

# **City of Coral Gables**

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



## **Agenda**

**Tuesday, December 11, 2007**

**9:00 AM**

**City Hall, Commission Chambers**

## **City Commission**

*Mayor Donald D. Slesnick, II  
Vice Mayor William H. Kerdyk, Jr.  
Commissioner Maria Anderson  
Commissioner Rafael "Ralph" Cabrera, Jr.  
Commissioner Wayne "Chip" Withers*

*David L. Brown, City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

**INVOCATION**

*Dr. Arnold Perry, St. Mark's Lutheran Church*

**PLEDGE OF ALLEGIANCE**

*Danny Carvajal, President of Student Government, University of Miami*

**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. 07-1100** Welcome to General Victor E. "Gene" Renuart, Jr., Commander of the North American Aerospace Defense Command and United States Northern Command
- A.-2. 07-1102** Congratulations to the Miami Chapter of the American Institute of Architects, recipient of the 2007 Governmental Leadership Award
- A.-3. 07-1054** Presentation of "Member of the Year" Award to Dallas Brown, Facilities Division Superintendent, by the South Florida Branch of the American Public Works Association
- A.-4. 07-1069** Presentation of 25 years service pin to Richard Ridley, Public Works Department
- A.-5. 07-1071** Congratulations to Jason Swift, Police Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of January 2008

**B. APPROVAL OF MINUTES**

- B.-1. 07-1079** Regular City Commission Meeting of November 13, 2007

**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. [07-1078](#) Resolution appointing Ricardo R. Perez (nominated by Commissioner Cabrera) to serve as a member of the Emergency Management Division, for a two (2) year term, beginning June 1, 2007 through May 31, 2009.

C.-2. [07-1056](#) Resolution confirming the appointment of Carolina Valdes-Lora (Board-As-A-Whole) to serve as a member of the Parks and Recreation Youth Advisory Board, for a two (2) year term, beginning June 1, 2007 through May 31, 2009.

C.-3. [07-1081](#) Resolution of the City of Coral Gables Commission confirming the reelection of Sergeant Agustin Diaz as a Police Officer Representative (Unopposed); said individual to serve as a Participant Retirement Board Member for a two (2) year term beginning January 1, 2008 through December 31, 2009.

C.-4. [07-1097](#) Resolution authorizing the sale of decommissioned Canine "Troll" to Officer Alex Castello for the amount of One Thousand Five Hundred Dollars (\$1,500.00).

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

- C.-5. [07-1075](#) Board of Adjustment Meeting of November 5, 2007
- C.-6. [07-1074](#) Budget/Audit Advisory Board Meeting of October 11, 2007
- C.-7. [07-1061](#) Communications Committee Meeting of November 15, 2007
- C.-8. [07-1059](#) Coral Gables Advisory Board on Disability Affairs Meeting of October 10, 2007
- C.-9. [07-1089](#) Coral Gables Merrick House Governing Board Meeting of August 22, 2007
- C.-10. [07-1088](#) Coral Gables Merrick House Governing Board Meeting of September 24, 2007.
- C.-11. [07-1090](#) Coral Gables Merrick House Governing Board Meeting of October 1, 2007
- C.-12. [07-1092](#) Coral Gables Merrick House Governing Board Meeting of November 5, 2007
- C.-13. [07-1048](#) Cultural Development Board Meeting of October 25, 2007
- C.-14. [07-1051](#) Economic Development Board Meeting of October 3, 2007
- C.-15. [07-1087](#) Historic Preservation Board Meeting of October 18, 2007
- C.-16. [07-1096](#) Historic Preservation Board Meeting of November 15, 2007
- C.-17. [07-1073](#) Parking Advisory Board Meeting of September 27, 2007
- C.-18. [07-1055](#) Parks and Recreation Advisory Board Meeting of November 16, 2007
- C.-19. [07-1093](#) Pinewood Cemetery Advisory Board meeting of September 11, 2007
- C.-20. [07-1094](#) Pinewood Cemetery Advisory Board Special Informational Meeting of October 2, 2007
- C.-21. [07-1012](#) School and Community Relations Committee Meeting of October 23, 2007

C.-22. [07-0971](#) Senior Citizens Advisory Board Meeting of October 1, 2007

C.-23. [07-1041](#) Senior Citizens Advisory Board Meeting of November 5, 2007

C.-24. [07-1047](#) Traffic Advisory Board Meeting of October 19, 2007

**D. PERSONAL APPEARANCES**

D.-1. [07-1049](#) William D Wright, Jr., Treasurer, FAAI, on behalf of the Florida Alpha Association, Inc. for permission for an outside sewer connection to the City's pressure system to serve the Sigma Alpha Epsilon (SAE) Fraternity House, located at 1520 Liguria Avenue, Coral Gables, Florida.

D.-2. [07-1040](#) Janet Gavarrete, Associate Vice-President of Campus Planning and Development, University of Miami, presentation of the Advancement of Traffic-Related Improvements pursuant to the 2006 University of Miami Campus Area Development (UMCAD) Approval.

D.-3. [07-1063](#) Joe Folino, Associate Vice-President of Facilities and Design Construction, University of Miami, for permission for an outside sewer connection to the City's pressure system to serve the University of Miami Robert and Judi Prokop Alumni Center located at 6200 San Amaro Drive, Coral Gables, Florida.

D.-4. [07-1057](#) Dr. Claudius A. Carnegie, on behalf of the Miami-Dade County Public Schools, for permission for an outside sewer connection to the City's pressure system to serve West Laboratory Elementary School, 5300 Carillo Street, Coral Gables, Florida.

D.-5. [07-1066](#) Laura L. Russo, Esquire, from Russo & Baker, P.A., on behalf of the Coral Gables Congregational Church, Owner, for permission for an outside sewer connection to the City's pressure system to serve the Coral Gables Congregational Church, located at 3010 De Soto Boulevard, Coral Gables, Florida.

D.-6. [07-1053](#) David Potts, Jr., from A1A Electric Signs & Neon, Inc., on behalf of Miami-Dade County Parks and Recreation Department for permission to encroach into the right of way with a double-sided, sandblasted, non-illuminated, free standing sign at the entrance of Matheson Hammock Park, located at 9610 Old Cutler Road, Coral Gables, Florida.

D.-7. [07-1101](#) Eugenio Duarte, Esq. on behalf of B.E.N. Development Corp., requesting releases of two Restrictive Covenants of Unity of Title for two-unit duplexes located at 404 Zamora Avenue and 301 Santander Avenue, in order to facilitate the sale of the individual duplex units to different owners. The Restrictive Covenants were recorded by the City on June 28, 2005 and August 31, 2006, respectively.

**E. PUBLIC HEARINGS**

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

**E.-1. 07-0966**

Ordinance on Second Reading. An Ordinance of the City of Coral Gables Zoning Code creating a new Division within Article 3, Development Review, Division 20, entitled "Art in Public Places"; providing definitions; establishing policy, establishing an art fund to be used for public art purposes; providing procedures and administration criteria; providing exemptions and waivers; providing for ownership and maintenance; and providing for enforcement for an art in public places program; providing for repeal, providing severability, providing for codification thereof, an effective date, and repealing all ordinances inconsistent herewith. (Passed on First Reading October 23, 2007)

**E.-2. 07-1028**

Ordinance on Second Reading. An Ordinance of the City Commission of Coral Gables approving an amendment to a previously approved abandonment and vacation of alleys for the previously approved mixed use planned area development (PAD) known as "Old Spanish Village", located on property legally described as all of Block 20, Block 23 less a portion of Lot 11 and Lot 12, all of Block 24 and 30, and Lot 45, Block 31 and Lots 12-13, Block 33, and adjacent public Rights-Of-Ways (ROW), Crafts Section, Tract A,B, and C, Catamal Corner, 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. (Passed on First Reading November 13, 2007)

**E.-3. 07-1085**

An Ordinance of the City Commission of Coral Gables amending the "Code of the City of Coral Gables", Chapter 34, entitled "Nuisances," Article VI, entitled "Graffiti; Graffiti Removal", by adding Section 34-108, entitled "Definitions", Section 34-109, entitled "Prohibitions", Section 34-110, entitled "Possession of spray paint & markers" Section 34-111, entitled "Declared Nuisance", Section 34-112, entitled "Responsibility of Property Owner(s); Graffiti Removal and Notice", Section 34-113, entitled "Appeal", Section 34-114, entitled "Failure to Comply; Cost Graffiti Removal as Lien on Property- Collection, Foreclosure and Sale", and Section 34-115, entitled "Interested Persons May Petition to dispute assessed costs"; and repealing all Ordinances inconsistent herewith. (Passed on First Reading February 12, 2008)

**Attachments:** [021208Graffiti Ordinance 1st Reading Cover Memo](#)  
[031108-GRAFITTI ORDINANCE 2nd Reading](#)  
[Graffiti Ordinance Dec 11 1st Reading Cover Memo](#)  
[Graffiti Ordinance March 11 2nd Reading Cover Memo](#)

**E.-4. 07-1042**

Ordinance on Second Reading. An Ordinance of the City of Coral Gables, Florida, amending Article 3, Division 5, entitled Planned Area Development of the City of Coral Gables Zoning Code by providing for revised standards and criteria and exemptions for adult living facilities and affordable housing facilities; providing for severability, repealer, codification, and an effective date. (Passed on First Reading December 11, 2007)

Attachments:

- 12 11 2007 CC 1st Reading PAD amend.pdf
- 12 11 07 Exhibit A: Ordinance - PAD text amend first reading.doc
- [12 11 07 Exhibit C: Excerpts of 11 14 07 PZB Verbatim Minutes.pdf](#)
- 01 08 08 Cover Memo CC 2nd Reading PAD amend.pdf
- 01 08 08 Exhibit A: PAD text amend second reading.doc
- [Ordinance 2008-01 Final.pdf](#)
- 12 11 07 Exhibit B: PAD PZB staff report.pdf

**Items E-5, E-6 and E-7 are related****E.-5. [07-1043](#)**

An Ordinance of the City of Coral Gables, Florida, amending the City of Coral Gables Comprehensive Land Use Plan, providing for a new "Educational Element" and associated text amendments to the Intergovernmental Coordination Element and Capital Improvements Element necessary to meet state-mandated public school concurrency requirements; authorizing transmittal of these amendments to the South Florida Regional Planning Council, Florida Department of Community Affairs, and other applicable agencies for compliance review as required by Florida Statutes; providing for a repealer provision, a savings clause, a severability clause, and codification; and providing for an effective date. (Passed on First Reading December 11, 2007)

**Attachments:** [12 11 07 School Concurrency amendments 1st reading.pdf](#)  
[12 11 07 Exhibit A: School concurrency CLUP amendment - 1st reading.pdf](#)  
[12 11 07 Exhibit B: School concurrency city code amendment - 1st Reading.pdf](#)  
[12 11 07 Exhibit C: School concurrency Proposed Resolution to interlocal agree](#)  
[12 11 07 Exhibit D: PZB Staff Report of 11 14 07 school concurrency](#)  
[12 11 07 Exhibit E: Excerpts of PZB Meeting Minutes of 11 14 07](#)  
[12 11 07 Exhibit F: City Commission Cover Memo of 11 13 07 re School Concu](#)  
[12 1 07 Exhiibit G: Memo to City Clerk request for ad](#)  
[03 25 08 Cover Memo 2nd Reading re: School Concurrency amendments 2nd r](#)  
[03 25 08 Exhibit A: Ordinance - School concurrency CLUP amendment w Atts ,](#)  
[03 25 08 Exhibit B: Ordinance - Zoning Code amendment\\_Concurrency Review](#)  
[03 25 08 Exhibit C: 11 14 07 school concurrency staff report.pdf](#)  
[03 25 08 Exhibit D: 11 14 07 PZB Verbatim Minutes.pdf](#)  
[03 25 08 Exhibit E: 01 09 08 Zoning Code amendment\\_Concurrency Review.p](#)  
[03 25 08 Exhibit F: 01 09 08 PZB Verbatim Minutes.pdf](#)  
[03 25 08 Exhibit G: PowerPoint 11 13 07 School Concurrency.pdf](#)  
[03 25 08 Exhibit H: Resolution 2007-272\\_interlocal agreement.pdf](#)  
[03 25 08 Exhibit I: 02 11 08 ORC Report.pdf](#)  
[03 25 08 Exhibit J: Concurrency Review Procedures.pdf](#)

**E.-6. [07-1044](#)**

Ordinance on Second Reading. An Ordinance of the City of Coral Gables, Florida, repealing Chapter 101, Article V of the Coral Gables City Code, entitled "Concurrency Management Program," providing for the removal of duplicitous and outdated regulations; providing for a repealer provision, a savings clause, a severability clause, and codification; and providing for an effective date. (Passed on First Reading December 11, 2007)

**Attachments:** [12 11 07 City Commission Cover Memo re: School Concurrency amendments 1](#)  
[01 08 08 Exhibit A - Ordinance re City Code amendment - 2nd Reading.doc](#)  
[01 08 08 Exhibit B: 11 14 07 Staff report re: school concurrency staff report.pdf](#)  
[01 08 08 Exhibit C: Excerpts of 11 14 07 PZB Verbatim Minutes.pdf](#)  
[Ordinance 2008-02 Final.pdf](#)  
[01 08 08 Cover Memo re City Code amendment 2nd reading.pdf](#)

**E.-7. 07-1045**

Resolution. Resolution of the City of Coral Gables, Florida, amending and updating the City of Coral Gables and Miami-Dade County School Board Interlocal Agreement for Public School Facility Planning for the purpose of addressing state-mandated public school concurrency requirements; authorizing transmittal of this agreement to the South Florida Regional Planning Council, Florida Department of Community Affairs, and other applicable agencies for review and comment as required by Florida Statutes; and providing for an effective date.

**E.-8. 07-1084**

Ordinance on First Reading. An Ordinance amending the City Code Section 86-59 of Chapter 86, entitled "Waterways", Division 2, entitled "Anchoring, Mooring etc."; providing for prohibitions on the length of boat or craft; providing for placement of boat or craft within minimum side setbacks for main structure; providing for placement of boat or craft parallel to the abutting property; amending Section 86-60 by adding a section specifying when to allow the mooring of boat or craft to other boats; adding Section 86-62, entitled "Definitions" to define "Boat Mooring Space"; amending Section 86-86 by adding a section making it unlawful to obstruct passage to the waterway due to hurricanes; providing for severability, repealer, codification, and an effective date.

**F. CITY COMMISSION ITEMS****None**

**G. BOARDS/COMMITTEES ITEMS****None****H. CITY MANAGER ITEMS**

H.-1. [07-1083](#) Presentation by Dr. Murat Erkoc, Ph.D., Associate Professor, School of Industrial Engineering, University of Miami, to present the results of the study conducted on transportation service provided by the Coral Gables Trolley system.  
[r title here.]

H.-2. [07-1037](#) Resolution of the Coral Gables City Commission, with attachments, authorizing City Manager to execute an Interlocal Agreement between the City of Coral Gables and the City of Miami to allow the combined properties which make up Ponce Medical Plaza, LLC, which is located in both City of Coral Gables at 114 Ponce de Leon Blvd and the City of Miami at 3690 West Flagler Street, to be developed as one integrated development over the municipal boundaries of both cities. (Deferred from the November 13, 2007 City Commission Meeting)

H.-3. [07-1067](#) Resolution accepting the bid of Florida Construction & Engineering Inc., in the amount of \$175,792.21, for the construction of the Granada Pro-Shop Restrooms.

H.-4. [07-1062](#) Resolution of the City of Coral Gables, Florida, amending and updating operations policy for the Coral Gables War Memorial Youth Center facilities effective December 11th, 2007 and rescinding Resolution No. 29841.

H.-5. [07-1098](#) Resolution of the City Commission of Coral Gables authorizing the City Manager to execute a Concurrent Use Agreement with the City of Orlando for the use of "The City Beautiful" by both cities.

**Time Certain: 10:00 A.M.**

H.-6. [07-1072](#) Resolution accepting the recommendations of the Cultural Development Board for FY2007-2008 Cultural Grants in the total amount of \$166,250 (consistent with the 2007/2008 annual budget).

H.-7. [07-1076](#) Resolution approving the recommendation of the Cultural Development Board for the placement of three Jean Ward Sculptures in Ingraham Park. (Deferred from the December 11, 2007 City Commission Meeting)

**I. CITY ATTORNEY ITEMS**

I.-1. [07-1046](#) Pending Litigation Report

**J. CITY CLERK ITEMS**

J.-1. [07-1082](#) Resolution accepting the City Clerk's Certification and Declaration of Results from the Coral Gables Retirement Board Election.

**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**