

City of Coral Gables

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



Meeting Minutes

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

ROLL CALL

Present: 5 - Mayor Slesnick II, Commissioner Cabrera Jr., Commissioner Withers, Commissioner Anderson and Vice Mayor Kerdyk Jr.

INVOCATION

[Note for the Record: Following, the invocation given by the Reverend Dr. Laurie Hafner, Coral Gables Congregational Church, Mayor Slesnick announced that the Budget Workshop will also be held at the Biltmore Hotel, and is scheduled for tomorrow, July 18, 2007, commencing 9 a.m.].

PLEDGE OF ALLEGIANCE

Commissioner Wayne "Chip" Withers led the Pledge of Allegiance.

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) Resolution(s) adopted (Resolution No. 2007-154 through Resolution No. 2007-178); (b) Ordinance(s) adopted on Second Reading (Ordinance No. 2007-20 through Ordinance No. 2007-23); (c) Video; (d) Minutes Folder with Agenda and back-ground information, including items were submitted at the meeting.

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

City Clerk Item No. 2

- 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

City Clerk Item No. 1

B. APPROVAL OF MINUTES

None

City Clerk Item No. 3

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 items will be removed from the Consent Agenda and considered along with the regular order of business. Hearing no objections to those items listed under the "Consent Agenda", a vote on the adoption of the Consent Agenda will be taken.

The following Consent Agenda Items were pulled for further consideration: C-5, C-9, C-10, C-11 and C-26. Following consideration, Consent Agenda Item C-11 was deferred.

Passed The Consent Agenda (As Amended)

Yeas : 4 - Commissioner Anderson, Commissioner Cabrera, Jr., Commissioner Withers and Mayor Slesnick II

Absent : 1 - Vice Mayor Kerdyk, Jr.

RESOLUTION NO. 2007-154**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.

A 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.

This Matter was adopted by Resolution Number 2007-154 on the Consent Agenda.

City Clerk Item No. 4

RESOLUTION NO. 2007-155**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.

A 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.

This Matter was adopted by Resolution Number 2007-155 on the Consent Agenda.

City Clerk Item No. 5

RESOLUTION NO. 2007-156**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)

A RESOLUTION RELEASING THE UNITY OF TITLE FOR THE PROPERTY LEGALLY DESCRIBED AS LOTS 25-28, BLOCK 2, CORAL GABLES CRAFTS SECTION, PB/PG 10/40, AND LOCATED AT 2418-2440 PONCE DE LEON BOULEVARD, CORAL GABLES, FLORIDA.

This Matter was adopted by Resolution Number 2007-156 on the Consent Agenda.

City Clerk Item No. 6

RESOLUTION NO. 2007-157**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.

RESOLUTION RELEASING DECLARATIONS OF RESTRICTIVE COVENANTS (UNITY OF TITLE) FOR LOTS 1,2, AND WEST ½ 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; ½ 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.

This Matter was adopted by Resolution Number 2007-157 on the Consent Agenda.

City Clerk Item No. 7

RESOLUTION NO. 2007-158**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.

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF JOANNA LOMBARD TO SERVE AS A MEMBER OF THE LANDSCAPE BEAUTIFICATION ADVISORY BOARD (BOARD-AS-A-WHOLE APPOINTMENT) FOR A TWO (2) YEAR TERM, BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

This Matter was adopted by Resolution Number 2007-158 on the Consent Agenda.

City Clerk Item No. 8

RESOLUTION NO. 2007-159**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.

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF PATRICIA ANN KEON TO SERVE AS A MEMBER OF THE PLANNING AND ZONING BOARD (BOARD-AS-A-WHOLE APPOINTMENT) FOR A TWO (2) YEAR TERM, BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

This Matter was adopted by Resolution Number 2007-159 on the Consent Agenda.

City Clerk Item No. 9

RESOLUTION NO. 2007-160**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.

A RESOLUTION CONFIRMING THE APPOINTMENT OF THE FOLLOWING INDIVIDUALS (WHO WERE APPOINTED BY PONCE DE LEON MIDDLE SCHOOL, CORAL GABLES HIGH SCHOOL, AND CRIME WATCH INC., RESPECTIVELY); AND DR. VICTOR H. SHABANAH (NOMINATED BY CITY MANAGER DAVID L. BROWN) TO SERVE AS MEMBERS OF THE SCHOOL AND COMMUNITY RELATIONS COMMITTEE, FOR A TWO (2) YEAR TERM BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

This Matter was adopted by Resolution Number 2007-160 on the Consent Agenda.

City Clerk Item No. 10

RESOLUTION NO. 2007-161**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 _____

A RESOLUTION REAPPOINTING JAMES HARLEY AND ARNOLD PERRY TO SERVE AS A MEMBERS OF THE CORAL GABLES POLICE OFFICERS RETIREMENT TRUST FUND FOR A TWO (2) YEAR TERM, BEGINNING JANUARY 1, 2007 THROUGH DECEMBER 31, 2007.

This Matter was adopted by Resolution Number 2007-161 on the Consent Agenda.

City Clerk Item No. 11

RESOLUTION NO. 2007-162**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.

A 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.

This Matter was adopted by Resolution Number 2007-162 on the Consent Agenda.

City Clerk Item No. 12

RESOLUTION NO. 2007-163**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.

A 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.

This Matter was adopted by Resolution Number 2007-163 on the Consent Agenda.

City Clerk Item No. 13

RESOLUTION NO. 2007-164

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.

A 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.

This Matter was adopted by Resolution Number 2007-164 on the Consent Agenda.

City Clerk Item No. 14

RESOLUTION NO. 2007-165

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.

A RESOLUTION OF THE CITY COMMISSION 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.

This Matter was adopted by Resolution Number 2007-165 on the Consent Agenda.

City Clerk Item No. 15

RESOLUTION NO. 2007-166

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.

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.

[Note for the Record: A substitute resolution, for Consent Agenda C-17, was provided to the Commission, by City Attorney Hernandez].

This Matter was adopted by Resolution Number 2007-166 on the Consent Agenda.

City Clerk Item No. 16

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

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

- C.-19. [07-0599](#) Coral Gables School and Community Relations Committee Meeting of May 29, 2007

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

- C.-20. [07-0642](#) Historic Preservation Board Meeting of April 19, 2007

This Matter was approved on the Consent Agenda.

City Clerk Item No. 19

- C.-21. [07-0650](#) Historic Preservation Board Meeting of May 24, 2007

This Matter was approved on the Consent Agenda.

City Clerk Item No. 20

- C.-22. [07-0634](#) Parking Advisory Board Meeting of May 24, 2007

This Matter was approved on the Consent Agenda.

City Clerk Item No. 21

- C.-23. [07-0630](#) Pinewood Cemetery Advisory Board meeting of June 5, 2007

This Matter was approved on the Consent Agenda.

City Clerk Item No. 22

- C.-24. [07-0616](#) Property Advisory Board Meeting of June 28, 2007

This Matter was approved on the Consent Agenda.

City Clerk Item No. 23

- C.-25. [07-0614](#) Traffic Advisory Board Meeting of May 19, 2007

[Note for the Record: City Manager Brown responded to Commissioner Cabrera, that the final accountability lies with the City Manager as it relates to substantive issues regarding particular boards].

This Matter was approved on the Consent Agenda.

City Clerk Item No. 24

PULLED FROM THE CONSENT AGENDA

[Note for the Record: The following Consent Agenda Items were pulled for further consideration: C-5, C-9, C-10, C-11 and C-26. Following consideration, Consent Agenda Item C-11 was deferred].

RESOLUTION NO. 2007-167 (As Amended)

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.

RESOLUTION NO. 2007-167 (AS AMENDED)

RESOLUTION CONFIRMING THE FOLLOWING REAPPOINTMENTS TO THE INTERNATIONAL AFFAIRS COORDINATING COUNCIL: CAROLINA RENDEIRO WRIGHT (BOARD AS-A-WHOLE); ALFONSO CUETO (AMBASSADOR AT-LARGE) NOMINATED BY MAYOR SLESNICK; TO SERVE FOR A TERM BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

[Note for the Record: Mayor Slesnick proposed that Mr. Cueto serve as his nominee for the Ambassador At-Large position - as an ex-officio non voting member. The International Affairs Coordinating Council (IACC) will be notified. Mayor Slesnick noted that the verbatim minutes failed to clarify this matter; however, he will return with recommendations. As it now stands, they will try to figure out whether Mr. Cueto sits on the board, "I don't think he is on the board yet," stated Mayor Slesnick.

Commissioner Cabrera queried Mayor Slesnick that each member of the Commission already has one nomination for said board. Mayor Slesnick discussed the previous Ambassador At-Large position, held by Sandy Gonzalez-Levy].

Unanimous Consent Vote

A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this matter be adopted as amended by Resolution Number 2007-167. The motion carried unanimously.

City Clerk Item No. 25

RESOLUTION NO. 2007-168**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.

RESOLUTION APPOINTING COMMISSIONER MARIA ANDERSON TO SERVE AS AN EX-OFFICIO COMMISSION REPRESENTATIVE ON THE BUSINESS IMPROVEMENT DISTRICT (BID), FOR THE TERM BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

Unanimous Consent Vote

A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this matter be adopted by Resolution Number 2007-168. The motion carried unanimously.

City Clerk Item No. 26

RESOLUTION NO. 2007-169**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.

RESOLUTION APPOINTING VICE MAYOR WILLIAM KERDYK, JR., TO SERVE AS AN EX-OFFICIO COMMISSION REPRESENTATIVE ON THE CORAL GABLES CHAMBER OF COMMERCE, FOR THE TERM BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

Unanimous Consent Vote

A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this matter be adopted by Resolution Number 2007-169. The motion carried unanimously.

City Clerk Item No. 27

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 _____

[Note for the Record: Consent Agenda Item C-11 was originally pulled for further consideration. Following consideration by the Commission, a motion was made by Commissioner Cabrera, and seconded by Commissioner Anderson that this matter be placed on hold pending budget review. A roll call was never taken. Ultimately, the item was deferred].

This matter was Deferred. The motion failed.

City Clerk Item No. 28

RESOLUTION NO. 2007-170

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 _____

RESOLUTION OF THE CITY COMMISSION APPOINTING VALENTIN LOPEZ (COMMISSION AS-A-WHOLE) TO SERVE AS A MEMBER OF THE PROPERTY ADVISORY BOARD FOR A TWO-YEAR TERM, BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2007-170. The motion carried unanimously.

City Clerk Item No. 29

**NA-C. 07-0662
-27.**

Discussion on the Board of Architects

[Note for the Record: Commissioner Cabrera discussed the nominations to the Board of Architects, and stated that he believes very strongly that the Commission should have a say as to who serves on said board; further adding that he will arrange for this matter to be considered by the Commission at another time].

City Clerk Item No. 30

RESOLUTION NO. 2007-171

**NA-C. [07-0656](#)
-28.**

A Resolution appointing Frank Quesada (nominated by Commissioner Kerdyk, Jr.) to serve as a member of the Traffic Advisory Board, for the term beginning June 1, 2007 through May 31, 2009.

A RESOLUTION APPOINTING FRANK QUESADA (NOMINATED BY COMMISSIONER KERDYK, JR.) TO SERVE AS A MEMBER OF THE TRAFFIC ADVISORY BOARD, FOR THE TERM BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

Unanimous Consent Vote

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Withers, that this matter be adopted by Resolution Number 2007-171. The motion carried unanimously.

City Clerk Item No. 31

RESOLUTION NO. 2007-171.1

NA-C.29 [07-0657](#)

A Resolution appointing Omar Pasalodos (nominated by Commissioner Kerdyk, Jr.) to serve as a member of the Public Safety Committee, for the term beginning June 1, 2007 through May 31, 2009.

A RESOLUTION APPOINTING OMAR PASALODOS (NOMINATED BY COMMISSIONER KERDYK, JR.) TO SERVE AS A MEMBER OF THE PUBLIC SAFETY COMMITTEE, FOR THE TERM BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

Unanimous Consent Vote

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Withers, that this matter be adopted by Resolution Number 2007-171.1. The motion carried unanimously.

City Clerk Item No. 32

RESOLUTION NO. 2007-171.2

NA-C.30 07-0658

A Resolution appointing Bennet Taylor (nominated by Commissioner Kerdyk, Jr.) to serve as a member of the Emergency Management Division, for the term beginning June 1, 2007 through May 31, 2009.

A RESOLUTION APPOINTING BENNET TAYLOR (NOMINATED BY COMMISSIONER KERDYK, JR.) TO SERVE AS A MEMBER OF THE EMERGENCY MANAGEMENT DIVISION, FOR THE TERM BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

Unanimous Consent Vote

City Clerk Item No. 33

D. PERSONAL APPEARANCES**RESOLUTION NO. 2007-172****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.

RESOLUTION AUTHORIZING THE CORAL GABLES CHAMBER OF COMMERCE TO UTILIZE THE TERM "CITY BEAUTIFUL" IN THE CORAL GABLES CHAMBER NEWSLETTER AND IN ITS ANNUAL AWARDS PROGRAM.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this matter be adopted by Resolution Number 2007-172. The motion carried by the following vote:

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 34

E. PUBLIC HEARINGS**RESOLUTION NO. 2007-173****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.

RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA DENYING THE APPEAL FILED BY MONICA AVELLANEDA, APPLICANT (APPLICATION PROPOSAL NO. 33366-2), PURSUANT TO ARTICLE 5, DIVISION 6, SECTION 5.601, 5.602 AND SECTION 5.603 OF THE CITY OF CORAL GABLES "ZONING CODE", THEREBY AFFIRMING THE DECISION OF THE BOARD OF ARCHITECTS, TO DENY THE APPLICANTS REQUEST FOR THE INSTALLATION OF ACCORDION SHUTTERS ON ALL WINDOWS OF THE SUBJECT PROPERTY, LOCATED AT 727 ALMERIA AVENUE, AND LEGALLY DESCRIBED AS LOT 17, BLOCK 11, CORAL GABLES BILTMORE SECTION.

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this matter be denied by Resolution Number 2007-173. The motion carried by the following vote:

Yeas : 3 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

Nays : 2 - Commissioner Withers and Commissioner Anderson

City Clerk Item No. 35

ORDINANCE NO. 2007-20

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)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES 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, AND A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

[Direction to City Clerk Foeman: by Commissioner Withers, that Exhibit "F", which contains the cash flow information, be made part of the record].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Ordinance Number 2007-20. The motion carried by the following vote:

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 36

ORDINANCE NO. 2007-21**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)

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, CREATING A DEFINITION FOR "AUTOMATED EXTERNAL DEFIBRILLATORS"; CREATING A 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 A SEVERABILITY CLAUSE, A REPEALER PROVISION, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this matter be adopted by Ordinance Number 2007-21. The motion carried by the following vote:

Yeas : 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 37

Time Certain: 11:00 a.m.

Items E-4 and F-1 are related

ORDINANCE NO. 2007-23**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)

ORDINANCE NO. 2007-23 (AS AMENDED)

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.

[Note for the Record: Principal Planner Javier Betancourt made a presentation before the Commission in connection with the aforementioned proposed Ordinance on Second Reading, which would allow for the installation of metal roofs in a site-specific area of the city.

Commissioner Anderson discussed an alternate pilot program, which would encompass the entire city. Said amendment would be considered as an Ordinance on First Reading.

The public hearing portion of the meeting was opened. Robert Fine, of 360 Solano Prado, thanked the Commission and Staff for their time and effort on the metal roofs ordinance, and then discussed the aesthetics, technical merits, and listed benefits of metal roofs, as well as gave examples of homes throughout Coral Gables with metal roofs. Additional comments in support of the installation of metal roofs citywide were proffered by the following individuals: Susan Kawalerski, 6830 Gratian Street; Jenny Berge, 1060 Alfonso Street; David Johnson, Architect, 7740 SW 104 Street; Eloisa Rodriguez-Dod, 430 Navarre Street; Luis O. Revuelta, 1417 Santa Cruz Avenue, suggested the selected colors be mate rather than shinny; Steven Price and Debra Price, 1108 S. Marin Street; Thomas Mooney, resident of 601 Navarre and Planner for the City of Miami Beach; Serge Jean-Louisat, Roofing Contractor and Engineer, Nicon Contracting & Engineering, Inc.; Jackson (Rip) Holmes, property owner of 256 Miracle Mile; Joseph Young, 6000 NW 42 Way, Coconut Creek. Miguel Rodrigo, 3370 Coral Way, Architect, remarks included the importance of securing homes with high pitched metal roofs; and Angela Rosario, 540 Cadagua Avenue.

Attorney F.W. Guilford, 400 University Drive, representing Andres Murai, 200 Solano Prado, voiced his opposition to the proposed Ordinance, as it represents a serious policy change that would endorse the re-roofing of homes not designed for metal roofs; further requesting that the colors be limited to copper, copper patinaed, white and terra cotta. The public hearing portion of the meeting was closed.

A motion was made by Commissioner Anderson to amend the Ordinance on Second Reading to permit the test area for metal roofs to be expanded citywide. Commissioner Withers seconded the motion for discussion purposes only. Commissioner Anderson reiterated that permitting roofs citywide would allow for a better study, and would grant all property owners the right to install metal roofs; further commenting that innate in the ordinance were protections for color and review.

Commissioner Cabrera reminded the Commission that there was another variable to keep in mind, the square footage of the properties that distinguish the northern area of the city from its southern counterpart.

Roll call: Nays: Vice Mayor Kerdyk; Commissioner Withers; Commissioner Cabrera; Mayor Slesnick. Yea: Commissioner Anderson. The motion failed (Vote 1-4).

Commissioner Withers expressed concern with the test site not yielding enough results; to which Vice Mayor Kerdyk directed staff to expeditiously move forward, regardless of the results.

Commissioner Cabrera made a motion, seconded by Commissioner Withers, to limit the allowable colors to the following: Cooper (e.g., Metallic Copper"); Galvalum (e.g., "Drexlume"); Cooper Petinaed; White 1 (e.g., "Regal White"); White 2 (e.g., "Bone White").

Following Commission consideration, Commissioner Cabrera amended his motion to limit the approved colors as follows: Gray 1 (e.g., "Sea Fog"); Gray 2 (e.g., "Dove Gray"); Copper (e.g., "Metallic Copper"); Copper Petinaed; White 1 (e.g., "Regal White"); White 2 (e.g., "Bone White"). Roll Call: Yeas: Commissioner Withers; Commissioner Cabrera; Vice Mayor Kerdyk; Mayor Slesnick. Nay: Commissioner Anderson. The motion passed (Majority Vote 4-1).

Instruction to the City Manager Brown: by Vice Mayor Kerdyk, that staff is directed to keep in mind which metal adaptation would best apply to new construction during the ninety (90) day test period, since we do not have a metal roof ordinance for new construction

A roll call for the main motion as amended: Yeas: Commissioner Cabrera; Vice Mayor Kerdyk; Commissioner Withers; Mayor Slesnick. Commissioner Anderson: Nay. Motion passed. (Majority Vote 4-1)

A copy of the verbatim transcript for Agenda Item E-4, as well as related Agenda Items F-1, and Non-Agenda Item Non-Agenda Item E-4.1, will be available in Legistar and in the Office of the City Clerk].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Withers, that this matter be adopted by Ordinance Number 2007-23. The motion carried by the following vote:

Yeas : 4 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

Nays : 1 - Commissioner Anderson

City Clerk Item No. 44

RESOLUTION NO. 2007-175

**NA-E. [07-0665](#)
-4.1.**

Resolution limiting the colors for standing seam metal roofs

A RESOLUTION APPROVING CERTAIN DESIGNATED COLORS AND LIMITING ALLOWABLE COLORS FOR A STANDING SEAM METAL ROOF, AS MORE PARTICULARLY DESCRIBED IN THE COLOR CHART WHICH WAS PRESENTED BEFORE THE CITY COMMISSION AND ENTERED INTO THE PUBLIC RECORD ON THIS SAME DATE FOR METAL ROOFS: GRAY 1; GRAY 2; COPPER METALIC; COPPER PATINAED; WHITE REGAL; AND BONE WHITE.

A copy of the verbatim transcript for Non Agenda Item E-4.1, as well as related Agenda Items E-4 and F-1 will be available in Legistar and in the Office of the City Clerk upon completion. For a summary of the aforementioned agenda items, please refer to 'Note for the Record of Agenda' for Item E-4].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Withers, that this matter be adopted by Resolution Number 2007-175. The motion carried by the following vote:

Yeas : 4 - Commissioner Withers, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

Nays : 1 - Commissioner Anderson

City Clerk Item No. 43

ORDINANCE NO. 2007-22

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)

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING THE CITY CODE TO DELETE SECTIONS 34-61 THROUGH 34-68 OF 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 A SEVERABILITY CLAUSE, A REPEALER PROVISION, A CODIFICATION PROVISION, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Ordinance Number 2007-22. The motion carried by the following vote:

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 38

ORDINANCE NO. 2007-25**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)

ORDINANCE ON FIRST READING

AN ORDINANCE 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 A SEVERABILITY CLAUSE, A REPEALER PROVISION, A CODIFICATION CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this matter be approved as an Ordinance on First Reading. The motion carried by the following vote:

Yeas : 5 - Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

City Clerk Item No. 39

Items E-7 and G-3 are related

ORDINANCE NO. 2007-24**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)

ORDINANCE ON FIRST READING

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES APPROVING PURCHASE OF PROPERTY AT 5028 MAGGIORE STREET, CORAL GABLES, FLORIDA, THE LEGAL DESCRIPTION AND FOLIO NUMBERS OF WHICH ARE SET FORTH AS FOLLOWS: LOTS 1, 2, 3, BLOCK 99, REVISED PLAT OF CORAL

GABLES, RIVIERA SECTION PART TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28 AT PAGE 18 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA FOR AN AMOUNT OF ONE MILLION TWO HUNDRED AND NINETY THOUSAND DOLLARS (\$1,290,000), PURSUANT TO ORDINANCE NO. 2004-30, AND IN ACCORDANCE WITH THE TERMS OF CITY RESOLUTION ON FILE IN THE OFFICE OF THE CITY CLERK, WHICH PROVIDES THE AUTHORITY, AND APPROVING ANY AND ALL APPROPRIATE ACTION TO ACCOMPLISH SAID PURPOSE, PROVIDING A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

[Direction to City Manager Brown: by Commissioner's Cabrera and Withers, that the neighbors be appropriately notified that the aforementioned property will become an active park; further directing the City Manager to provide the Commission with a master plan for same].

[Direction to City Manager Brown: by Commissioner Anderson, to provide the Commission with an update of the Trust for Public Land].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Cabrera, Jr., that this matter be approved as an Ordinance on First Reading. The motion carried by the following vote:

Yeas : 5 - Commissioner Anderson, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

City Clerk Item No. 40

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.

ORDINANCE ON FIRST READING (AS AMENDED)

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.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this matter be approved as an Ordinance on First Reading as Amended. The motion carried by the following vote:

Yeas : 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 41

F. CITY COMMISSION ITEMS

Items F-1 and E-4 are related

RESOLUTION NO. 2007-174**F.-1. 07-0609**

Discussion of an alternate pilot proposal for metal roofs city-wide
Commissioner Marha Anderson

A RESOLUTION TO AMEND PROPOSED METAL ROOF ORDINANCE ON SECOND READING WHICH WAS PRESENTED TO THE COMMISSION ON THIS SAME DATE, THEREBY CHANGING SAME TO BE AN ORDINANCE ON FIRST READING; FURTHER AMENDING SAID ORDINANCE ON FIRST READING TO PERMIT THE TEST AREA FOR METAL ROOFS TO BE EXPANDED FROM A SITE SPECIFIC AREA TO CITYWIDE.

[Note for the Record: A copy of the verbatim transcript for Agenda Item F-1, as well as related Agenda Items E-4, and Non-Agenda Item E-4.1 will be available in Legistar and in the Office of the City Clerk upon completion. For a summary of the aforementioned agenda items, please refer to 'Note for the Record' for Agenda Item E-4].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this matter be adopted by Resolution Number 2007-174. The motion failed by the following vote:

Yeas : 1 - Commissioner Anderson

Nays : 4 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Mayor Slesnick II and Commissioner Cabrera, Jr.

City Clerk Item No. 42

F.-2. 07-0611

Discussion regarding a twenty-five mile per hour speed limit pilot program
Commissioner Rafael "Ralph" Cabrera, Jr.

[Note for the Record: A copy of the verbatim transcript for Agenda Item F-2, entitled, "Discussion regarding a twenty-five mile per hour speed limit program," will be available for public inspection in Legistar and in the Office of the City Clerk, upon its completion].

City Clerk Item No. 45

G. BOARDS/COMMITTEES ITEMS**RESOLUTION NO. 2007-176****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.

RESOLUTION NO. 2007-176 (AS AMENDED)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ALLOCATE AN AMOUNT OF \$13,000,00 FOR THE PURPOSE OF SUBMITTING A MATCHING GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES TO HIRE A CONSULTANT TO PERFORM A SURVEY OF THE PINWOOD CEMETERY, UPON THE AVAILABILITY OF CITY FUNDS FOR SAID GRANT.

[Note for the Record: Chairman Tim Crowthers encouraged the Commission to support the State of Florida Matching Grant Application for a comprehensive survey of Pinewood Cemetery (i.e., graves (known and unknown); markers; stone; monuments; trees and plantings). Chairman Crowthers also requested the board meet every two (2) months.

[Direction to City Manager Brown: by Mayor Slesnick, that Pinewood Cemetery Advisory Board may hold board meeting every (2) months, unless there is legislation specifying otherwise].

[Note for the Record: Kara Kautz, Historical Resources Administrator, confirmed that the Public Works Department will commence restoration work in September 2007].

[Note for the Record: Mayor Slesnick suggested that Public Service Director Dan Keys notify the neighborhoods, who reside across from Pinewood Cemetery, that those that place trash on the same sidewalk as Pinewood Cemetery, should expect that it will be returned to their property].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2007-176. The motion carried by the following vote:

Yeas : 5 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

City Clerk Item No. 46

- 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.

[Note for the Record: Kara Kautz, Historical Resources Administrator, addressed the Commission in connection with the Historic Preservation Board's recommendation that the City Commission require that all substantial exterior demolition's undergo historical review. Chairperson Lisa Bennett and Board Member Dolly McEntire, also addressed the Commission affirming the aforementioned recommendation by the Board.

Richard Namon, of 5555 Oakwood Lane, suggested that rather than adding on another layer to the Historical Preservation process, that said review be conducted by the City's Architect, who is responsible for overseeing any architectural changes to all properties.

Direction to City Manager Brown and City Attorney Hernandez: by Mayor Slesnick, to provide the Commission with a draft amendment to the Zoning Code, in connection with exterior demolitions of any house over fifty (50) years old, as presented by the Historical Preservation Board; further requesting that the role of the City Architect be articulated in said recommendation].

City Clerk Item No. 47

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.

City Clerk Item No. 40.1

H. CITY MANAGER ITEMS

- H.-1. [07-0600](#) Legislative update by Fausto Gomez, of Gomez Barker, P.A.

[Note for the Record: Legislative Consultant Fausto Gomez addressed the Commission in connection with the accomplishments achieved during the 2007 Florida Legislative Session. Given the current circumstances and financial difficulties the State of Florida is experiencing, the City of Coral Gables did well. The Law Enforcement Trust Fund language was secured, \$300,000 were appropriated from the South Florida Water Management District for the C-3 Canal, and \$200,000, were obtained for enhancements to Salvatore Park and Sunrise Harbor Park. The Governor vetoed the following projects: \$100,000 for the Coral Gables Trolley Depot; \$50,000 for the Coral Gables Art Cinema and Cultural Facility, whose name was changed to the Coral Gables Exhibition Center; \$50,000 for the infrastructure improvements and renovations to the City-owned Biltmore complex. Mr. Gomez briefly commented on property tax reform, stating that said issue will be ever changing and in contention throughout the 2008 election. The City's legislative delegation deserves appreciation for their efforts and successes (Senators Alex Diaz de la Portilla, Gwen Margolis, and Larcenia Bullard, and Representatives Marco Rubio, Julio Robaina, and Carlos Lopez-Cantera), concluded Mr. Gomez.

Direction to City Manager Brown: by Mayor Slesnick, to work with Mr. Gomez, to invite Senator Margolis, a member of the Appropriations Committee, to a check presentation, as per her letter, in connection with same].

City Clerk Item No. 48

RESOLUTION NO. 2007-178 (As Amended)

- 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)

Attachments: Guidelines Revised FINAL.doc
House Usage Revised FINAL.doc
Operational Guidelines Revised FINAL.doc
Trust Fund Usage Revised FINAL.doc
MerrickHouseUseApplication FINAL.doc
Merrick House Guidelines Resolution.doc
Verbatim - Consent Agenda Items C-7 and C-14.doc
Guidelines Revised FINAL 7-17.doc
House Usage Revised FINAL 7-17.doc
[MerrickHouseUseApplication FINAL 7-17.doc](#)
Operational Guidelines Revised FINAL 7-17.doc
Trust Fund Usage Revised FINAL 7-17.doc
MH GUIDELINES DRAFT RESOLUTION 07-17.doc
MerrickHouseUsageResolution06.26.DOC
[Signed Resolution 2007-178.pdf](#)

RESOLUTION NO 2007-178 (AS AMENDED)

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.

[Note for the Record: Mayor Slesnick proffered the following amendments:

- 1.) On the cover page of Agenda Item H-2, the third (3rd) bullet point, should read as follows: "Within the document entitled "Coral Gables Merrick House Use Statement," the meeting approval process was clarified to read that applications will be filed with ~~accepted~~ ~~by~~ the Historic Preservation Officer and then approved by the Merrick House Governing Board;
- 2.) Coral Gables Merrick House Use Statement - 5th bullet point: Should read as follows: "Meetings of Coral Gables-based, non-profit organizations and City Boards/Committees received ~~recommended~~ by the Historic Preservation Officer and approved by ...
- 3.) Trust Fund Usage - 1st bullet point: Should read as follows: Additions to or care of the Coral Gables Merrick House Permanent Collection, garden and grounds as received ~~recommended~~ by the Curator...
- 4.) Coral Gables Merrick House Operational Guidelines: Strike out the word "~~Liasion~~" and replace with Historic Preservation Officer".
- 5.) Rental Rules - Item No. 6: Activities have already been approved by the Commission: Kitchen, Dinning Room, and Porch. The Guidelines should state which are the pre-approved meeting spaces.
- 6.) Rental rates are to be waived for City of Coral Gables].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted as amended by Resolution Number 2007-178. The motion carried by the following vote:

Yeas : 4 - Commissioner Withers, Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

Absent : 1 - Commissioner Anderson

City Clerk Item No. 52

H.-3. [07-0617](#) Parking System Update

City Clerk Item No. 50

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.

[Note for the Record: Architect John Fullerton, from Fullerton Diaz Architects, presented the Commission with the revised site plan. Said revision included an increase in the size of the amenities, studio units and the amount of one bedroom units, contributed by the acquisition of the Melody Inn. Mr. Fullerton continued that there each floor will house thirty-five (35) units. The fourth floor (4th floor) will be designed specifically for those in need of assisted living.

A drawing comparing the massing of the conventional parking garage against the massing of the building for a robotics parking systems was displayed for the Commission's review, to which Commissioner Cabrera stated that it is a lack of common sense not to use the robotics parking systems. Direction to City Manager Brown: by Commissioner Cabrera, that the City Commission be provided with copies of the aforementioned drawings.

Senior Housing Advisor Patty Greenberg, National Housing Association, discussed the Residential Operating Standards (Attachment # 2), stating that the intent is to secure that operators will provide quality care throughout the term of the lease.

City Attorney Hernandez responded to Commissioner Withers that there will be a Hold Harmless Agreement; further adding the City's responsibility is that of a landlord. The only criteria offered by the City is that of priority for "Coral Gables residents." Coral Gables residents were defined as someone or an immediate family member residing in Coral Gables for at least one (1) year from date of application. Immediate Family Members was defined as a parent, sibling or a child.

Mr. Barry Abrahamson, of Abrahamson and Associates, briefly reviewed the Financial Evaluation Summary Sheet. Commissioner Kerdyk inquired if the value of the real estate, exemptions, and taxes to be received by the City, were considered? Mr. Abrahamson, explained that with the exception of the portion owned by CDD, which would be the public parking component, the entire property will be taxed; further adding that the lease agreement contains a structure that would provide the City with at least the currently estimated projected real estate taxes should the adoption of the State of Florida Tax Reform Program go into effect. Mr. Abrahamson also responded to Commissioner's Kerdyk and Withers, in connection with transfer of ownership, transaction percentage rate, and acceptable transfer standards].

City Clerk Item No. 53

RESOLUTION NO. 2007-177**H.-5. [07-0619](#)**

Resolution of the City Commission of Coral Gables supporting the re-election of the Business Improvement District of Coral Gables.

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES SUPPORTING THE ESTABLISHMENT OF THE BUSINESS IMPROVEMENT DISTRICT OF CORAL GABLES.

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2007-177. The motion carried by the following vote:

Yeas : 5 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 51

H.-6. [07-0652](#)

Presentation by Tony Villamil, Chief Executive Officer of The Washington Economic Group, to present the Coral Gables Property Value Study.

A copy of the verbatim transcript for Agenda Item H-6, is available for public inspection Legistar and in the City Clerks Office upon its completion.

City Clerk Item No. 49

I. CITY ATTORNEY ITEMS

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

City Clerk Item No. 54

J. CITY CLERK ITEMS

None

City Clerk Item No. 55

K. DISCUSSION ITEMS

[Note for the Record: The following section of the minutes, represents a summation of the City Commission's Discussion Items, including certain directives and 'Notes for the Record' from the City Commission to either our City Manager, City Attorney and/or City Clerk:

Commissioners Anderson and Withers did not proffer any comments.

Resident pushes to Rezone South Ponce Area:

Commissioner Kerdyk inquired if the Administration was embarking upon the rezoning of the South Ponce area, to which City Manager Brown explained that said initiative is being guided by a resident.

New Parks and Recreation Director:

City Manager Brown announced that Fred Couceyro was selected as the new Parks and Recreation Department Director.

Budget Workshop:

City Manager Brown reminded everyone present that the Budget Workshop is scheduled for tomorrow, at the Biltmore Hotel, commencing 9 a.m.

Operation Sandbox:

City Manager Brown alerted all the residents that City of Coral Gables Police Department together with various Federal agencies will conduct an exercise - entitled "Operation Sandbox", which will simulate a tragedy analogous to the Virginia Tech Tragedy. The Federal Bureau of Investigation (FBI) will be evaluating said operation.

Additional Segways Purchased:

Commissioner Cabrera thanked Chief of Police Hammerschmidt and Staff for purchasing three (3) additional Segways.

Coral Gables High School - Class 1977 - 30th Class Reunion:

Commissioner Cabrera congratulated the Coral Gables High School Class of 1977 for its 30th Class Reunion, which is scheduled to take place this weekend.

Staff - Great Job - Brown Office Building:

Mayor Slesnick commented that it was great to see the product of the Commission's deliberations. Mayor Slesnick finalized by congratulating staff for the buildout of the

offices at the recently obtained Brown Building, located at 427 Biltmore Way.

City Clerk Item No. 56

ADJOURNMENT

[Note for the Record: There being no further business on the Regular Commission Meeting agenda, the Commission of the City of Coral Gables adjourned its meeting at 3:41 p.m. on July 17, 2007. The next regular meeting of the City Commission has been scheduled for August 28, 2007, commencing 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK