

# **City of Coral Gables**

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



## **Agenda**

**Tuesday, June 14, 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**

*Jeff Sullivan, Executive Pastor, Granada Presbyterian Church.*

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

- A.-1. [16-5132](#) Presentation of a Proclamation declaring June 2016 as "Alzheimer's Awareness Month" in Coral Gables.

**Time Certain 9:30am**

- A.-2. [16-5137](#) The City of Coral Gables, in concert with the Coral Gables Community Foundation, honor Christy's, Burger Bob's, Frenchie's Diner, La Dorada and Ortanique with the Coral Cube Award, as enduring Coral Gables restaurants which have become landmarks in their own respect.

**Time Certain 10:00am**

- A.-3. [16-5136](#) Presentation of a Proclamation declaring June 14, 2016 as "Travel and Tourism Day" in Coral Gables, with William D. Talbert, President and CEO of the Greater Miami Convention and Visitors Bureau, to present an update on the state of the travel and tourism industry.
- A.-4. [16-5131](#) Congratulations to Captain Dave Martin, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of June, 2016.
- A.-5. [16-5027](#) Congratulations to Roger Rodriguez, who holds the title of IT Specialist for the Information Technology Department, recipient of the "Employee of the Month Award," for the month of May, 2016.
- A.-6. [16-5128](#) Congratulations to Dayron Garcia, who holds the title of Plans Processor Lead for the Development Services Department, recipient of the "Employee of the Month Award," for the month of June, 2016.
- A.-7. [16-5158](#) Presentation of awards for Team Coral Gables, who finished in first place in both the mens and womens teams in the city employees division at the "2016 Corporate Run."

**B. APPROVAL OF MINUTES**

- B.-1. [16-5173](#) Regular City Commission Meeting of April 26, 2016.
- B.-2. [16-5174](#) Regular City Commission Meeting of May 3, 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. [16-5080](#) A Resolution authorizing Unlimited Sales Group, Inc. to sell alcoholic beverages on Alhambra Circle, from the North side of Ponce De Leon Blvd. to Salzedo Street, from 5:00 p.m. to 10:00 p.m. on Saturday, November 11th, 2016, and from 5:00 p.m. to 10:00 p.m. on Saturday, November 12th, 2016, during "The Coral Gables Food, Wine and Spirits" event, to benefit the Coral Gables Firefighter's Benevolent Foundation, subject to Florida Department of Professional Regulation requirements.
- C.-2. [16-5130](#) A Resolution authorizing the City's acceptance of a matching grant award in the amount of \$15,206 from the Florida Department of State, Division of Cultural Affairs, to support the production of the "City's Jazz in the Gables" series.
- C.-3. [16-5140](#) A Resolution authorizing the City to enter into a Parking Agreement with ZipCar, Inc. to implement a car sharing service pilot project and providing for a location.

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

- 1.-1. [16-5149](#) Code Enforcement Board Hearing of May 18, 2016.
- 1.-2. [16-5110](#) Communications Committee Meeting of May 19, 2016
- 1.-3. [16-5145](#) Construction Regulation Board Meeting of May 16, 2016.
- 1.-4. [16-5129](#) Historic Preservation Board Meeting of April 21, 2016.
- 1.-5. [16-5107](#) International Affairs Coordinating Council Meeting of April 13, 2016.
- 1.-6. [16-5150](#) Sustainability Advisory Board Meeting of March 23, 2016.
- 1.-7. [16-5151](#) Sustainability Advisory Board Meeting of April 20, 2016.
- 1.-8. [16-5152](#) Sustainability Advisory Board Meeting of May 25, 2016.
- 1.-9. [16-5154](#) Transportation Advisory Board Meeting of March 15, 2016.

1.-10. [16-5153](#) Transportation Advisory Board Meeting of April 19, 2016.

1.-11. [16-5146](#) Tree Protection Appeals Committee Meeting of May 10, 2016.

## D. PERSONAL APPEARANCES

D.-1. [16-5147](#) Introduction and welcome of Caroline Parker, Director of the Coral Gables Museum.

## E. 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

E.-1. [16-5094](#) An Ordinance of the City Commission of Coral Gables, Florida, extending the lease with the Coral Gables Garden Club, with regard to the property at 1212 Anastasia Avenue, Coral Gables, Florida, for a period of thirty (30) years.

E.-2. [16-4768](#) An Ordinance of the City Commission of the City of Coral Gables, Florida, authorizing the City to enter into a lease with Starbucks Corporation with regard to City owned property at 292 Miracle Mile, Coral Gables, Florida for a period of ten (10) years, with four (4) consecutive five-year renewable options; providing for a repealer provision, severability clause, and providing for an effective date.

E.-3. [16-5069](#) An Ordinance of the City Commission of Coral Gables, Florida requesting conditional use with site plan review pursuant to Zoning Code Article 3, "Development Review", Division 4, "Conditional Uses", and Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-204, "Special Use (S) District", for site plan approval of a new country club house located within a Special Use (S) District, for the property commonly referred to as the "Riviera Country Club" and legally described as portions of Tracts 1 and 5, Riviera Country Club, a portion of Miami-Biltmore Golf Course of Riviera Section Part 4 and Lots 10-14, Block 112, Country Club Section Part 5 (1155 Blue Road), Coral Gables, Florida; and including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (Legal description on file at the City) (PZB recommended approval, Vote: 6-0)

**Agenda Items E-4 and E-5 are related.**

- E.-4. [16-5070](#) An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, "Development Review", Section 3-206, "Building Site Determination" to create two (2) separate single-family building sites on property zoned Single-Family Residential (SFR) District; one (1) building site consisting of Lots 19-21 and one (1) building site consisting of Lots 22-24 on the property legally described as Lots 19-24, Block 15, Coral Gables Section "D", Coral Gables, Florida; generally located on the east side of Red Road between County Club Prado and Valencia Avenue; including required conditions; providing for a repealer provision, severability clause, codification, and providing for an effective date. (PZB recommended approval, Vote: 6-0)
- E.-5. [16-5071](#) An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Appendix A, "Site Specific Zoning Regulations", Section A-38, "Section D" removing site specific provisions for building sites on Lots 3 through 8, inclusive, and 19 through 24, inclusive Block 15; providing for a repealer provision, severability clause, codification, and providing for an effective date. (PZB recommended approval, Vote: 6-0)

**ORDINANCES ON FIRST READING**

- E.-6. [16-5172](#) An Ordinance (on First Reading) amending Chapter 50 of the Code of the City of Coral Gables, entitled "Pensions," amending Section 50-29, City Contributions; providing for a repealer provision, severability clause, codification and providing for an effective date.
- E.-7. [16-5143](#) An Ordinance of the City Commission of Coral Gables, Florida, amending Section 38-1 of the City of Coral Gables Code, adding a \$15,000 fine, when a misdemeanor is committed within the limits of the City, as specified under Section 162.09(2), F.S., providing for a repealer provision, severability clause, codification, enforceability and providing for an effective date.
- E.-8. [16-5126](#) An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 3, "Development Review," Division 3, "Uniform Notice and Procedures for Public Hearing," Section 3-302, "Notice" and Article 8 "Definitions" expanding the notice area from one-thousand (1,000) feet to one-thousand five-hundred (1,500) feet for certain applications, amending the definition for aggrieved party and revising procedural requirements for public hearing notifications; providing for repealer provision, severability clause, codification, and providing for an effective date. (PZB recommended approval, Vote: 7-0)

- E.-9. [16-5159](#) An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Code by amending: (I) Chapter 38 "Offenses and Miscellaneous Provisions," Article I "In General," Section 38.7 "Begging and Soliciting Alms"; and (II) Articles VI and VII of Chapter 62 "Streets, Sidewalks and Other Public Places," to clarify and improve the City's existing scheme for the regulation and permitting of special events, parades, and public assemblies held in public places in the City of Coral Gables; providing for a repealer provision, a severability clause, codification, and providing for an effective date.

**Agenda Items E-10, E-11 E-12, E-13 and E-14 are related.**

**Time Certain 1:00pm**

- E.-10. [16-5111](#) An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, "Development Review," Division 15, "Comprehensive Plan Text and Map Amendments," and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Industrial" Land Use to "Mixed Use" Land Use and removing the "Mixed Use Overlay District" Land Use for the property legally described as Tracts A and B, Block 5 and Tract 1, MacFarlane Homestead and St. Albans Park (215 and 251 South Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (Legal description on file at the City) (PZB recommended approval; Vote: 4-0)
- E.-11. [16-5112](#) An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Zoning Map of the City of Coral Gables pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments", from "Industrial" District to "Commercial" District and removing the "South Industrial Mixed-Use District" for the property legally described as Tracts A and B, Block 5 and Tract 1, MacFarlane Homestead and St. Albans Park (215 and 251 South Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (Legal description on file at the City) (PZB recommended approval; Vote: 4-0)
- E.-12. [16-5113](#) 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 Appendix A, "Site Specific Zoning Regulations," Section A-66, "MacFarlane Homestead," by modifying provisions for height and setbacks, and adding new provisions, for the property legally described as Tracts A and B, Block 5 and Tract 1, MacFarlane Homestead and St. Albans Park (215 and 251 South Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, codification, and providing for an effective date. (Legal description on file at the City) (PZB recommended approval; Vote: 4-0)
- E.-13. [16-5114](#) An Ordinance of the City Commission of Coral Gables, Florida requesting review of a Planned Area Development (PAD) pursuant to Zoning Code Article 3, "Development Review," Division 5, "Planned Area Development (PAD)," for the proposed project referred to as "Gables Station" on the property legally described as Tracts A and B, Block 5, and Tract 1, MacFarlane Homestead and St. Albans Park (215 and 251 South Dixie Highway), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (Legal description on file at the City) (PZB - Motion to Approve with Conditions failed, Vote:

3-1)

## RESOLUTIONS

**Agenda Items E-10, E-11 E-12, E-13 and E-14 are related.**

- E.-14. [16-5115](#)** Resolution. Mixed Use Site Plan Review. (This Resolution is not for consideration at this time and will be included with the above ordinances on Second Reading, if approved on First Reading.)

A Resolution of the City Commission of Coral Gables, Florida requesting Mixed-Use Site Plan Review pursuant to Zoning Code Article 4, "Zoning Districts," Division 2, "Overlay and Special Purpose Districts," Section 4-201, "Mixed Use District (MXD)," for the proposed project referred to as "Gables Station" on the property legally described as Tracts A and B, Block 5, and Tract 1, MacFarlane Homestead and St. Albans Park (215 and 251 South Dixie Highway), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (Legal description on file at the City) (PZB - Motion to Approve with Conditions failed, Vote: 3-1)

## F. CITY COMMISSION ITEMS

- F.-1. [16-5155](#)** A Resolution supporting the State Legislature's efforts to amend Section 403.7033, Florida Statutes, to provide for local regulation of plastic bags or, alternatively, for the repeal of said statutory section, so that local governments are no longer preempted from enacting legislation regulating plastic bags; providing an effective date; and for other purposes.

(Sponsored by Commissioner Lago)

- F.-2. [16-5127](#)** A discussion regarding the North Ponce Planning Strategies Implementation Schedule and providing feedback from a discussion only item before the Planning and Zoning Board.

(Sponsored by Commissioner Keon)

- F.-3. [16-5142](#)** Discussion regarding open space requirements for developments in Coral Gables.

(Sponsored by Commissioner Lago)

- F.-4. [16-5160](#)** Discussion regarding Police hiring and recruitment.

(Sponsored by Commissioner Lago)

## G. BOARDS/COMMITTEES ITEMS

- G.-1. [16-5046](#)** A Resolution requiring the Cuban Classical Ballet return FY 2014-2015 Cultural Grant funds in the amount of \$2,500, due to not presenting a cultural program in FY 2014-2015, regardless of being granted an extension into FY 2015-2016. Deferred from the May 24, 2016 City Commission Meeting.

**H. CITY MANAGER ITEMS**

- H.-1. [16-5170](#) A Resolution ratifying the collective bargaining agreement with the Teamsters Local Union 769, Affiliated with the International Brotherhood of Teamsters, and the City of Coral Gables, for the period of October 1, 2015 through September 30, 2017.
- H.-2. [16-5124](#) A Resolution amending Ordinance 2015-17, as amended, to adjust the Storm Water Fee, Sanitary Sewer Charges, and Solid Waste Collection Fees, providing for an effective date.
- H.-3. [16-5138](#) A Resolution accepting the recommendation of the Chief Procurement Officer to award the Coral Gables Merrick House Repairs and Restoration project to LEGO Construction, Co., the most responsive-responsible proposer, pursuant to Section 2-828 of the Procurement Code entitled "Contract Award" and Request for Proposals (RFP) 2016.03YG-1; authorizing the City Manager to negotiate a final contract amount acceptable to the City for this project (not to exceed \$1,682,078.97); should negotiations fail with the most responsive-responsible proposer, negotiations shall commence with next most responsive-responsible proposer, until an agreement and final contract amount acceptable to the City has been reached; further authorizing an amendment to the Fiscal Year 2015-2016 Annual Budget, to recognize as revenue a \$291,148 transfer from the General Capital Improvement Fund Balance, and to appropriate such funds to put toward the cost of the project.
- H.-4. [16-5139](#) A Resolution accepting the recommendation of the Chief Procurement Officer to award the Historical Plazas and Entrances Restoration and Renovation Project to Red Door Construction LLC, the most responsive-responsible proposer, pursuant to Section 2-828 of the Procurement Code entitled "Contract Award" and Request for Proposals (RFP) 2016.02VF, and authorizing the City Manager to negotiate a final contract amount acceptable to the City for this project (not to exceed \$1,625,874.43); should negotiations fail with the most responsive-responsible proposer, negotiations shall commence with the next most responsive-responsible proposer until an agreement, and final contract amount acceptable to the City has been reached.
- H.-5. [16-5148](#) A Resolution relating to the provision of fire protection services, facilities and programs in the City of Coral Gables, Florida; establishing the estimated assessment rate for fire protection assessments for the fiscal year beginning October 1, 2016; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof; and providing for an effective date.
- H.-6. [16-5125](#) A Resolution of the City of Coral Gables, Florida, relating to the collection and disposal of solid waste in the City of Coral Gables, Florida; amending and restating the initial assessment resolution; describing the method of assessing solid waste costs against residential property located in the City; determining the solid waste cost and the initial solid waste service assessments; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof; and providing for an effective date.
- H.-7. [16-5141](#) Presentation of "90th Year in Review," a retrospective look at the City of Coral Gables' 90th Anniversary.



**I. CITY ATTORNEY ITEMS****Time Certain 11:00am**

- I.-1. [16-5169](#) Request for guidance from the Commission regarding the exercise of the City's consent rights relating to the proposed cinema by Landmark Theaters at Merrick Park, along with consideration by the Commission of conditions of approval of the consent.
- I.-2. [16-5175](#) Status update regarding discussions with FPL and request for attorney-client executive session related to pending litigation.
- I.-3. [16-5176](#) Request for extension of Zoning in Progress stay related to the Giralda Overlay District.
- I.-4. [16-5161](#) A Resolution of the City Commission of Coral Gables, Florida, calling a Special Election on the proposed ballot question and City Charter Amendment to be held on November 8, 2016; providing for submission to the electors for approval or disapproval of a ballot question providing for City Charter Amendment related to Direct Appointment, Suspension or Discharge of Employees by the City Commission; providing for requisite ballot language; providing for procedure for balloting; providing for notice; providing for inclusion in the City Charter; providing for related matters; providing for an effective date.
- I.-5. [16-5162](#) A Resolution of the City Commission of Coral Gables, Florida, calling a Special Election on the proposed ballot question and City Charter Amendment to be held on November 8, 2016; providing for submission to the electors for approval or disapproval of a ballot question providing for City Charter Amendment related to the Trial Board; providing for requisite ballot language; providing for procedure for balloting; providing for notice; providing for inclusion in the City Charter; providing for related matters; providing for an effective date.
- I.-6. [16-5163](#) A Resolution of the City Commission of Coral Gables, Florida, calling a Special Election on the proposed ballot question and City Charter Amendment to be held on November 8, 2016; providing for submission to the electors for approval or disapproval of a ballot question providing for City Charter Amendment related to Suspension of City Commissioners for Incapacity; providing for requisite ballot language; providing for procedure for balloting; providing for notice; providing for inclusion in the City Charter; providing for related matters; providing for an effective date.
- I.-7. [16-5164](#) A Resolution of the City Commission of Coral Gables, Florida, calling a Special Election on the proposed ballot question and City Charter Amendment to be held on November 8, 2016; providing for submission to the electors for approval or disapproval of a ballot question providing for City Charter Amendment related to Appointment of Vice-Mayor by Mayor; providing for requisite ballot language; providing for procedure for balloting; providing for notice; providing for inclusion in the City Charter; providing for related matters; providing for an effective date.
- I.-8. [16-5165](#) A Resolution of the City Commission of Coral Gables, Florida, calling a Special Election on the proposed ballot question and City Charter Amendment to be held on November 8, 2016; providing for submission to the electors for approval or disapproval of a ballot question providing for City Charter Amendment related to Removal of City

Commissioners Consistent with Gubernatorial Procedures; providing for requisite ballot language; providing for procedure for balloting; providing for notice; providing for inclusion in the City Charter; providing for related matters; providing for an effective date.

- I.-9. [16-5166](#) A Resolution of the City Commission of Coral Gables, Florida, calling a Special Election on the proposed ballot question and City Charter Amendment to be held on November 8, 2016; providing for submission to the electors for approval or disapproval of a ballot question providing for City Charter Amendment related to Run-Off Elections; providing for requisite ballot language; providing for procedure for balloting; providing for notice; providing for inclusion in the City Charter; providing for related matters; providing for an effective date.

**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 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](mailto: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](mailto: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**