

# City of Coral Gables

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



## Agenda

**Tuesday, March 23, 2010**

**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*

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

**INVOCATION****PLEDGE OF ALLEGIANCE**

*Pedro Garcia, Miami-Dade Property Appraiser*

**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [10-0250](#) Presentation of Certificates of Recognition to Georgina Angones, Patricia Clarke and Linda Collins Hertz, who have been selected as Women of Impact 2010 for their involvement in the betterment of our community.
- A.-2. [10-0267](#) Presentation of a Proclamation declaring April 2010 as Water Conservation Month in Coral Gables.
- A.-3. [10-0254](#) Presentation of 20 years service pin to Dania Rodriguez, Finance Department.
- A.-4. [10-0255](#) Congratulations to Migdalia Mejia, Finance Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of April 2010.

**B. APPROVAL OF MINUTES**

- B.-1. [10-0268](#) Regular City Commission Meeting of March 9, 2010

**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. [10-0237](#) Resolution granting a one-day permit to the United Way of Miami-Dade to sell alcoholic beverages on Thursday, April 22, 2010, from 5:00 p.m. to 10:00 p.m. at the Village of Merrick Park on San Lorenzo Avenue during the Miami Wine and Food Festival, subject to Florida Department of Professional Regulation requirements.
- C.-2. [10-0238](#) Resolution authorizing the execution of an Agreement between the City and University of Miami authorizing a sewer connection outside the City Sanitary Sewer districts to serve the proposed Miguel B. Fernandez Entrepreneurship Building at the University of Miami located at 1305 Stanford Drive, Coral Gables, Florida, subject to the requirements of the Public Works Department as provided under Chapters 62 and 78 of the City Code, Ordinance No. 2007-29 and Resolution No. 27941 and provided that the executed agreement be made part of this Resolution.
- C.-3. [10-0257](#) Resolution authorizing the donation of one thousand dollars (\$1,000) to be used for a Bronze Sponsorship of Miami-Dade County Days in Tallahassee on April 21 and 22, 2010.
- C.-4. [10-0262](#) Resolution rescinding Resolution 2009-81 that authorized the purchase of a Mack 2 Low Profile Surface Dredger from Liverpool Water Witch Marine & Engineering Co. Ltd., from Liverpool, UK and amending Resolution 2009-137 by not appropriating the funds from the Stormwater Utility Fund for said purchase.
- C.-5. [10-0265](#) Resolution authorizing the Mayor to execute a Partnership Agreement between the Reserve Components of the United States Army and the City of Coral Gables.
- C.-6. [10-0266](#) Resolution amending Resolution No. 29040 regarding the donation policy for the City of Coral Gables.

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

- C.-7. [10-0176](#) Cultural Development Board grant forms update workshop of January 28, 2010
- C.-8. [10-0224](#) Pinewood Cemetery Advisory Board Meeting of February 8, 2010
- C.-9. [10-0225](#) Coral Gables Merrick House Governing Board Meeting of February 8, 2010
- C.-10. [10-0239](#) Communications Committee Meeting of February 18, 2010
- C.-11. [10-0240](#) Landscape Beautification Advisory Board Meeting of March 4, 2010
- C.-12. [10-0241](#) City of Coral Gables/University of Miami Community Relations Committee Meeting of March 2, 2010
- C.-13. [10-0244](#) Property Advisory Board Meeting of February 26, 2010
- C.-14. [10-0246](#) Retirement Board Meeting of February 11, 2010
- C.-15. [10-0247](#) Senior Citizens Advisory Board Meeting of March 1, 2010
- C.-16. [10-0252](#) Cultural Development Board Meeting of February 8, 2010
- C.-17. [10-0256](#) International Affairs Coordinating Council Meeting of February 16, 2010
- C.-18. [10-0258](#) Historic Preservation Board Meeting of February 18, 2010

**D. PERSONAL APPEARANCES**

- D.-1. [10-0251](#) Presentation by Sarah E. Rogers, Community Representative, American Cancer Society.
- D.-2. [10-0264](#) Request of Brian Leslie, 5400 Hammock Drive, to address the Mayor and City Commissioners regarding Holiday Park.

**E. PUBLIC HEARINGS**

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

**ORDINANCES ON SECOND READING**

- E.-1. [10-0228](#) An Ordinance of the City Commission of Coral Gables authorizing the City Manager to approve activities at the Ryder Convocation Center on the Campus of the University of Miami, notwithstanding limitations imposed by prior UMCAD approvals, in certain limited circumstances, setting forth the conditions; providing for repealer provision, savings clause, and a severability clause; and establishing an effective date. (Passed on First Reading March 9, 2010.)
- E.-2. [10-0232](#) An Ordinance of the City Commission of Coral Gables amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," providing for certain changes in order to comply with amendments in Chapter 2009-97, Laws of Florida, to Chapters 175 and 185, Florida Statutes; and providing an additional clarification; providing for an effective date; and repealing all ordinances inconsistent herewith. (Passed on First Reading March 9, 2010.)

**ORDINANCES ON FIRST READING****Items E-3 through E-5 are related**

- E.-3. [10-0242](#) Change of Land Use. An Ordinance of the City Commission of Coral Gables amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from "Residential Use (Multi Family) Low Density" to "Commercial Use, Low-Rise Intensity" for a 0.59 acre parcel, legally described as Lots 17-19, Block 92, Riviera Section Part 2 (5100-5118 Riviera Drive), 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: 7-0)
- E.-4. [10-0243](#) Change of Zoning. An Ordinance of the City Commission of Coral Gables approving a change of zoning from Multi-Family 2 District (MF2) to Commercial Limited (CL) for a 0.59 acre parcel, legally described as Lots 17-19, Block 92, Riviera Section Part 2 (5100-5118 Riviera Drive), 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: 6-1)
- E.-5. [10-0245](#) Site Plan Review. An Ordinance of the City Commission of Coral Gables granting site plan approval for the construction of a 3 story/45' high, 14,590 sq. ft. commercial office building on the property legally described as Lots 17-19, Block 92, Riviera Section Part 2 (5100-5118 Riviera Drive), 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: 6-1)

**F. CITY COMMISSION ITEMS**

- F.-1. [10-0263](#) General Discussion on UBC and the Charter School issue  
Commissioner Maria Anderson

**G. BOARDS/COMMITTEES ITEMS**

None

**H. CITY MANAGER ITEMS**

None

**I. CITY ATTORNEY ITEMS**

- I.-1. [10-0261](#) Pending Litigation Report
- I.-2. [10-0248](#) Resolution authorizing the City Attorney to proceed with filing an action for breach of contract against ArcoArt Plus, L.L.C. d/b/a Trolineet for failing to comply with the terms of the agreement with the City; and further authorizing the City Attorney to take all action necessary to represent the interests of the City.
- I.-3. [10-0259](#) Resolution accepting proposed settlement agreement and general release in connection with an action involving a claim filed by Bianca Milov Against the City of Coral Gables.
- I.-4. [10-0260](#) Resolution accepting proposed settlement agreement and general release in connection with an action involving a claim filed by Danilo Benedit against the City of Coral Gables.

**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 Ernesto Pino, Interim Public Works Director, at 305-460-5004, with requests for auxiliary aids or services at least one business day before the meeting.*

**Patrick G. Salerno**  
**City Manager**