was later changed to the Office of the City Manager), closed to the public, for the purposes of discussing settlement negotiations and strategy in the case of City of Coral Gables v. Quantum Leap Network Incorporated (Case No. 09-17991 CA 27); further stating that said session may be attended by the members of the Coral Gables City Commission, Don Slesnick II, Maria Anderson, Rafael Cabrera, Jr., William H. Kerdyk, Jr., and Wayne "Chip" Withers, City Attorney Elizabeth M. Hernandez, Special Counsel David Rogero and City Manager Patrick Salerno; further stating that a certified court reporter will be present to ensure that the session is fully transcribed, and that said transcript will be available to the public at the conclusion of the aforementioned litigation; further noting that the City

Commission meeting will be reopened, and the person chairing said meeting shall announce the termination of the Attorney-Client session.

City Attorney Hernandez further informed the City Commission that she was making this request in order to prepare for any future litigation in connection therewith. Mayor Slesnick pointed out that the City Attorney had either missed something or was planning usage of a bad venue since his office is much too small for said closed door session; further suggesting usage of the City Manager's Office].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-35. The motion passed unanimously.**

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

City Clerk Item No. 33

#### **J. CITY CLERK ITEMS**

None

City Clerk Item No. 33

#### **K. DISCUSSION ITEMS**

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: I just have one item. I had a resident that lives near Sunset Elementary that people are parking underneath the "no parking" area, so maybe we could have some enforcement, Police look at that area or Parking or whomever it is that is appropriate for that, because people are violating the "no parking" in that area during drop offs and pick-ups, and it's annoying the neighbors. I don't think there is a permanent solution to that, but I think we can temporarily, periodically enforce it. That's it for me.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: I wanted to begin by congratulating the Parks and Recreation Department and specifically the Director, Fred and his entire staff that participated in last Friday's "Daddy/Daughter Dance," it was once again an annual event in our city and it was extremely well attended and we had a new venue which was the Fairchild Tropical Gardens, and I know Commissioner Kerdyk, Vice Mayor Kerdyk, forgive me, Vice Mayor Kerdyk has attended the "Daddy/Daughter Dance" on a couple of occasions - great event. So Fred congratulations to you and your staff, you did a great job, too bad you ran out of food, I'm just kidding, the food was great, the whole venue was really outstanding, and we had a great time. I wanted to also share with the Commission that at the next Commission meeting, I will request that the Manager

include a resolution in the agenda supporting a state ban on text messaging, while operating a motor vehicle.

Mayor Slesnick: I think we've done that.

Commissioner Cabrera: No

Mayor Slesnick: No, we didn't?

Commissioner Cabrera: No we have not, here is the resolution that's in front of me, it was drafted by the City Attorney's office.

Mayor Slesnick: OK, I was under the impression that we did it.

Commissioner Cabrera: Well, I don't believe we have.

Mayor Slesnick: Well if not we'll bring it up, but if so, let's find out. I'll support it.

Commissioner Cabrera: Well I'm sure we'll all support it, but if we've already done it by all means, but I was under the impression that we did some research on it and there were some concerns over it, and finally we decided to adopt a very similar resolution to that of Parkland's. Madam City Attorney can you add anything to this?

City Attorney Hernandez: No, I can tell you that there are presently fourteen bills in Tallahassee, several cities have submitted their resolutions supporting a banning on texting, and coincidentally the Miami Herald is running an article today on this very issue. So it is an issue of statewide importance.

Commissioner Cabrera: Can you respond to Mr. Slesnick's comment that perhaps we have already supported this?

City Attorney Hernandez: I am unable to respond to that comment. I know that you brought it up once before and asked us to research whether or not we could do a local ordinance, and we advised you of an Attorney General opinion that it was a matter that had to be taken up at a statewide level, but I'm not aware of any other action that's been taken.

Commissioner Cabrera: Mr. Clerk can you add anything to this?- maybe we did do something?

City Clerk Foeman: I don't think we have taken any action, Commissioner Cabrera, but we'll check our records to verify that.

Commissioner Cabrera: I think we did....we all went through the discussion process and then we asked the City Attorney to do further research on it, do you all want a copy of it so you can look at it prior to the next meeting?

Commissioner Withers: Does it include checking e-mail or just texting? (laughter). I want to make sure I'm not violating the law here.

Commissioner Cabrera: It doesn't talk about blogging.

City Attorney Hernandez: Too late, it's too late.

