

City of Coral Gables

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



CORAL GABLES
THE CITY BEAUTIFUL

Agenda

Tuesday, April 12, 2016

9:00 AM

City Hall, Commission Chambers

City Commission

Mayor Jim Cason
Vice Mayor Frank C. Quesada
Commissioner Patricia Keon
Commissioner Vince Lago
Commissioner Jeannett Slesnick

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

INVOCATION

Reverend Arnold Perry, Chaplain Coral Gables Police and Fire Departments

PLEDGE OF ALLEGIANCE**A. PRESENTATIONS AND PROTOCOL DOCUMENTS**

- A.-1. [16-4934](#) Presentation of a Proclamation declaring April 2016, as "Autism Awareness Month" in Coral Gables.
- A.-2. [16-4935](#) Presentation of a Proclamation declaring April 2016, as "Florida Water Professionals Month" in Coral Gables.
- A.-3. [16-4860](#) Presentation of a Proclamation declaring April 29, 2016, as "Arbor Day" in Coral Gables.
- A.-4. [16-4916](#) Congratulations to Officer Joseph Fleres, recipient of the City of Coral Gables "Officer of the Month Award," for the month of February, 2016.
- A.-5. [16-4952](#) Congratulations to Firefighter Carlos Eguiluz, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of April, 2016.
- A.-6. [16-4949](#) Congratulations to Belkys Perez, Events and Marketing Specialist, recipient of the "Employee of the Month Award," for the month of April, 2016.

B. APPROVAL OF MINUTES

- B.-1. [16-4970](#) Regular City Commission Meeting of March 15, 2016.

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. [16-4956](#) A Resolution accepting the recommendation of the Chief Procurement Officer, to award the contract for the Citywide Roof Repairs at selected city facilities to Precision Roofing Corp., in the amount of \$342,965.70, pursuant to Invitation For Bids (IFB) 2016.02LS, and Section 2-828 of the Procurement Code, entitled "Contract Award".
- C.-2. [16-4939](#) A Resolution appointing Rhonda Anderson (Nominated by Commissioner Lago), to serve as a member of the Sustainability Advisory Board, for the remainder of a two (2) year term, which began on June 1, 2015 and continues through May 31, 2017.

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

- 1.-1. [16-4969](#) Construction Regulation Board Meeting of March 14, 2016.
- 1.-2. [16-4917](#) Insurance Advisory Committee Meeting of January 27, 2016.
- 1.-3. [16-4918](#) Insurance Advisory Committee Meeting of February 18, 2016.
- 1.-4. [16-4919](#) Insurance Advisory Committee Meeting of March 8, 2016.
- 1.-5. [16-4944](#) Walk-through of the Coral Gables Library on March 25, 2016
- 1.-6. [16-4973](#) Sustainability Advisory Board Meeting of January 27, 2016.
- 1.-7. [16-4974](#) Sustainability Advisory Board Meeting of February 24, 2016.
- 1.-8. [16-4975](#) Transportation Advisory Board Meeting of January 26, 2016.
- 1.-9. [16-4976](#) Transportation Advisory Board Meeting of February 16, 2016.

D. PERSONAL APPEARANCES

- D.-1. [16-4968](#) Presentation on the Big Brothers Big Sisters Program.

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in.

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 the Mayor, during the day of the City Commission Meeting.

ORDINANCES ON SECOND READING

- E.-1. [16-4884](#) An Ordinance of the City of Coral Gables, Florida, prohibiting buttons and other encroachments in the public right-of-way without approval from the City, directing the City to remove such unauthorized buttons and other encroachments from the right-of-way, authorizing the City to bill the property owner for such removal as a special assessment, and providing for a repealer provision, severability clause, codification, enforcement and providing for an effective date.
(Sponsored by Mayor Cason)
- E.-2. [16-4910](#) An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code by amending Article 3, "Development Review," Division 2, "General Development Review Procedures," Section 3-206, "Building site determination"; and, Article 8, "Definitions," amending the requirements for applications for a building site separation and creating a definition for voluntary demolition; providing for a repealer provision, severability clause, codification, and providing for an effective date.
- E.-3. [16-4911](#) An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code by amending Article 2, "Decision Making and Administrative Bodies"; Article 4, "Zoning Districts"; Article 5, "Development Standards"; and, Article 8, "Definitions" to address Zoning Code matters such as tie votes, restaurant walk-up counters, required parking and bay windows; providing for repealer provision, severability clause, codification, and providing for an effective date.

ORDINANCES ON FIRST READING**Agenda Items E-4, F-1 and H-9 are Related.**

- E.-4. [16-4814](#) An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 5, "Development Standards," Division 13 "Miscellaneous Construction Requirements," creating Section 5-1302, "Sustainability Standards," establishing criteria for new building construction to achieve Leadership in Energy and Environmental Design ("LEED") certification or equivalent; providing posting of a bond to ensure compliance with LEED certification or equivalent; providing for a repealer provision, severability clause, codification, and providing for an effective date. (PZB recommended approval, Vote: 5-0)

- E.-5. [16-4961](#) An Ordinance of the City Commission of Coral Gables, Florida, pursuant to the authority granted by the Dade County Home Rule Amendment to the Florida Constitution, conflicting with, modifying, and nullifying the preemption of polystyrene regulations in Chapter 2016-61, Laws of Florida (to be encoded as Section 500.90 of the Florida Statutes), to the extent that such preemption is a local, special, or general law applicable only to the City of Coral Gables in Miami-Dade County, and determining that the City's polystyrene regulations are not preempted and remain enforceable.
(Sponsored by Commissioner Lago)

Time Certain 11:00 a.m.

- E.-6. [16-4981](#) An Ordinance of the City Commission of Coral Gables amending the City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on 09.28.10, pursuant to Zoning Code Article 3, Division 19, entitled "Development Agreements", for the University of Miami, City of Coral Gables Campus, amending Paragraph 19 of the Development Agreement ("Internal Road and Access") that governs internal circulation on the Coral Gables Campus, modifying the scope and schedule of Phase II of the Internal Road; providing for conditions of approval, providing for enforcement, providing for a repealer provision, severability clause, and providing for an effective date. (legal description on file)

F. CITY COMMISSION ITEMS

Agenda Items E-4, F-1 and H-9 are Related.

- F.-1. [16-4959](#) A Resolution providing City Commission policy direction to the City Attorney and City Staff, to prepare an Ordinance amending the Art in Public Places Program, to provide for increased contributions for non-municipal construction projects, including as to the use of funds for public parks and open spaces, for consideration by Planning and Zoning Board and City Commission.
(Sponsored by Commissioner Lago)
- F.-2. [16-4963](#) A Resolution declaring principles of inclusion for individuals with autism and special needs, and urging action by national, state, and local governments and businesses consistent with these principles.
(Sponsored by Commissioner Keon)
- F.-3. [16-4982](#) Discussion on Special Olympics Program.
(Sponsored by Commissioner Keon)

Time Certain 5:01 p.m.

- F.-4. [16-4960](#) City Commission review of proposed Charter amendments recommended by the Charter Review Committee, including review of any Charter amendments proposed by the City Commission or City Officials, for potential inclusion in voter referendum pursuant to Section 22-3 of the Coral Gables City Code and Section 6.03 of the Miami-Dade County Charter.

G. BOARDS/COMMITTEES ITEMS

None

H. CITY MANAGER ITEMS

- H.-1. [16-4954](#) A presentation on the War Memorial Youth Center facility improvements.
- H.-2. [16-4951](#) A Resolution of the City Commission accepting the Recommendation of the Chief Procurement Officer authorizing a Piggyback Contract in accordance with Section 2-978, Use Of Other Governmental Unit Contracts ("piggyback"), with DODEC, Inc., from the City of Miami Gardens Professional Contractor's Contract, pursuant to unit pricing to provide construction and maintenance repair services for timely repairs and improvements to City facilities for a period running until July 31, 2017, under a job order contract.
- H.-3. [16-4955](#) A Resolution approving the process for a neighborhood initiated enhancement program to add lighting and/or sidewalks to neighborhoods.
- H.-4. [16-4972](#) A Resolution setting forth conditions for encroachments into the public right-of-way, consisting of poles, foundations, Closed Circuit TV (CCTV) and Automatic License Plate Recognition (ALPR) equipment, and all related appurtenances at eleven (11) locations throughout the City of Coral Gables, Florida.
- H.-5. [16-4980](#) A Resolution authorizing the renewal of the property and casualty insurance program which includes, but is not limited to, property, general liability, automobile liability, public officials errors and omissions, workers compensation, other ancillary lines of insurance coverage and insurance broker fees through Arthur J. Gallagher Risk Management Services, Inc., in the amount of \$ 2,020,890, for the policy period of May 1, 2016 to May 1, 2017.
- H.-6. [16-4932](#) Discussion Item: North Ponce Study. This is the first step in our City Commission's review of legislation that implements the recommendations of the 2015 North Ponce Community Visioning Workshop. Staff is seeking direction on proposed Zoning Code and Comprehensive Plan amendments, to be presented for consideration at a future Commission Workshop.
- H.-7. [16-4898](#) Update on Grand Avenue Trolley Route.
- H.-8. [16-4965](#) Presentation on the Mobile Permit Program.

Agenda Items E-4, F-1 and H-9 are Related.

- H.-9. [16-4967](#) Presentation of the proposed Community Benefit Program.

I. CITY ATTORNEY ITEMS

- I.-1. [16-4964](#) A Resolution authorizing the invocation of the Forfeiture Ordinance, for 1411 Mantua Avenue, Coral Gables, Florida.
- I.-2. [16-4978](#) Status Report on Mediterranean Village Development Agreement

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

L. EXECUTIVE SESSION

- L.-1. [16-4971](#) Attorney-Client executive session in the City Conference Room, 1st Floor, closed to the public, for purposes of discussing the related court proceedings pending in the Eleventh Judicial Circuit entitled Stuart Rich and Ira Silver v. The City of Coral Gables et al., Case No. 16-005366 CA 15 (Eleventh Judicial Circuit) and Antonio Friguls, Stuart Rich, and Ira Silver v. The City of Coral Gables et al., Case No. 16-091 AP (Eleventh Judicial Circuit). This session may be attended by the following individuals: Mayor Jim Cason, Vice Mayor Frank Quesada, Commissioner Patricia Keon, Commissioner Vince Lago, Commissioner Jeannett Slesnick, City Manager Cathy Swanson-Rivenbark, City Attorney Craig Leen, Deputy City Attorney Miriam Ramos, Assistant City Attorney Yaneris Figueroa, Special Counsel Craig Collier, and Special Counsel Frances Guasch de la Guardia. 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 City Commission meeting will be reopened and the person chairing the Commission meeting will announce the termination of the Attorney-Client session.
- L.-2. [16-4983](#) Attorney-Client executive session, closed to the public, for purposes of discussing the lawsuit styled Merrick Partners, Ltd. et al. v. City of Coral Gables, Case No. 15-020048 CA 25 (Eleventh Judicial Circuit). This session may be attended by the following individuals: Mayor Jim Cason, Vice Mayor Frank Quesada, Commissioner Patricia Keon, Commissioner Vince Lago, Commissioner Jeannett Slesnick, City Manager Cathy Swanson-Rivenbark, City Attorney Craig Leen, Deputy City Attorney Miriam Ramos, Assistant City Attorney Yaneris Figueroa, Special Counsel Adolfo Jimenez, and Special Counsel Brian Toth. 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 City Commission meeting will be reopened and the person chairing the Commission meeting will announce the termination of the Attorney-Client session.

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 Non-Discrimination Coordinator Dona M. Spain (E-mail: dspain@coralgables.com, Telephone: 305-460-5095, TTY/TDD: 305-460-5010), 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 Dona M. Spain (E-mail: dspain@coralgables.com, Telephone: 305-460-5095, TTY/TDD: 305-460-5010), at least three (3) days before the meeting. Additional information

**Walter J. Foeman
City Clerk**