

# **City of Coral Gables**

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



## **Meeting Minutes**

**Tuesday, February 23, 2010**

**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*

*Patrick G. Salerno, City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

**ROLL CALL**

**Present:** 4 - Vice Mayor Kerdyk Jr., Commissioner Withers, Commissioner Anderson and Commissioner Cabrera Jr.

**Absent:** 1 - Mayor Slesnick II

**INVOCATION**

Commissioner Wayne Withers gave the Invocation.

**PLEDGE OF ALLEGIANCE**

Commissioner Maria Anderson led the Pledge of Allegiance.

**EXECUTIVE SESSION**

Beginning at approximately 11:00 a.m., the City Commission will convene an Attorney-Client meeting in the Office of the City Manager to discuss settlement negotiations and strategy in the case of City of Coral Gables v. Quantum Leap Network Incorporated, Miami Dade County Circuit Court Case No. 09-17991 CA 27, under the parameters of Section 286.011(8) of the Florida Statutes (2009).

**LEGISLATIVE SUMMARY**

The following minutes summary includes all presentations made, and actions taken which information is supplemented by the following exhibits on file in the Office of the City Clerk, and which are by reference made a part of the record herein: (a) Ordinance(s) adopted (Ordinance No. 2010-02); (b) Resolution(s) adopted (Resolution No. 2010-36 through Resolution No. 2010-43); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

**A. PRESENTATIONS AND PROCLAMATIONS**

**A.-1. 10-0160** Presentation of a Resolution of Condolence on the passing of former Deputy Fire Chief Gossett.

[Note for the Record: Vice Mayor Kerdyk requested through the City Manager that Fire Chief Walter Reed join him on the dais; whereupon Chief Reed invited Mrs. Astrid Gossett, the wife of the late Deputy Fire Chief Richard Gossett to also join him on the dais, wherein he read a Resolution of Condolence into the public record on behalf of the City, extending its heartfelt sympathy to the bereaved family on the untimely passing of the Deputy Fire Chief Richard "Dick" Gossett; Chief Reed further stating that he worked with the deceased, acknowledging that although he was a man of few words, that his dedication was second to none; further stating that on the occasion of this loss, that the entire city grieves with Deputy Chief Gossett's family; further inviting other family members to join the City Commission and Chief Reed on the dais (including his daughter Jean A. Cos, son, James A. Gossett daughter-in-law Battalion Chief Carla Rossby, and others).

In closing, Mrs. Gossett thanked the City Commission for the aforementioned Resolution of Condolence].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 1

**A.-2. 10-0200** Recognition of Delegation from Leadership Miami.

**Attachments:** [A-2 Signed Cover Memo](#)  
[Leadership Miami Delegation](#)

[Note for the Record: Vice Mayor Kerdyk prefaced his remarks by stating that Leadership Miami is an annual program sponsored by the Greater Miami Chamber of Commerce, and several of Miami-Dade County's premier companies targeting toward making the Miami area a better place in which to live; further inviting David Henry, the facilitator for the Class of 2010, and graduate of the 2008 Leadership Miami Program, to introduce those individuals whom were present for the acknowledgement, which included: Alejandra Argudin; Dean Radelof; Juan Awad; Robert Regalado; Sarah Tuskey; Tom Larsen; Kevin Vance; Danielle Price; Lia Martinez Machado; Sylvia Diaz; Emily Eckert; and Juan Gil.

In closing, Mr. Henry stated that the Leadership Miami Program is one that engages our future leaders of Miami-Dade County, and that today, the above referenced representatives are here to immerse themselves into the business of the city of Coral Gables].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 2

**A.-3. 10-0191** Presentation of a Certificate of Commendation to Dr. Marc Grossman for his relief efforts on behalf of the people of Haiti.

[Note for the Record: Vice Mayor Kerdyk requested of Commissioner Cabrera to present two protocol documents (i.e. Certificates of Appreciation) to Dr. Marc Grossman and Firefighter/Paramedic David Vargas, respectively for their relief efforts on behalf of the people of Haiti; further displaying a videotaping in connection with those affected people and the ensuing rescue efforts as demonstrated by Dr. Grossman and Firefighter Vargas and others, in addressing those entrapped victims, resulting from the catastrophic magnitude 7.0 earthquake occurring in Haiti; further stating that they were a part of the first deployment in Haiti when they received a call from the State Department; further stating that they had several saves rescuing people in debris and the rubble, stating that said rescue effort took painstaking work; Firefighter Vargas also acknowledged the professionalism and skill displayed by Dr. Grossman in helping the medical team get through this horrific experience].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 3

**A.-4. 10-0193**

Presentation of a Certificate of Commendation to Firefighter/Paramedic David Vargas for his relief efforts on behalf of the people of Haiti.

[Note for the Record: Please refer to those comments referenced above on Agenda Item A-3].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 4

**A.-5. 10-0182**

Presentation of 20 years service pin to Fire Captain Dean James, Fire Department.

**Attachments: [CM\\_James](#)**

[Note for the Record: Fire Chief Reed noted that Fire Captain Dean James began his career in Coral Gables in February of 1990; further stating that in April of 1993, that he qualified for Emergency Medical Technician status before obtaining his State paramedic certification in June of 2000; later being promoted to Fire Lieutenant in July of 2006, he assumed responsibility for training of recruits for the department (2007), and in 2010 was appointed to Staff Captain in the Professional Standards Division; further noting that Captain James exhibits leadership qualities that foster teamwork amongst his peers, and has been acknowledged for making good decisions; further pointing out that Captain James ensures that the department operates not only effectively, but also efficiently, thus exemplifying what a true firefighter should be.

In accepting this accolade, Captain James stated that he did not think that 20 years would go by this quickly; further noting that in his opinion a lot of it has to do with the fact that he has been fortunate to have worked with great people, working in a wonderful city, stating that he attributes this to those things here, and he just wanted to say thank you.]

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 5

A.-6. 10-0184 Presentation of 20 years service pin to Firefighter Philip Lopez, Fire Department.

**Attachments:** [CM Lopez](#)

[Note for the Record: Chief Reed acknowledged that Firefighter Phillip Lopez, who joined the city in February of 1990 and completed his firefighter training in March of 1990 earned his Emergency Medical Technician status in February of 1990; his Fire Inspection Certification in December of 1991, and his State Paramedic Certification in November of 1996; Firefighter Lopez is currently assigned as a Driver/Engineer and is considered one of the finest Driver/Engineers; further noting that Firefighter Lopez was recognized as "Firefighter of the Month," in June of 2009 to complete mask and air pack testing, and by his efforts aimed at helping his fellow drivers experiencing mechanical problems; further noting Firefighter Lopez' attributes in stating that sometimes, it is not just the actions performed by a firefighter in just one occurrence, but instead the actions amassed over the entire year.

In accepting this accolade, Firefighter Lopez thanked the City for allowing him to work in here for 20 years; further noting that he will probably be around for another 13 years or so; further acknowledging that time really has passed very quickly, but it has been enjoyable].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 6

A.-7. 10-0185 Presentation of 20 years service pin to Firefighter Mary Magrath, Fire Department.

**Attachments:** [CM Magrath](#)

[Note for the record: Chief Reed stated that Firefighter Mary McGrath who joined the Fire Department in February of 1990, completed her Firefighter training in March of 1990, gained her Emergency Medical Training status in March of 1992; received her State Paramedic Certification in November of 1994, was assigned to Rescue in December of 1994, achieved Advanced Training in May of 1996; further stating that Firefighter McGrath has worked well in residency encounters and with people whom are victims of medical emergencies; further noting that she won a gold and silver medal in the “Toughest Competitor Alive” competition at the World Police and Fire Olympics in 1993; further stating that she has been a three time recipient of the Firefighter of the Month recognition, lauded for the her slogan (“Committed to Our Community”), which is now used by the department; further noting that in February of 2009, because of her heroic efforts while off-duty, along with another firefighter, helped save another woman’s life .

In accepting this honor, Firefighter McGrath stated that it has been an honor to serve the citizens; further stating just in knowing that one has helped someone or comforted someone in a small way, or helped to save someone’s life is self-fulfilling].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 7

A.-8. 10-0186 Presentation of 20 years service pin to Division Chief David Martin, Fire Department.

**Attachments:** [CM\\_Martin](#)

[Note for the Record: Fire Chief Reed noted that Division Chief Martin received his Emergency Medical Technician status in May of 1992, and State Paramedic Certification in November of 1994; in October of 1995, he was assigned to Rescue and to Advanced Training Pay beginning in November of 1995; later he was promoted to Fire Lieutenant in June of 2005, engaged in Recruit Training in October of 2006, was appointed to Staff Captain and assigned to Administration (June of 2008), was later promoted to Fire Captain (January 2009) and then to Division Chief (February of 2009); in further recognizing his personal attributes, citing that Division Chief Martin is a great asset to the department, as demonstrated with his always maintaining a “cool head”; further thanking him for 20 years of dedicated service.

In accepting this accolade, Division Chief Martin recalled the first day of recruiting class, wherein the Recruiting Instructor cited that nine recruits were chosen from a class of 2,600 applicants; now noting that 20 years later, that what is important to him is not so much who has the best happy hour, but who has the best gas prices at the pump; further reminiscing as to how proud and thrilled he is to have endured with his recruiting class and to have called said classmates his friends].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 8

A.-9. 10-0187 Presentation of 20 years service pin to Firefighter Robert Parker, Fire Department.

**Attachments:** [CM\\_Parker](#)

[Note for the Record: Fire Chief Reed noted that Firefighter Robert Parker received his EMT-D status in July of 1992, Driver/Engineer assignment in May of 1999, noting that he is a good driver; proceeded in receiving his Paramedic Certification in April of 2001, Air Technician Certification in October of 2007, and Fire Inspector Certification in November of 2009; further acknowledging that Firefighter Parker is one individual who leads by example, who works well under pressure, and is reliable in emergency situations; further thanking said individual for his 20 years of dedicated service to the department.

In accepting this accolade, Firefighter Parker stated that although he cannot outdo the acceptance speech made by his friend Division Chief Martin, that he wanted to thank the City for allowing him to serve here in Coral Gables; further stating that it has been a pleasure to have worked with all of the guys whom have come on board in the department; further pointing out that the Fire Department is a great department, and he is looking forward to the remaining time that he has left].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 9

A.-10. 10-0188

Presentation of 20 years service pin to Battalion Chief Carla Rossby, Fire Department.

**Attachments:** [CM\\_Rossby](#)

[Note for the Record: Fire Chief Reed stated that Battalion Chief Carla Rossby (who began her career with the city as a Fire Recruit in 1990) obtained her Emergency Medical Training Certification in June of 1992; received her State of Florida Fire Service Instructor certification in June of 1992; serves on the Critical Incident Stress Management Team (which is significant in assisting firefighters to endure their experiences when it becomes necessary to talk to someone); was promoted to Fire Lieutenant (June 1996), Paramedic (August 1996); and later was promoted to Fire Captain/Combat (December 2006), before being appointed to the position of Fire Battalion Captain (March 2003); further stating that she became the first Battalion Chief in the history of the Coral Gables Fire Department; finally adding that she assumed the position of Battalion Chief (March 2009), a position she currently holds. Fire Chief Reed added that from a personal perspective, that she is a very good listener and problem solver.

In accepting this accolade, Battalion Chief Rossby thanked the public for allowing her to serve our citizenry and the City of Coral Gables, along with working with the Fire Department personnel; further stating that she has had the opportunity to have some amazing mentors, including her father in-law, Deputy Fire Chief Richard Gossett, as well as her husband Jim Gossett; further acknowledging her class as being “an amazing cool class”, a diverse group, as demonstrated by the fact that each class member has excelled in some capacity; further noting that not one of her class members takes his/her job lightly; further pointing out that it has truly been an honor to go out and realize that one can make a difference in someone’s life whether they live or die; further adding that she loves her job and is passionate about it, as well].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 10

**A.-11. 10-0189**

Congratulations to Jimmy Powell, Public Service Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of March 2010.

Attachments: [March 2010 EOM Ltr.](#)  
[Cover Memo EOM March 2010](#)

[Note for the Record: Vice Mayor Kerdyk requested of Employee Relations Director Majorie Adler to join him on the dais, whereby Mrs. Adler prefaced her remarks by stating that Jimmy Powell, as "Employee of the Month" for March, 2010, is one individual who is the exemplar for what it means to be a solid public servant; further stating that he began his tenure with the city eight years ago, and is a model employee; further noting that "Jimmy" is committed to providing quality garbage service, and is an example and mentor , and the first to offer any assistance to ensure the success of the Public Service Department; further stating that he takes pride in providing quality service that our residents expect; further displaying a videotaping involving the work regimen of Jimmy Powell, as narrated by Public Service Director Dan Keys; more particularly showing his collection of garbage, as well as his acknowledgement as being one of the most efficient employees within the Division, who can be depended upon to carry out his assignments in a productive manner without asking him to do so.

At the invitation of Commissioner Withers, "Jimmy" was requested to join him on the dais, whereupon Commissioner Withers acknowledged the strength of our city, as being embedded in its employees; further stating that he is constantly receiving compliments regarding the service delivery of the sanitation staff, who are on the street between four and five each morning, wherein he described them as the "guys and gals" who go behind homes to pick up garbage; further stating that the entire department deserves a round of applause; further informing "Jimmy" that he had some good news and bad news for him; the good news was that he has a plaque for him as "Employee of the Month;" the bad news was that the check he is receiving was only good for one pair of tennis shoes, because the department was lengthening his routes and shortening his paycheck. (laughter)

In accepting this accolade, "Jimmy" stated that he was not the loquacious type; however, he appreciates the fact that the city gave him a job; that he loves his residents; and that he appreciates his supervisor providing him with the opportunity; finally thanking the City for this recognition].

**This Presentation/Protocol Document was Recognized**

City Clerk Item No. 11

**B. APPROVAL OF MINUTES**

**B.-1. 10-0207** Regular City Commission Meeting of February 10, 2010

**Attachments:** [Meeting Minutes.pdf](#)  
[CCMtg February 10 2010 Agenda Items D-2 and D-3 CG Chamber and Sallye Juc](#)

A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be approved as amended. The motion passed by the following vote:

**Yea**s : 4 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Commissioner Withers

**Absent** : 1 - Mayor Slesnick II

City Clerk Item No. 12

**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.

**Passed the Consent Agenda**

**A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, to Adopt the Consent Agenda. The motion carried by the following vote:**

**Yea**s : 4 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Commissioner Anderson

**Absent** : 1 - Mayor Slesnick II

**RESOLUTION NO. 2010-36****C.-1. 10-0179**

Resolution granting a one-day permit to John Martin's Restaurant to sell alcoholic beverages from 5:00 p.m. until midnight on Wednesday, March 17, 2010, on Salzedo Street from Aragon Avenue to Miracle Mile, and to the entrance of the Museum Garage, as part of the annual St. Patrick's Day Festival to benefit the Coral Gables Rotary Club, subject to Florida Department of Professional Regulation requirements.

**Attachments:** [Special Event Application & Permit for John Martin's.pdf](#)  
[Resolution for John Martin's.pdf](#)  
[Cover Memo for John Martin's.pdf](#)  
[C-1 Signed Cover Memo](#)  
[Draft - Revised - 03-01-10 - Secriver's Error - Resolution St Patrick's Day Festiva](#)

RESOLUTION GRANTING A ONE-DAY PERMIT TO JOHN MARTIN'S RESTAURANT TO SELL ALCOHOLIC BEVERAGES FROM 5:00 P.M. UNTIL MIDNIGHT ON WEDNESDAY, MARCH 17, 2010, ON SALZEDO STREET FROM ARAGON AVENUE TO MIRACLE MILE, AND TO THE ENTRANCE OF MUSEUM GARAGE AS PART OF THE ANNUAL ST. PATRICK'S DAY FESTIVAL TO BENEFIT THE CORAL GABLES ROTARY CLUB, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**This Matter was adopted by Resolution Number 2010-36 on the Consent Agenda.**

City Clerk Item No. 13

**RESOLUTION NO. 2010-37****C.-2. 10-0180**

Resolution authorizing Fritz and Franz Bierhaus to sell alcoholic beverages from 11:00 a.m. to 11:00 p.m. at the plaza located at 60 Merrick Way from Friday, March 26, 2010, through Sunday, March 28, 2010, during the *BLUESFEST* event, subject to Florida Department of Professional Regulation requirements.

**Attachments:**

[Special Event Application & Permit for Bluesfest.pdf](#)  
[Resolution for Fritz and Franz Bierhaus.pdf](#)  
[Cover Memo for Fritz and Franz Bierhaus Bluesfest.pdf](#)  
[C-2 Signed Cover Memo](#)  
[Signed Resolution 2010-37.pdf](#)

RESOLUTION AUTHORIZING FRITZ AND FRANZ BIERHAUS TO SELL ALCOHOLIC BEVERAGES FROM 11:00 A.M. TO 11:00 P.M. AT THE PLAZA, LOCATED AT 60 MERRICK WAY FROM FRIDAY, MARCH 26, 2010, THROUGH SUNDAY, MARCH 28, 2010, DURING THE *BLUESFEST* EVENT, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**This Matter was adopted by Resolution Number 2010-37 on the Consent Agenda.**

City Clerk Item No. 14

**RESOLUTION NO. 2010-38****C.-3. 10-0192**

Resolution accepting the recommendation of the Chief Procurement Officer to award a contract to O'Brien's Response Management, Inc., formerly known as Solid Resource, Inc. (SRI) pursuant to Section 2-828 of the Procurement Code and Request for Information (RFI) 2008.07.25 based on a piggyback contract to provide emergency management services during hurricanes and other potential disasters for an initial two (2) year period with two (2) additional two (2) year renewal options; with contract cost potentially exceeding the \$600,000.00 threshold thereby requiring approval from the Commission, which are reimbursable to the City in accordance with FEMA Disaster Assistance Policy 9525.9, Section 324, Management Costs and Direct Administrative Costs.

**Attachments:**

[Resolution](#)  
[FEMA Disaster Asst. Policy 9525.9 Section 324](#)  
[RFI Response](#)  
[C-3 Signed Cover Memo](#)  
[Signed Resolution 2010-38.pdf](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD A CONTRACT TO O'BRIEN'S RESPONSE MANAGEMENT, INC., FORMERLY KNOWN AS SOLID RESOURCES, INC. (SRI) PURSUANT TO SECTION 2-828 OF THE PROCUREMENT CODE AND REQUEST FOR INFORMATION (RFI) 2008.07.25 BASED ON A PIGGYBACK CONTRACT TO PROVIDE EMERGENCY MANAGEMENT SERVICES DURING HURRICANES AND OTHER POTENTIAL DISASTERS FOR AN INITIAL TWO (2) YEAR PERIOD WITH TWO (2) ADDITIONAL TWO (2) YEAR RENEWAL OPTIONS; WITH CONTRACT COST POTENTIALLY EXCEEDING THE \$600,000.00 THRESHOLD THEREBY REQUIRING APPROVAL FROM THE CITY COMMISSION, AND ARE REIMBURSABLE TO THE CITY IN ACCORDANCE WITH FEMA DISASTER ASSISTANCE POLICY 9525.9, SECTION 324, MANAGEMENT COSTS AND DIRECT ADMINISTRATIVE COSTS.

**This Matter was adopted by Resolution Number 2010-38 on the Consent Agenda.**

City Clerk Item No. 15

**RESOLUTION NO. 2010-39****C.-4. 10-0208**

Resolution authorizing the execution of an Intergovernmental Cooperation Agreement by and among Miami-Dade County and the City of Coral Gables for collecting non-ad valorem assessment for the cost of providing fire protection services, facilities and programs.

**Attachments:** [Agenda Item - Resolution authorizing execution of intergovernmental agreement](#)  
[Resolution authorizing execution of intergovernmental agreement](#)  
[Intergovernmental Cooperation Agreement](#)  
[C-4 Signed Cover Memo](#)  
[Signed Resolution 2010-39.pdf](#)

RESOLUTION AUTHORIZING THE EXECUTION OF AN  
INTERGOVERNMENTAL COOPERATION AGREEMENT BY AND AMONG  
MIAMI-DADE COUNTY AND THE CITY OF CORAL GABLES IN CONNECTION  
WITH COLLECTION OF NON-AD VALOREM ASSESSMENT FOR THE COST  
OF PROVIDING FIRE PROTECTION SERVICES, FACILITIES AND  
PROGRAMS.

**This Matter was adopted by Resolution Number 2010-39 on the Consent Agenda.**

City Clerk Item No. 16

**RESOLUTION NO. 2010-40****C.-5. 10-0195**

Resolution authorizing the acceptance and execution of a grant award in the amount of \$8,142.00 from the FY 2010 Drug Control and System Improvement Grant Program Award to fund the Coral Gables Domestic Violence Project to educate teens on dating violence.

**Attachments:** [COMMISSION COVER MEMO - \\$8,142 - Teen Dating](#)  
[RESOLUTION - \\$8,142 - Teen Dating](#)  
[C-5 Signed Cover Memo](#)  
[Signed Resolution 2010-40.pdf](#)

RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A  
GRANT AWARD IN THE AMOUNT OF \$8,142.00 FROM THE FISCAL YEAR  
2010 DRUG CONTROL AND SYSTEM IMPROVEMENT GRANT PROGRAM  
AWARD TO FUND THE CORAL GABLES DOMESTIC VIOLENCE PROJECT  
TO EDUCATE TEENS ON DATING VIOLENCE.

**This Matter was adopted by Resolution Number 2010-40 on the Consent Agenda.**

City Clerk Item No. 17

**RESOLUTION NO. 2010-41**

C.-6. 10-0203 Resolution appointing Chuck M. Martinez (Nominated by Commissioner Withers), to serve as a member of the Communications Committee, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.

**Attachments:** [R-2010- Resolution - Chuck Martinez - Communications Committee](#)  
[Resume--Chuck M Martinez 12.1.09](#)  
[Chuck Martinez - Communications Committee](#)  
[C-6 Signed Cover Memo](#)  
[Signed Resolution 2010-41.pdf](#)

RESOLUTION APPOINTING CHUCK M. MARTINEZ (NOMINATED BY COMMISSIONER WITHERS), TO SERVE THE UNEXPIRED TERM, AS A MEMBER OF THE COMMUNICATIONS COMMITTEE, BEGINNING JUNE 1, 2009 THROUGH MAY 31, 2011.

**This Matter was adopted by Resolution Number 2010-41 on the Consent Agenda.**

City Clerk Item No. 18

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

C.-7. 10-0139 Cultural Development Board Meeting of January 11, 2010

**Attachments:** [01 Commission cover for 1-11-10 Minutes](#)  
[01 CDB Minutes JANUARY 11 2010](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 19

C.-8. 10-0175 Cultural Development Board Meeting of January 20, 2010

**Attachments:** [01a Commission cover for 1-20-10 Minutes](#)  
[01a CDB Minutes JANUARY 20 2010](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 20

C.-9. 10-0171 Communications Committee Meeting of January 21, 2010

**Attachments:** [Microsoft Word - communicationsminutesagendafebruary010.pdf](#)  
[Microsoft Word - minutes january 2010.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 21

C.-10. 10-0181      Landscape Beautification Advisory Board Meeting of February 4, 2010

**Attachments:** [BC Cover Sheet 2-4-10](#)  
[Minutes BC 2-4-10](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 22

C.-11. 10-0183      Library Advisory Board Meeting of February 10, 2010

**Attachments:** [LB Cover Sheet 2-10-10](#)  
[Library Minutes 2-10-10](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 23

C.-12. 10-0190      Parking Advisory Board Meeting of January 28, 2010

**Attachments:** [pab minutes 01-28-10](#)  
[cover pab 01-28-10](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 24

C.-13. 10-0194      Retirement Board Meeting of January 20, 2010

**Attachments:** [CC.02-23-2010.January 20, 2010](#)  
[Minutes.01-20-10'](#)  
[Executive Summary.01-20-2010](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 25

C.-14. 10-0197      Historic Preservation Board Meeting of January 21, 2010

**Attachments:** [HPBMinutesJanuary212010](#)  
[NoAction01.21.10.MinutesforCC02.23.10](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 26

**C.-15. 10-0202** Traffic Advisory Board Meeting of January 19, 2010

**Attachments:** [Cover 1-19-10](#)  
[1-19-10\\_ds1](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 27

**C.-16. 10-0205** Code Enforcement Board Meeting of February 17, 2010

**Attachments:** [memo coverfeb 2010](#)  
[ROLLCALLFEB 2010](#)  
[feb 2010](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 28

#### **D. PERSONAL APPEARANCES**

**None**

City Clerk Item No. 29

**E. PUBLIC HEARINGS****ORDINANCES ON SECOND READING****ORDINANCE NO. 2010-02**

**E.-1. 10-0150** An Ordinance of the City Commission of Coral Gables amending the Zoning Code, Article 5, Division 19, entitled, Signs, and Article 8 providing for provisions for monument signs; and providing for severability, repealer, codification, and an effective date. (Passed on First Reading February 10, 2010)

**Attachments:** [02 10 10 Exhibit A - Ordinance](#)  
[02 10 10 Exhibit C - Staff Report w attachments](#)  
[02 10 10 Exhibit D - 01 13 10 PZB mtg minutes](#)  
[02 10 10 CC Cover Memo re: ZC Text Amend - Monument Signs - 1st Reading](#)  
[E-2 Signed Cover Memo](#)  
[02 10 10 Exhibit B - Photographs](#)  
[02 23 10 CC Cover Memo re: Monument Signs - 2nd Reading](#)  
[02 23 10 Exhibit A - Ordinance re: ZC Text Amend - Monument signs](#)  
[E-1 Signed Cover Memo](#)  
[Signed Ordinance 2010-02.pdf](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING THE ZONING CODE, ARTICLE 5, DIVISION 19, ENTITLED, SIGNS, AND ARTICLE 8 PROVIDING FOR PROVISIONS FOR MONUMENT SIGNS; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following the City Attorney's reading of the title to Agenda Item E-1 into the public record, there being no proffering of any testimony by any member of the public, nor there being any discussion by any member of the City Commission, upon a motion being made by Commissioner Cabrera and seconded by Commissioner Anderson, Vice Mayor instructed City Clerk Foeman to call the roll on Agenda Item E-1].

**A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Ordinance Number 2010-02. The motion passed by the following vote:**

**Yea**s : 4 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Vice Mayor Kerdyk, Jr.

**Absent** : 1 - Mayor Slesnick II

City Clerk Item No. 30

**ORDINANCES ON FIRST READING**

**E.-2. 10-0210** An Ordinance of the City Commission of Coral Gables amending the Lease Agreement between Coral Grand, LLC and the City of Coral Gables, Florida, for the long-term management and operations of a City-owned facility known as "The Country Club of Coral Gables," located at 997 North Greenway Drive, Coral Gables, Florida, and providing for future amendments be adopted by resolution, for a severability clause, a repealer provision, a savings clause, and an effective date. (Passed on First Reading February 23, 2010)

**Attachments:** [Country Club Amendment Ordinance](#)  
[E-2 Signed Cover Memo](#)  
[Ordinance 2009-29 Part 1](#)  
[Ordinance 2009-29 Part 2](#)  
[First Amendment to Country Club Lease](#)

[Note for the Record: A copy of the verbatim transcript for Agenda Item E-2 is available in the Office of the Clerk and in Legistar].

**A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Withers, that this motion be approved as an Ordinance on First Reading. The motion passed by the following vote:**

**Yea**s : 4 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Vice Mayor Kerdyk, Jr.

**Absent** : 1 - Mayor Slesnick II

City Clerk Item No. 31

**F. CITY COMMISSION ITEMS**

**Time Certain: 10:00 a.m.**

**F.-1. 10-0206** Discussion regarding the City's minimum housing standards.  
Commissioner Rafael "Ralph" Cabrera, Jr.

[Note for the Record: A copy of the verbatim transcript for Agenda Item F-1 is available in the Office of the City Clerk and in Legistar].

**This Resolution was Discussed and Filed**

City Clerk Item No. 32

**G. BOARDS/COMMITTEES ITEMS****RESOLUTION NO. 2010-42****G.-1. 10-0177**

Presentation of excerpts from the Cultural Development Board meeting of February 8, 2010, recommending the following action:

That the City Commission approve the recommendation to endorse the 2010 Florida Legislative Platform for Arts, Arts Education, and Culture.

**Attachments:** [02 Res 2010 FL Legislative Platform for Arts](#)  
[02 CDB Minutes EXCERPT Re. Legislative Platform for the Arts](#)  
[02 Commission Cover Res FL Legislative Platform for the Arts - signed](#)  
[G-1 Signed Cover Memo](#)  
[Signed Resolution 2010-42.pdf](#)

RESOLUTION RECOMMENDING THE CITY OF CORAL GABLES, CULTURAL DEVELOPMENT BOARD ENDORSE THE 2010 FLORIDA LEGISLATIVE PLATFORM FOR ARTS, ARTS EDUCATION, AND CULTURE.

[Note for the record: City Manager Salerno requested of Economic Sustainability Department Director Cindy Birdsill to deliver the presentation for Agenda Item G-1, whereby Ms. Birdsill prefaced her remarks by introducing Dr. Bernice Madalene Roth, Chair of the City's Cultural Development Board; further stating that in response to a request from the Florida Cultural Alliance to endorse the 2010 Florida Legislative Platform for Arts, Arts Education, and Culture, that her Board decided during its February 8th meeting, to endorse same and forward letters urging support, to the House Transportation and Economic Development Appropriations Committee members in the State of Florida House of Representatives, and to Miami-Dade County representative(s); further providing certain statistical data regarding Non Profits and Culture, more specifically that said segment generates approximately \$3.1 billion in local economic activity throughout the state, which supports 88,326 fulltime jobs; further pointing out that the Return on Investment has resulted in \$5 for every \$1 that is invested in the state for arts and culture; further stating that Non Profits and Culture have generated an estimated \$2.1 billion in household income, and has generated \$444.5 million in state and local governmental revenue; further noting that in Miami-Dade County alone, the arts provide has generated \$922 million in local economic impact dollars resulting in 22,895 jobs, thus generating \$648.7 million in household income; further noting than more than 12,700,000 people attended cultural events this year in Miami-Dade County, representing over 1,100 arts organizations; further noting that according to studies provided by the Florida Department of Education and U.S. Department of Education, that students who participate in fine arts related activities have higher academic success and test scores than non participants;

further noting that the Florida Cultural Alliance cites that over the last four years, that grant matches have been cut by 92 percent; further noting that Florida ranks 49th among states in appropriation funding for the arts and culture; further calling for a maintenance of tax exemptions for the Non Profits. Finally, Ms. Birdsill noted that Coral Gables has always been associated with strong support for arts and culture; therefore requesting approval for the recommendation proffered by the city's Cultural Development Board for endorsement of the 2010 Florida Legislative Platform for Arts, Arts Education and Culture.

Commission Anderson stated she hopes that the culture and wisdom among the legislative body in Tallahassee feels the same way regarding said issue; further noting that support for said platform regarding arts and culture will greatly benefit our society].

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2010-42. The motion passed by the following vote:**

**Yea**s : 3 - Commissioner Anderson, Vice Mayor Kerdyk, Jr. and Commissioner Withers

**Absent** : 2 - Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 33

**RESOLUTION NO. 2010-43****G.-2. 10-0178**

Presentation of excerpts from the Cultural Development Board meeting of February 8, 2010, recommending the following action:

That the City Commission approve the recommendation to allow a week-long City Hall photo exhibition titled "Por las huellas misioneras en América Latina" ("Following the missionary traces in Latin America").

**Attachments:**

[02 Res 2010 City Hall Photo Exhibit](#)  
[02 CDB Minutes EXCERPT Re. City Hall Photo Exhibit](#)  
[02 Commission Cover Res. City Hall Photo Exhibit - signed](#)  
[G-2 Signed Cover Memo](#)  
[Signed Resolution 2010-43.pdf](#)

RESOLUTION RECOMMENDING A WEEK LONG CITY HALL PHOTO EXHIBITION TITLED "POR LAS HUELLAS MISIONERAS EN AMÉRICA LATINA" ("FOLLOWING THE MISSIONARY TRACES IN LATIN AMERICA").

[Note for the Record: Vice Mayor Kerdyk requested Economic Sustainability Department Director Cindy Birdsill to proceed with the Cultural Development Board's request to the City Commission for approval of a week long City Hall photo exhibition titled "Por las huellas misioneras en America Latina" (Following the Missionary traces in Latin America); said event which is part of the Miami Bach Society's annual Tropical Baroque Musical Festival, is proposed for March 5th through March 14th, 2010, with an opening reception sponsored by the Swiss government to include a lecture and music from member of the group, Capilla de Sol from Buenos Aires, Argentina, which is a group organized by the Museo de Arte Hispanica Americano].

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2010-43. The motion passed by the following vote:**

**Yea**s : 3 - Commissioner Withers, Commissioner Anderson and Vice Mayor Kerdyk, Jr.

**Absent** : 2 - Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 34

**H. CITY MANAGER ITEMS**

H.-1. 10-0174 Presentation of Quarterly Report for the three months ended December 31, 2009.

**Attachments:** [Quarter Report for three months ended December 31, 2009](#)  
[Agenda - Presentation of Quarterly Report Ending 12-31-09](#)  
[H-1 Signed Cover Memo](#)

[Note for the Record: A copy of the verbatim transcript for Agenda Item H-1 is available in the Office of the City Clerk and in Legistar].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 35

**I. CITY ATTORNEY ITEMS**

**None**

City Clerk Item No. 36

**J. CITY CLERK ITEMS**

**None**

City Clerk Item No. 37

**K. DISCUSSION ITEMS**

Vice Mayor Kerdyk: Commissioner Anderson.

Commissioner Anderson: Yes, one thing. I'd like for us to bring our lobbyist in Tallahassee, Fausto, to give us an update when it's appropriate regarding what is happening up there as far as legislative session issues, because I understand there is some stuff that may affect the cities directly. So at the appropriate time when there is more information I'd like for him to let us know.

City Manager Salerno: Commissioner I've already - I had a conversation in fact with Fausto last evening and he has been scheduled.

Commissioner Anderson: Great - that's all for me.

Vice Mayor Kerdyk: Commissioner Cabrera.

Commissioner Cabrera: My Property Advisory Board member forwarded a copy of an e-mail that was sent to the Secretary of that Board who then, I guess, sent it to the rest of the Board for review, and I'd like to request from the Manager's office that you all get a copy of that as well. There was some interesting analysis completed by this Board member and it relates to the property that we own on Granada Boulevard...

Vice Mayor Kerdyk: You mean the...

Commissioner Cabrera: The Southern Command property that we rent to the military...

Vice Mayor Kerdyk: Yes.

Commissioner Cabrera:...Mr. Mazzei, I think he is the Manager's appointment, did some analysis based upon current market values, and I just found it extremely interesting, and I thought you all would benefit from getting a copy of it.

Vice Mayor Kerdyk: Mr. City Manager would you make sure we get a copy of that?

City Manager Salerno: Sure.

Vice Mayor Kerdyk: Thank you.

Commissioner Cabrera: And secondly, as you all know, I think you all know this, Commissioner Anderson and I will be hosting a Greening Workshop, we both talked about wearing green tomorrow, so I'm going to die one of my gueayaberas, but I think

it will be informative, I would like to think that it should be interactive, I think we both will want it to be interactive...

Commissioner Anderson: Sure.

Commissioner Cabrera:...and I don't know about you, but I've gotten some calls from people like Waste Management who plan to be there. I hope representatives from the Chamber, the Garden Club, and for that matter any other group that's interested in working with us on these initiatives.

Commissioner Anderson: I think - I know that I've requested for our Garden Club representative, maybe one or two will be here tomorrow, and I think we have a representative that will be from the Chamber as well.

Commissioner Cabrera: We start what?- at 9:30 a.m.?

Commissioner Anderson: 9:30 a.m.

Commissioner Cabrera: I'm glad we are mentioning it, 9:30 a.m. tomorrow here in the Chambers, I need you all to know that I've got to leave about 10:30, or thereabouts.

Commissioner Anderson: That will make us much more efficient, how about that.

Commissioner Cabrera: I got to run to the Chamber.

Commissioner Anderson: That will make us work faster and more efficiently, appreciate that.

Commissioner Cabrera: I wanted to tell you that I appreciate your leadership on this process...

Commissioner Anderson: Thank you.

Commissioner Cabrera:...and I'm looking forward to it.

Commissioner Anderson: Thank you, I look forward to it tomorrow.

Commissioner Cabrera: That's it for me Mr. Mayor.

Vice Mayor Kerdyk: Thank you very much Commissioner Cabrera. Commissioner Withers.

Commissioner Withers: Yes, I just have one issue and it's something I'd like to hand

over to the City Manager, and it happened as a result of a workshop I attended this weekend on what they call, cause marketing, and what that means is like if Yoplait Yogurt teams up with the American Heart industry and as a result, kind of the seal of Good Housekeeping on Yoplait Yogurt is endorsed by the American Heart Association type of deal. I see as we move - and what these cause marketing folks told me was that, they were going to do a big push in the next year of looking to partner not-for-profit groups not only with corporate America, but with governments and local municipalities and things like that; and I really think, especially as we go into the greening effort, as we move into the next year or two, who knows who will be coming to the city and asking us to partner with them, and to advertise with us and to allow their seals to be used on our mailouts, whatever; and I really think that we should try to put together some kind of policy so that's it's not just a City Manager decision, or it's just not a Commission decision, but I think - I have no problem leaving it in the City Manager's hand to decide whether we accept not-for-profits partnering with the city, or whether we do accept not-for-profits. City Manager do you understand my concern?- and the direction I'd like to see us move in?

City Manager Salerno: Yes, I do.

Commissioner Anderson: Yes, and I think that's actually wise because I have - one of the initiatives that I'd like to talk about tomorrow is a thing called "*Dream in Green*", and that would require some type of participation...

Commissioner Withers: Cause marketing.

Commissioner Anderson:...well yes - private, we would if we got this program, if we were able to do that it would require some capital, and it's something that would probably come from the private sector, or some non profits.

Commissioner Withers: Again, I think my concern is - and again I don't know anything about your effort, it's probably very noble and it's probably very good; but my concern Maria is, the city embraces that, then two weeks later someone else comes and we say well, what's the criteria...

Commissioner Anderson: Right - we have to establish a policy; we have to have criteria in order to be able to do that.

Commissioner Withers:...and unfortunately I have a feeling that it's going to probably be a black or white issue, and not a gray issue so I don't know what the City Manager is going come back to us with. I just - if I wouldn't have heard these folks launch or tell me how aggressively they are going to go, they are going to try to pair not-for-profits with local governments and government entities and state entities and national entities, I wouldn't be concerned.

Commissioner Anderson: Got yah. I think it's important to look at it.

Commissioner Withers: That's it.

Vice Mayor Kerdyk: Thank you very much Commissioner Withers. I have one item. We are entering our second month, I guess we are in our second month of the Farmers Market, and I think each of us go the Farmers Market quite a bit. Mr. City Manager when I was there this past Saturday somebody came up to me and said, hey do you know Commissioner that we are charging now for parking at the Farmers Market. I hadn't realized that we were doing that, and I know that in the past we had decided not to charge in the general location of the Farmers Market, and I certainly got an ear-full as far as the charging of parking at that event.

Commissioner Cabrera: I think it was historically the west side of LeJeune.

Vice Mayor Kerdyk: West side of LeJeune, that's what it was.

Commissioner Cabrera: I think that's what it may have been. I think we always cited on the east side of LeJeune.

Vice Mayor Kerdyk: I think that's what it was. I just bring it to your attention to see how the City Commission feels about that. I do know that we are trying to enhance and encourage people to come to the Farmers Market; people come and stay around and see their neighbors, eat some food, enjoy the overall atmosphere, and that is some area of concern that I'd like you to look at Mr. City Manager.

City Manager Salerno: Mayor, I think you may - last Commission meeting you took policy direction and waived enforcement for the Farmers Market.

Vice Mayor Kerdyk: Did we?

Commissioner Anderson: Yes, we did.

Commissioner Cabrera: I don't remember.

Vice Mayor Kerdyk: I don't remember.

City Manager Salerno: We are on the same wave length just a step ahead.

Vice Mayor Kerdyk: That's great news.

Commissioner Cabrera: I wasn't aware of it, that's great.

Vice Mayor Kerdyk: That's great. I'll go to the next Farmers Market with my head up.

Commissioner Cabrera: Listen, don't feel bad, don't feel bad about that, I'm great at putting stuff down that we have already done, so. In fact I want to bring that resolution back next time.

Vice Mayor Kerdyk: Keep on talking, we've got ten more minutes.

Commissioner Cabrera: But you know, it's amazing on Monday being President's Day, was it this past Monday?- it's a blur, anyway - last Monday - the bottom line is you wouldn't believe how many people in the downtown area were feeding our meters, it's just amazing.

Vice Mayor Kerdyk: That's why revenues are up 16%.

Commissioner Cabrera: You know it is what it is. On one end we give them the courtesy of not having to feed the meters, on the other end they think the meters are to be feed 24/7, and so we derive a great deal of funds from that.

Vice Mayor Kerdyk: Tell you what - why don't we do this, take a break for ten minutes and then we have to reconvene in here, and then we'll go ahead and read what we need to in the record, and go from that point forward. Thank you.

Vice Mayor Kerdyk: Alright its 11:00 o'clock, let's go ahead. Ladies and gentlemen we will now be addressing the Executive Session, which was advertised for February 23, 2010, on Friday, February 19, 2010, under the revision of Section 286.011, Florida Statutes, the City Attorney request that the Commission meet in private to discuss pending litigation in the case of City of Coral Gables versus Quantum Leap Network Incorporated, Miami-Dade County Circuit Court Case No. 0917991CA27. The City Commission approved the City Attorney's request and at approximately 11:00 o'clock will commence a private attorney/client session under the parameters of Florida Statute 286.011. The private attorney/client session will conclude at approximately 12:00 noon, at which time the regular City Commission meeting shall resume. The session will be attended by the members of the City of Coral Gables City Commission, Commissioner Maria Anderson, Commissioner Rafael Cabrera, Commissioner William Kerdyk, Commissioner Wayne Withers, the City Manager Pat Salerno, City Attorney Elizabeth Hernandez, and Special Counsel David Rogero. A certified court reporter shall be present to ensure that the session is fully transcribed and the transcript shall be made public upon conclusion of the litigation. So at this time we will meet in the City Manager's office pertaining to the Executive Session. Thank you.

## Executive Session

Vice Mayor Kerdyk: Ladies and gentlemen we are back from the Executive Session, that concludes the Executive Session that we had and therefore we can go back to the city agenda. Before I ask for any motions, Walter Foeman asked me to correct something. We advertised this for February 23, 2010, not on Friday, February 13, but on February 9th he told me, not 19th. So I just want to make that clarification for the record; and is there a settlement recommendation from the City Attorney at this point?

City Attorney Hernandez: Not at this time Mr. Vice Mayor.

Vice Mayor Kerdyk: Thank you. Is there a motion for settlement? Seeing none I would like to thank you for the Executive Session Ms. City Attorney, our attorney representing us, and call for adjournment of this meeting. Thank you.

City Clerk Item No. 38

**ADJOURNMENT**

[Note for the Record: There being no further business on the Regular City Commission Meeting Agenda. The Commission of the City of Coral Gables adjourned its meeting at 12:08 pm on February 23, 2010. The next regular meeting of the City Commission has been scheduled for March 09, 2010, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK