

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2010-05

AN ORDINANCE OF THE CITY OF CORAL GABLES PERMITTING THE BANK UNITED CENTER ON THE UNIVERSITY OF MIAMI CAMPUS TO EXCEED THE ONE THOUSAND AND SIX HUNDRED (1,600) SPECTATOR LIMITATION ON APRIL 7, 2010, NOTWITHSTANDING LIMITATIONS IMPOSED BY PRIOR UMCAD APPROVALS, IN CERTAIN LIMITED CIRCUMSTANCES, PROVIDING CONDITIONS FOR APPROVAL; PROVIDING FOR REPEALER PROVISION, SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the previously approved UMCAD limits the use of the Bank United Center on the University of Miami Campus during the regular academic year between the hours of 8 AM and 4 PM to one thousand and six hundred (1,600) spectators; and

WHEREAS, the limitation on the number of spectators was intended to avoid traffic congestion and parking demand in excess of existing parking capacity assuming access by way of private automobiles; and

WHEREAS, the University of Miami proposes to host a one-time event involving the Cultural Passport Program for Miami-Dade County public schools for elementary school children to attend a performance of "Peter and the Wolf" on Wednesday, April 7, 2010 from 10:30 AM to 11:30 AM performed by The Frost Symphony Orchestra; and

WHEREAS, the six thousand (6,000) school children that are proposed to attend the event will be transported to and from the event by buses; and

WHEREAS, the University of Miami has prepared a plan with proper parking, unloading and loading of the buses such that the impact of the proposed event is such that the amount of traffic to be generated and the number of off-street parking required for vehicles does not exceed the traffic and parking demand generated by one thousand and six hundred (1,600) spectators assuming access by way of private automobiles.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption.

SECTION 2. The proposed Cultural Passport Program presentation of "Peter and the Wolf" on April 7, 2010, is hereby authorized as planned notwithstanding any provision of a prior UMCAD approval.

SECTION 3. It is the intent of the City Commission that the decision with regard to the Cultural Passport Program on April 7, 2010 is based on the specific facts of the particular proposed activity and is in the nature of a license and shall not be considered as precedent for any other particular proposed activity at the Bank United Center, no matter how similar.

SECTION 4. That all ordinances or parts of ordinances inconsistent with or in conflict herewith shall be and are hereby repealed insofar as there is a conflict or inconsistency.

PASSED AND ADOPTED THIS TWENTY-THIRD DAY OF MARCH, A.D., 2010.

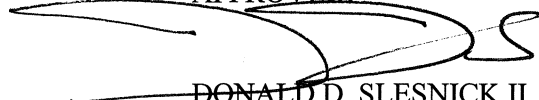
(Moved: Withers / Seconded: Anderson)

(Yeas: Withers, Anderson, Cabrera, Kerdyk, Slesnick)

(Unanimous: 5-0 Vote)


(Agenda Item: E-1)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY