

City of Coral Gables

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



Agenda

Tuesday, October 10, 2017

9:00 AM

**Pre-meeting presentations will be held in the
City Hall Courtyard at 8:30 am.**

City Hall, Commission Chambers

City Commission

*Mayor Raul J. Valdes-Fauli
Vice Mayor Patricia Keon
Commissioner Vince Lago
Commissioner Michael Mena
Commissioner Frank C. Quesada*

*Cathy Swanson-Rivenbark, City Manager
Craig E. Leen, City Attorney
Walter J. Foeman, City Clerk*

**Pre-meeting presentations will be held in the City Hall Courtyard at 8:30 am.
Agenda Items A-2 through A-5**

INVOCATION

Rev. Jorge R. Cotto, Central Christian Church.

PLEDGE OF ALLEGIANCE

A. PRESENTATIONS AND PROTOCOL DOCUMENTS

Agenda Items A-1 and J-1 are related.

- A.-1. [17-6610](#) Presentation of a Proclamation declaring October 2017 as "Americans with Disabilities Month" in Coral Gables.
- A.-2. [17-6541](#) Presentation of a Proclamation declaring October 2017 as "National Arts and Humanities Month" in Coral Gables.
- A.-3. [17-6585](#) Congratulations to the Coral Gables Fire Department, for achieving an ISO Class -1 Rating
- A.-4. [17-6577](#) Congratulations to the Finance Department represented by Diana M. Gomez, Finance Director, recipient of the Government Finance Officers Association's Certificate of Achievement Award for the Fiscal Year ended September 30, 2016.
- A.-5. [17-6589](#) Congratulations to Deputy Fire Chief Gil Hernandez, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of September 2017.
- A.-6. [17-6566](#) Congratulations to Jose Rodriguez who holds the title Personnel Analyst/Public Safety, recipient of the "Employee of the Month Award," for the month of September, 2017.
- A.-7. [17-6606](#) Congratulations to Frank Albritton who holds the title Maintenance Worker II, recipient of the "Employee of the Month Award," for the month of October, 2017.

B. APPROVAL OF MINUTES

- B.-1. [17-6572](#) Commission Meeting of August 29, 2017.
- B.-2. [17-6573](#) Budget Hearing of September 14, 2017.
- B.-3. [17-6609](#) Budget Hearing of September 26, 2017.

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. [17-6594](#) A Resolution of the City Commission of Coral Gables, Florida, amending Ordinance 2015-17, as amended, to revise various Local Business Taxes by the Finance Department and False Alarm Fees by the Fire Department; providing severability clause, and an effective date.
- C.-2. [17-6582](#) A Resolution authorizing Coral Gables Chamber of Commerce to sell alcoholic beverages at Fred B. Hartnett Ponce Circle Park on Thursday, November 2, 2017, from 5:30 p.m. to 10:00 p.m. during the "Burgerlicious" event, to benefit Coral Gables Community Foundation, subject to Florida Department of Professional Regulation Requirements.
- C.-3. [17-6587](#) A Resolution authorizing the Coral Gables Community Foundation to sell alcohol on Merrick Way, between Alhambra Plaza and Giralda Avenue on Saturday, October 21, 2017, from 11:00 a.m. to 5:00 p.m., during the "Pumpkin Patch" at Pittman Park event, subject to Florida Department of Business and Professional Regulation requirements.
- C.-4. [17-6592](#) A Resolution authorizing the execution of an agreement for sewer connection for property located outside the City's sewer district at 5827 and 5855 Ponce de Leon Boulevard, Coral Gables, Florida to the City of Coral Gables wastewater collection / transmission system, 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 2009-39 and Resolution No. 2008-07; and provided that the executed agreement be made part of this resolution.

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

- 1.-1. [17-6611](#) Anti-Crime Committee Meeting of July 26, 2017.
- 1.-2. [17-6612](#) Anti-Crime Committee Meeting of August 30, 2017.
- 1.-3. [17-6601](#) Advisory Board on Disability Affairs Meeting of July 5, 2017.
- 1.-4. [17-6604](#) Advisory Board on Disability Affairs Meeting of August 9, 2017.
- 1.-5. [17-6588](#) Budget/Audit Advisory Board Meeting of September 6, 2017.
- 1.-6. [17-6559](#) Coral Gables Arts Advisory Panel Meeting of June 28, 2017.
- 1.-7. [17-6354](#) Cultural Development Board Meeting of August 1, 2017.
- 1.-8. [17-6602](#) Retirement Board Meeting of August 10, 2017.

2. Presentation of Boards and/or Committees draft/final minutes requesting action from the City Commission [Note: A vote to accept the minutes does not mean approval of the substance within the minutes]:

- 2.-1. [17-6613](#) A Resolution by the Coral Gables Anti-Crime Committee recommending that the City of Coral Gables address the facilities at Phillips Park and requesting that the City Commission direct City staff to make all necessary repairs.

D. MAYOR'S COMMENTS

- D.-1. [17-6576](#) A discussion regarding the adoption of a State of Emergency Ordinance.
(Sponsored by Mayor Valdes-Fauli)
(Sponsored by the City Attorney)
- D.-2. [17-6615](#) Update regarding Mayor's meeting with the Superintendent of Miami-Dade County Public Schools.
(Sponsored by Mayor Valdes-Fauli)

E. PERSONAL APPEARANCES

- E.-1. [17-6574](#) Introduction of the University of Miami Student Government and Get Out the Vote organizations.

F. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in. Presentations made to the City Commission are subject to the City's False Claims Ordinance, Ch. 39 of the City of Coral Gables Code.

Anyone who wishes to address the City Commission on an item to be considered for public hearing must fill out a Speaker Card and turn it in to the City Clerk. Speaker Cards can be obtained on the credenza located outside the office of Commissioners Lago and Keon, during the day of the City Commission Meeting.

ORDINANCES ON SECOND READING

- F.-1. [17-6570](#) An Ordinance Amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," amending Section 50-26, "Compulsory Participation" to allow non-bargaining unit police officers and firefighters hired from outside the City the option to elect to participate in a defined contribution retirement plan, instead of the Coral Gables Retirement System; and providing for a repealer provision, severability clause, codification and providing for an effective date.
- F.-2. [17-6499](#) An Ordinance of the City Commission of Coral Gables, Florida, identifying the Duties and Powers of each Member of the City Commission (including the Mayor and Vice Mayor in their roles as Commissioners) and creating Section 2-29 of the Code of the City of Coral Gables entitled "Commissioners; Duties and Powers," establishing the functions, duties, and responsibilities of the Office of Commissioner; providing for a repealer provision, severability clause, codification, and providing for an effective date.
(Sponsored by Commissioner Lago)
- F.-3. [17-6522](#) An Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 10 of the City of Coral Gables Code Entitled "Animals" by creating Section 10-4 entitled "Peafowl," providing for a repealer provision, severability clause, codification, enforceability, and providing for an effective date.
(Sponsored by Commissioner Lago)

G. CITY COMMISSION ITEMS

- G.-1. [17-6581](#) A discussion on implementing a tracking tool to keep track of requests made by the Commission.
(Sponsored by Commissioner Lago)
- G.-2. [17-6584](#) A discussion on the possible reconsideration of the lot at Doctors Hospital.
(Sponsored by Commissioner Quesada)
- G.-3. [17-6600](#) A discussion regarding the US-1 Corridor Study.
(Sponsored by Commissioner Lago)
- G.-4. [17-6614](#) A discussion regarding Governor Rick Scott's appointment of Ritch Workman to the Public Service Commission and possible action urging the Miami-Dade County Legislative Delegation to use close scrutiny in deciding whether to confirm the appointment because of concerns raised in an article published in the Miami Herald on October 2, 2017.
(Sponsored by Vice Mayor Keon)

H. BOARDS/COMMITTEES ITEMS

[Note for the Record: Board Appointments are an Administrative Act not a Legislative Act, therefore, the City Clerk has requested of the Mayor to have a motion made have the City Clerk accept each elected and appointed officials list of appointees].

I. CITY MANAGER ITEMS

- I.-1. [17-6603](#) A Resolution approving an agreement with Gables Estates Club, Inc. for the design and implementation of Leucadendra Neighborhood Park.

J. CITY ATTORNEY ITEMS

Agenda Items A-1 and J-1 are related.

- J.-1. [17-6607](#) A Resolution of the City Commission of the City of Coral Gables, Florida, declaring Principles of Inclusion for all individuals with disabilities, and urging action by national, state, and local governments, businesses, and residential communities consistent with these Principles.
(Sponsored by Vice Mayor Keon)
- J.-2. [17-6593](#) A Resolution directing the City Attorney to take all necessary action to protect "Miracle Mile" as a trademark.
(Sponsored by Mayor Valdes-Fauli)
- J.-3. [17-6553](#) Commission update on annexation feasibility report.

- J.-4. [17-6571](#) Request for an Executive Session (if any).

K. CITY CLERK ITEMS

- K.-1. [17-6590](#) A Resolution in accordance with Section 2-26 of the City Code, entitled "Regular Meetings, Special Meetings", setting forth the meeting dates through December 2017, as follows: Tuesday, November 14, 2017 and Tuesday, December 5, 2017.
- K.-2. [17-6591](#) A Resolution with attachments, officially accepting the City Clerk's Certification and Declaration of Results using a petition process to ascertain whether a majority of the property owners support the continued existence of the Coral Gables Business Improvement District.
- K.-3. [17-6599](#) An Ordinance of the City Commission of Coral Gables adopting and enacting a new Code for the City of Coral Gables, Florida; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective; providing for a repealer provision, severability clause, codification, and providing for an effective date.

L. DISCUSSION ITEMS

This time is for informal discussion among the City Commissioners, the City Manager and the City Attorney

M. EXECUTIVE SESSION**Time Certain 12:00 pm (Agenda Item M-1)**

1. [17-6501](#) Attorney-Client executive session, closed to the public, for purposes of discussing the litigation styled City of Coral Gables v. Instagram LLC and Facebook Miami, Inc., Case No. 17-017450-CA-01. This session may be attended by the following individuals: Mayor Raul Valdes-Fauli, Vice Mayor Patricia Keon, Commissioner Vince Lago, Commissioner Michael Mena, Commissioner Frank Quesada, City Manager Cathy Swanson-Rivenbark, City Attorney Craig Leen, Deputy City Attorney Miriam S. Ramos, and Special Counsel Annie Hernandez-Gamez. A certified Court Reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-stated litigation. At the conclusion of the attorney-client session, the public meeting will be reopened, and termination of the attorney-client session will be announced.

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 who needs assistance in another language in order to speak during the public hearing or public comment portion of the meeting should contact the City's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service) in order to attend or participate in the meeting should contact the City's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail : relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.

**Walter J. Foeman
City Clerk**