Commissioner Withers: How about putting on makeup and stuff like that?

City Attorney Hernandez: Chip you are not allowed to put on makeup, I think that, that will get you arrested (laughter).

Commissioner Withers: A little blush under the eyes might help every once in awhile.

Commissioner Anderson: Touch up the lips.

Commissioner Cabrera: Alright - the other item or the other items that I have for us this morning, it's really more of a request to the Manager's office to come back to the Commission, specifically at the next Commission meeting, and provide us with updates, as much of an update as he can provide regarding the following open senior positions: the position of Police Chief, the position of HR Director, and the Public Works Director position. Outside of what I read in the Gables website, our website, I don't know what else is happening; I know that they are all open positions because they have not been filled; otherwise they would no longer be posted. So I'd like to get an update from the Manager's office on that. I also wanted to thank the Manager's office for providing us with a copy of the quarterly report for the three months ending December 31, 2009, it's our first quarter fiscal report, it was provided to us - I think we got it all about the same time, which was last Friday with our mail; and what I wanted to specifically request is a presentation on the report because I have a number of comments and questions regarding it, and I'd like to discuss those in a public forum. Anybody have any questions of me on this?

Commissioner Withers: I was going to compliment that whomever is to be complimented on the report, I think I don't know how much we can see after three months, I think mid-year is probably going to be a little more tell-tale, but I wanted to specifically comment on the "as of" column, that really tells us whether its cash, whether it's a timing issue, whether it's a....it really helps because you look at, OK, we should be twenty-five percent with revenues, we should be twenty-five percent with expenses, why are we forty-two percent with expenses, and that little "as off"



helps a lot. So I just want to compliment you.

Vice Mayor Kerdyk: Mayor.

Commissioner Cabrera: Well I said before, I'm sorry Mr. Kerdyk, I apologize.

Vice Mayor Kerdyk: The City Manager wanted to comment on it.

City Manager Salerno: Mayor, Don is here today, the report was issued on Friday, I asked Don to stay so that as one of the last items he would be prepared to make that presentation regarding the first quarter report and explain it and respond to any questions. Don.

Commissioner Cabrera: Mr. Mayor, my purpose of making this request is that it be a publicly noticed intent by this Commission to go over it, so I mean, I'll be glad to let the Manager have the Finance Director make whatever commentary he wishes, but I've got the rest of the afternoon, I've got my notes, I'm ready to ask all my questions. So it could take ten minutes, it could take a half-hour. First of all we got this on Friday....

Mayor Slesnick: Would you like to schedule it for the next meeting?

Commissioner Cabrera: That was my request, that's what I requested.

Mayor Slesnick: OK, that's what I'm saying, but they offered to do it now.

Commissioner Cabrera: But that's not what I requested, is it?

Vice Mayor Kerdyk: That's fine with me, I think it's great.

Mayor Slesnick: Anybody has an alternate opinion?

Commissioner Anderson: No, not at all.

Mayor Slesnick: Mr. Manager could we schedule it for the next meeting?

City Manager Salerno: Sure, we are ready today though; we are ready now.

Vice Mayor Kerdyk: At least we are ready to do it, that's the good news, I mean that's great news we're ready because I've been here before when we are not ready to do it, so at least we are ready to do it. I think doing it at the next venue is good, as the Commissioner said at least it can be noticed and if there are any questions we can deal with it at that point.

City Manager Salerno: I wanted to...there was a comment at the last meeting as to when we were going to get the report, Don worked on it consistently since the close-out at the end of the year, and I wanted to get it before you, under Discussion Items, and that's what the plan was, but we'll be glad to bring it up at the next meeting.

Commissioner Withers: So it's not a public hearing?

Commissioner Cabrera: No.

Commissioner Withers: I mean, we are not going to have the public making comments and stuff like that.

Commissioner Cabrera: That was not my intent; my intent was for us to have a discussion item for us, not to have a public - when I said public forum I meant in a public...

Vice Mayor Kerdyk: Noticed so that the public knows it's on the agenda, yes, that's what you are saying.

Commissioner Cabrera: Yes - absolutely.

Commissioner Anderson: I think that's fair.

City Manager Salerno: Mr. Mayor, one other item - I'll be glad to give the Commission an update right now on our recruitment on those three positions, those are very important positions. We had a good response for the Police Chief, the HR Director and the Public Works Director. I have been spending my Sundays for the last, I don't know, two months on the phone calling candidates that peak my interest in all three positions. We've started the interview process in all three positions, Police Chief, HR Director, and Public Works Director. We are in that mode right now and I expect that to continue a couple of weeks longer, and then I'll be making a selection in that regard. That's all that I can report at this time because the interviews are ongoing in those three regards, but I'm pleased with the quality of the candidates that we've had. In the case of the HR Director, I believe, I could be wrong, but I think we are in the neighborhood of 400 plus candidates that needed to be reviewed, and that's why I don't have the time during the day, I'm doing it on Sunday, I catch the candidates at home, they like having the opportunity to talk to me away from their office, and not preoccupied with the daily business of what they are doing. So we are making good progress in that regard. That's all Mayor.

Commissioner Cabrera: Since the Manager was kind enough to give us his update, I wanted just to announce publicly that if anyone's watching this meeting, ladies and

gentlemen, we have nothing to do with the hiring of these positions, so I encourage you if you wish to reach out to the members of this Commission on behalf of friends, and relatives, and acquaintances that you feel are well equipped to take on the job, I strongly recommend that you reach directly out to the City Manager's office because the five of us have nothing to do with the hiring of these jobs. I don't know how the rest of you feel, but I'm getting resumes, I'm getting requests to meet with me and discuss the positions, and I'm not in any position to do that, it's not going to be a position that will report directly to my office, or for that matter to any of us, and all these recommendations that are being requested and all these meetings are a waste of my time and a waste of those folks that are interested in these jobs. So I wanted to take this opportunity to make this editorial comment. That's it for me.

Mayor Slesnick: Mr. Kerdyk.

Vice Mayor Kerdyk: Yes Mayor just one item. With the real estate industry in flux, what I would like Mr. City Manager if you...

Commissioner Withers: Flux?

Vice Mayor Kerdyk: Yes flux, going down; downward spiral whatever adjective you want to use there. The fact is that I'd like to have a report from staff outlining our rental properties; you know the tennis, the square footage, if the square footage is decreasing, the vacancies, the delinquencies, you know if any evictions are starting on any of those properties that we have. I also would like to have an update of what is happening on the theater on Aragon too, where we stand in the process on opening the theater, and just give me an overall idea of what is exactly happening with our real estate rental properties, basically is what I'm looking at. That's it. Thank you.

Mayor Slesnick: On the theater...

Vice Mayor Kerdyk: Yes.

Mayor Slesnick:...there is an e-mail that was sent out; I don't know if it was circulated, by the group that we contracted with to run the theater, which is a good update.

Vice Mayor Kerdyk: I don't know if I saw that.

Mayor Slesnick: Mr. Manager, I know if it could be circulated that might help.

City Manager Salerno: Excuse me Mayor?

Mayor Slesnick: Steve Graham sent out that, I think that Catherine has it if you don't,

but an e-mail that brought us up to date on what they are doing.

City Manager Salerno: OK, I haven't seen it. Be glad to give an update.

Mayor Slesnick: Mr. Withers.

Commissioner Withers: No sir.

Mayor Slesnick: Mr. Manager?- anybody else? One thing I would like it to be noted when some archeologist in a hundred years digs up the files that are buried somewhere along here about our Commission, that I brought up every chance I got, the importance of the next parking garage along Miracle Mile. So Mr. Manager, I just want to reiterate my continuing concern and devotion to the proposition that we move forward and as aggressive that we can under the circumstances of our economic conditions and so forth, and continuing to consider how do we rehabilitate, expand and improve upon at least one of the two garages along Andalucia, particularly the one behind the Miracle Theater, which I think is the one - well I actually - either garage, the one next to Publix or the one behind the Miracle Theater, but I just think that's something that I want to continue to stress is high on my priority list for the future of our downtown area.

Vice Mayor Kerdyk: I think that's very good.

Mayor Slesnick: Other than that we are through for the day, and we will be back here on Tuesday, the 23rd of the month, and as you heard before, we will be having our regular meeting discussing which items are ripe for discussion. We also will be having an executive meeting among the Commission to talk about extant lawsuit, which needs discussion between the Commissioners. With that and no other business being brought before us, we will adjourn until that time. We thank you for your attention and participation.

City Attorney Hernandez: And Mr. Mayor, Commissioner we are going to one-on-one downstairs in the Manager's office.

City Clerk Item No. 34

**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 10:38 am on February 10, 2010. The next regular meeting of the City Commission has been scheduled for February 23, 2010, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK