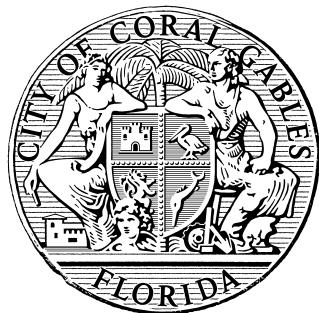


City of Coral Gables

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



Agenda

Tuesday, July 17, 2007

9:04 AM

**Biltmore Hotel - Merrick Room
1200 Anastasia Avenue, Coral Gables, Florida
City Commission**

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

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

INVOCATION

The Reverend Dr. Laurie Hafner, Coral Gables Congregational Church

PLEDGE OF ALLEGIANCE**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. 07-0610** Presentation of a Proclamation proclaiming the month of July 2007 as "Parks and Recreation Month" in Coral Gables
- A.-2. 07-0606** Congratulations to Carlos Oliver, Finance Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of August 2007

B. APPROVAL OF MINUTES

None

C. CONSENT AGENDA

All items listed within this section entitled "Consent Agenda" are considered to be self-explanatory and are not expected to require additional review or discussion, unless a member of the City Commission or a citizen so requests, in which case, the item will be removed from the Consent Agenda and considered along with the regular order of business. Hearing no objections to the items listed under the "Consent Agenda", a vote on the adoption of the Consent Agenda will be taken.

- C.-1. 07-0601** Resolution of support for the Police Department's application to the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to fund the purchase of three Segway personal transporters.
- C.-2. 07-0626** Resolution authorizing the City Manager and the Chief of Police to execute a Mutual Aid Agreement with the South Miami Police Department for multi-jurisdictional and cross-jurisdictional delivery of police services.
- C.-3. 07-0503** Robert Balogh, with Balobro 25-26, LLC, requesting consideration of releasing the Unity of Title for property legally described as Lots 25 - 28, Block 2, Coral Gables Crafts Section, Pb/Pg 10/40 and located at 2418 -22 Ponce de Leon Boulevard, Coral Gables, Florida. (Deferred from the June 26, 2007 Meeting)
- C.-4. 07-0651** Ponce Circle Developers, LLC, the developer of Old Spanish Village, requesting release of the Declarations of Restrictive Covenants (Unity of Title) for Lots 1,2, and west S of 3, Block 23; Lots 6 & 7, Block 23; Lots 6 & 7, Block 30; Lots 8 & 9, Block 30; Lots 9, 10 & 11, Block 23; Lots 10 & 11, Block 30; Lots 13 & 14, Block 23; S of Lot 3, and all of 4 & 5, Block 23; Lots 9, 10 & 11, Block 23 (not yet recorded); Lots 12 & 13, Block 33 (not yet recorded) of Coral Gables Craft Section.

- C.-5. [07-0574](#) Resolution confirming the following appointment and/or reappointment to the International Affairs Coordinating Council: Carolina Rendeiro Wright (Board As-A-Whole); Alfonso Cueto (Ambassador At-Large) nominated by the International Affairs Coordinating Council; to serve for a term beginning June 1, 2007 through May 31, 2009, effective July 17, 2007.
- C.-6. [07-0575](#) Resolution confirming the reappointment of Joanna Lombard (Board As-A-Whole) to serve on the Landscape Beautification Advisory Board, for a term beginning June 1, 2007 through May 31, 2007, effective June 26, 2007.
- C.-7. [07-0576](#) Resolution confirming the reappointment of Patricia Ann Keon (Board As-A-Whole) to serve on the Planning and Zoning Board, for a term beginning June 1, 2007 through May 31, 2009, effective July 17, 2007.
- C.-8. [07-0577](#) Resolution confirming the following renominations and nomination: Pat Kiel (Crime Watch Representative); Lillian Diaz (Ponce de Leon Middle School Representative); Harold Cole (Coral Gables High School Representative); and Dr. Victor H. Shabanah (Nominated by City Manager David L. Brown), to serve on the School and Community Relations Committee, for a term beginning June 1, 2007 through May 31, 2009, effective July 17, 2007.
- C.-9. [07-0584](#) Resolution appointing a Commissioner to serve as Commission Representative (Ex-Officio Member), on the Business Improvement District (BID), for the term beginning June 1, 2007 through May 31, 2009.
- C.-10. [07-0585](#) Resolution appointing a Commissioner to serve as Commission Representative (Ex-Officio Member), on the Coral Gables Chamber of Commerce, for the term beginning June 1, 2007 through May 31, 2009.
- C.-11. [07-0586](#) Resolution appointing a Commissioner to serve as Commission Representative (Ex-Officio Member) on Coral Gables Citizens Crime Watch Inc., for the term beginning June 1, 2007 through May 31, 2009.
- Commission-As-A-Whole _____
- C.-12. [07-0595](#) Resolution confirming the appointment and/or reappointment certain individuals to serve on the Coral Gables Police Officers Retirement Trust Fund, for a two (2) term, beginning January 1, 2007 through December 31, 2009, effective as of June 26, 2007.
- Commission As-A-Whole _____
- Commission As-A-Whole _____

- C.-13. [07-0621](#) Resolution appointing Jorge L. Garrido (Nominated by Mayor Slesnick), to serve as a member of the Coral Gables Code Enforcement Board for a three year term, beginning June 1, 2007 through May 31, 2010; effective as of July 17, 2007.
- C.-14. [07-0622](#) Resolution of the City Commission appointing Sean S. Pendray (nominated by Mayor Slesnick), to serve as a member of the City of Coral Gables Health Facilities Authority for a four (4) year term, beginning June 1, 2007 through May 31, 2011.
- C.-15. [07-0623](#) Resolution of the City Commission appointing Enrique Lopez (nominated by Mayor Slesnick), to serve the remaining balance of the term (effective July 17, 2007) as a member of the Emergency Management Division; further specifying the order of succession from amongst the remaining interim successors appointed by Mayor Slesnick during said term, which began on June 1, 2007 through May 31, 2009.
- C.-16. [07-0633](#) Resolution appointing Luis Sousa (nominated by City Manager Brown) to serve as a member of the Board of Architects for a two (2) year term, beginning June 1, 2007 through May 31, 2009; effective as of July 17, 2007.
- C.-17. [07-0653](#) Resolution of the City Commission of the City of Coral Gables, Florida, expressing support for the creation of the Old Spanish Village Community Development District by Miami-Dade County Commission, for the area described in exhibit "A" and providing for an effective date.

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

- C.-18. [07-0603](#) Code Enforcement Board Meeting of July 3, 2007
- C.-19. [07-0599](#) Coral Gables School and Community Relations Committee Meeting of May 29, 2007
- C.-20. [07-0642](#) Historic Preservation Board Meeting of April 19, 2007
- C.-21. [07-0650](#) Historic Preservation Board Meeting of May 24, 2007
- C.-22. [07-0634](#) Parking Advisory Board Meeting of May 24, 2007
- C.-23. [07-0630](#) Pinewood Cemetery Advisory Board meeting of June 5, 2007
- C.-24. [07-0616](#) Property Advisory Board Meeting of June 28, 2007
- C.-25. [07-0614](#) Traffic Advisory Board Meeting of May 19, 2007

C.26. 07-0654

Resolution of the City Commission appointing and/or reappointing a certain individual to serve as a member of the Property Advisory Board for a two-year term, beginning June 1, 2007 through May 31, 2009, effective as of July 17, 2007.

Commission-As-A-Whole _____

D. PERSONAL APPEARANCES

- D.-1. [07-0618](#) Mark A. Trowbridge, President and CEO, Coral Gables Chamber of Commerce, to request permission from the City Commission to continue to use the term "City Beautiful" in the Coral Gables Chamber Newsletter and in the Annual Awards Program.

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in.

- E.-1. [07-0635](#) Board of Architects Appeal - Application No. 33366-2
Monica Avellaneda, applicant, has filed an appeal to the Coral Gables City Commission, from a decision of the Board of Architects at its regular meeting of June 14, 2007, wherein the Board denied Application No. 33366-2, in connection with the installation of accordion shutters on all windows of apartment building located at 727 Almeria Avenue.
- E.-2. [07-0541](#) Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, approving settlement in Robson v. City of Coral Gables, Case No. 01-16301 CA 06, and waiving the provisions of the City Procurement Code pursuant to Sec. 2-2011, entitled "Purchase, Sale or Lease of Public Property", as inconsistent with City Commission approvals at the time of purchase of the Miracle Mile Theatre Property Ground Lease, for the purchase of the three retail leases/properties in the amount of One Million Fifty Thousand Dollars (\$1,050,000.00); providing a repealer provision, a savings clause, a severability clause and an effective date. (Passed on First Reading June 26, 2007)
- E.-3. [07-0549](#) Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, creating a definition for "Automated External Defibrillators"; creating Chapter entitled "Automated External Defibrillators" to require automated external defibrillators at certain buildings; providing for the installation and operation requirements to maintaining an automated external defibrillator; providing for fees, penalties and applicability, providing for severability, repealer, codification, and an effective date. (Passed on First Reading June 26, 2007)

Time Certain: 11:00 a.m.

Items E-4 and F-1 are related

- E.-4. [07-0550](#) Ordinance on Second Reading. Zoning Code Text Amendment - Metal Roofs. An Ordinance of the Coral Gables City Commission amending the Zoning Code, Ordinance No. 2007-01, as amended, to permit metal roofs in a site-specific area or areas of the City; providing a repealer provision; a savings clause, and a severability clause; and providing for an effective date. (Passed on First Reading June 26, 2007)

E.-5. 07-0543

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, deleting Section 34-61 through 34-68 of City Code Chapter 34 entitled "Nuisances", Article III entitled "Lost, Stolen, Junked, Abandoned Property" and adopting by reference Chapter 705, Florida Statute's standards and procedures for the administration of lost or abandoned property and unclaimed evidence; providing for severability, repealer, codification and an effective date. (Passed on First Reading June 26, 2007)

E.-6. 07-0624

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, amending Chapter 58 entitled, "Special Assessments", Article III entitled, "Repair or Construction of Streets and Sidewalks", and Chapter 62 entitled, "Streets, Sidewalks and other Public Places", Article IV entitled, "Maintenance of Sidewalks and Swale Areas", by adding a section on private right of action for injuries or damages; providing for severability, repealer, codification, and an effective date. (Passed on First Reading July 17, 2007)

Items E-7 and G-3 are related**E.-7. 07-0612**

Ordinance on Second Reading. An Ordinance of the City Commission of the City of Coral Gables, Florida, approving purchase of property at 5028 Maggiore Street, Coral Gables, Florida, pursuant to Ordinance No. 2004-30, the legal description and folio numbers of which are set forth as follows: Lots 1, 2, and 3, Block 99, revised plat of Coral Gables Riviera Section Part Two, according to plat thereof as recorded in Plat Book 28 at Page 18 of the Public Records of Miami-Dade County, Florida, Folio No. 03-4120-023-3010 Folio No. 03-4120-023-3015, in exchange for a monetary payment of \$1,290,000.00 provided by the Miami-Dade County General Obligation Bond Project 88-70653 for purchases of property for use as park land. Waiver of certain provisions of Ordinance No. 2004-30 are by a 4/5 vote of the City Commission including the requirement of an advertised Public Bidding Process; providing a repealer provision, a savings clause, and a severability clause, and providing for an effective date. (Passed on First Reading July 17, 2007)

E.-8. 07-0632

Ordinance on First Reading. An Ordinance of the Coral Gables City Code creating Chapter 12, to be entitled "Art In Public Places"; providing definitions; establishing policy, establishing an Art Fund to be used for public art purposes; providing procedures, administration criteria; providing for ownership & maintenance; and providing for enforcement for an Art In Public Places program; providing for repeal, providing severability, providing for codification thereof, an effective date, and repealing all Ordinances inconsistent herewith.

F. CITY COMMISSION ITEMS**Items F-1 and E-4 are related**

- F.-1. [07-0609](#) Discussion of an alternate pilot proposal for metal roofs city-wide
Commissioner Marha Anderson
- F.-2. [07-0611](#) Discussion regarding a twenty-five mile per hour speed limit pilot program
Commissioner Rafael "Ralph" Cabrera, Jr.

G. BOARDS/COMMITTEES ITEMS

- G.-1. [07-0631](#) Presentation of excerpts from the Pinewood Cemetery Board meeting of June 5, 2007, requesting the following action:

The Pinewood Cemetery Board asks that the City Commission consider a request for a matching grant of \$13,000 for a survey of Pinewood Cemetery.

- G.-2. [07-0646](#) Presentation of excerpts from the Historic Preservation Board Meeting of May 24, 2007 requesting the following action:

The Historic Preservation Board urgently recommends to the City Commission that any house over 50 years old requiring any exterior demolition go through historic review by the Historic Preservation Board.

Items G-3 and E-7 are related

- G.-3. [07-0629](#) Presentation of excerpts from Property Advisory Board meeting of June 28, 2007, recommending the following action:

Mr. Mazzei moved to recommend the acquisition of the land located at 5028 Maggiore Street. Mr. Flanagan seconded the motion and it passed unanimously.

H. CITY MANAGER ITEMS

- H.-1. [07-0600](#) Legislative update by Fausto Gomez, of Gomez Barker, P.A.
- H.-2. [07-0560](#) Resolution establishing guidelines for the Coral Gables Merrick House Governing Board and House Usage Policies for the Coral Gables Merrick House and repealing all Resolutions inconsistent herewith. (Deferred from the June 26, 2007 Meeting)
- H.-3. [07-0617](#) Parking System Update
- H.-4. [07-0641](#) Update of Lease Negotiations with The Palace Group, Inc. including: (a) Revised site plan; (b) Proposed Residential Operating Standards; (c) Anticipated Financial Terms; (d) Discussion regarding parking program and other outstanding issues.
- H.-5. [07-0619](#) Resolution of the City Commission of Coral Gables supporting the re-election of the Business Improvement District of Coral Gables.
- H.-6. [07-0652](#) Presentation by Tony Villamil, Chief Executive Officer of The Washington Economic Group, to present the Coral Gables Property Value Study.

I. CITY ATTORNEY ITEMS

- I.-1. [07-0636](#) Pending Litigation Report

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 requiring special accommodations for participation in the meeting should contact R. Alberto Delgado, Public Works Director, at 305-460-5001, with requests for auxiliary aids or services at least one business day before the meeting.

David L. Brown
City Manager