

# **City of Coral Gables**

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



## **Agenda**

**Tuesday, December 6, 2016**

**9:00 AM**

**City Hall, Commission Chambers**

### **City Commission**

*Mayor Jim Cason  
Vice Mayor Frank C. Quesada  
Commissioner Patricia Keon  
Commissioner Vince Lago  
Commissioner Jeannett Slesnick*

*Cathy Swanson-Rivenbark, City Manager  
Craig E. Leen, City Attorney  
Walter J. Foeman, City Clerk*

**INVOCATION**

*Anthony Spallone, Lay Leader, Coral Gables Baptist Church*

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

- A.-1. [16-5582](#) Congratulations to Officer Jonathan Cloud, recipient of the City of Coral Gables "Officer of the Month Award," for the month of October, 2016.
- A.-2. [16-5572](#) Congratulations to Lt. John Stewart, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of December, 2016.
- A.-3. [16-5585](#) Congratulations to Torrie Wright who holds the title of Accounting Clerk II, recipient of the "Employee of the Month Award", for the month of December, 2016.

**B. APPROVAL OF MINUTES**

- B.-1. [16-5592](#) Regular City Commission Meeting of November 15, 2016.

**C. CONSENT AGENDA**

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

**Agenda items C-1 and G-1 are related.**

- C.-1. [16-5522](#) A Resolution authorizing encroachments into the public right-of-way, consisting of the installation of a sculpture created by the world-renowned Venezuelan sculptor Alberto Cavalieri, in the sidewalk area along with surrounding planter structure, decorative pavers, benches, landscape, lighting and irrigation in connection with the "Gables Waterway" project, adjacent to 6100 Caballero Boulevard, Coral Gables, Florida.
- C.-2. [16-5581](#) A Resolution authorizing the Rotary Club of Coral Gables to sell alcoholic beverages at Fred B. Hartnett Ponce Circle Park on Sunday, February 26, 2017, from 1:00 p.m. to 5:00 p.m., during the Rotary Club of Coral Gables Chili-Cookoff event to benefit the Rotary Club Foundation of Coral Gables, subject to Florida Department of Professional Regulation Requirements.
- C.-3. [16-5590](#) A Resolution authorizing City Staff to negotiate and execute a contract with Freebee to provide on-demand public transportation services during the Streetscape construction, at an amount not to exceed \$175,000, pursuant to Section 2-678 (17) of the Procurement Code entitled "Exemptions (Purchase of public transportation services)"; and authorizing an amendment to the Fiscal Year 2016-2017 Budget to recognize as revenue a transfer from General Fund reserves (planned use), and to appropriate such funds to cover the onetime cost of this service.
- C.-4. [16-5591](#) A Resolution authorizing City Staff to negotiate and execute a cooperative promotional agreement with Uber, the nation's leading provider of ride-sharing services.
- C.-5. [16-5565](#) A Resolution accepting the recommendation of the Chief Procurement Officer to extend the HR Medical Services contract with Richard L. Dolsey PHC, Inc., d/b/a Physicians Health Center, pursuant to Section 2-829 of the Procurement Code entitled "approval of change orders and contract modifications", on a month-to-month basis, to provide time for the Request for Proposals (RFP) process to be completed and a new contract be negotiated and executed.
- C.-6. [16-5602](#) A Resolution appointing Jason Ryan Rogers (Nominated by Commissioner Keon) to serve as a member of the Parking Advisory Board for the remainder of a two (2) year term, which began on June 1, 2015 and continues through May 31, 2017.

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

- 1.-1. [16-5586](#) Communications Committee Minutes of November 17, 2016.
- 1.-2. [16-5588](#) Construction Regulation Board Meeting of November 14, 2016.
- 1.-3. [16-5567](#) Historic Preservation Board Meeting of October 20, 2016.
- 1.-4. [16-5568](#) Retirement Board Meeting of September 8, 2016.
- 1.-5. [16-5569](#) Retirement Board Meeting of October 13, 2016.
- 1.-6. [16-5607](#) Waterway Advisory Board Meeting of June 1, 2016.

**2. Presentation of Boards and/or Committees draft/final minutes requesting action from the City Commission [Note: A vote to accept the minutes does not mean approval of the substance within the minutes]:**

**Time Certain 10:00am (Agenda Item 2-1)**

- 2.-1. [16-5580](#) A Resolution by the Arts Advisory Panel, strongly supporting the selection process, selected artist, and public artwork Passion/Passiflora Incarnation at its current location on Segovia Street at Coral Way and Biltmore Way. (Unanimously voted on by the Arts Advisory Panel, by a vote of: 6 to 0)

**D. PERSONAL APPEARANCES**

**None**

**E. PUBLIC HEARINGS**

*All Individuals desiring to give testimony shall be sworn in. Presentations made to the City Commission are subject to the City's False Claims Ordinance, Ch. 39 of the City of Coral Gables Code.*

*Anyone who wishes to address the City Commission on an item to be considered for public hearing must fill out a Speaker Card and turn it in to the City Clerk. Speaker Cards can be obtained on the credenza located outside the office of Commissioners Lago and Keon, during the day of the City Commission Meeting.*

**ORDINANCES ON SECOND READING**

- E.-1. [16-5499](#)** An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts," Division 4, "Prohibited Uses," Section 4-411, "Parking in residential areas;" amending the provisions for loading and unloading of commercial vehicles within residential districts and within a specified distance of residential districts; providing a repealer provision, severability clause, codification, and providing for an effective date. (10 19 16 PZB recommended approval; Vote 5 Yes - 0 No)  
(Sponsored by Commissioner Lago)
- E.-2. [16-5512](#)** An Ordinance of the City Commission of Coral Gables, Florida, amending Article IV of the City of Coral Gables Code by adding Section 2-203, making it a Code Enforcement Violation to disobey a cease and desist letter sent by the City Attorney's Office, on behalf of the City, providing a repealer provision, severability clause, codification, enforceability and providing for an effective date.
- E.-3. [16-5539](#)** An Ordinance of the City Commission of Coral Gables, Florida, creating Article VIII, under Chapter 14 of the City of Coral Gables Code prohibiting hourly hotel/motel rentals, providing a repealer provision, severability clause, codification, enforceability and providing for an effective date.  
(Sponsored by Commissioner Lago)
- E.-4. [16-5551](#)** An Ordinance of the City Commission of Coral Gables, Florida, amending Section 105-26 of the City of Coral Gables Code to prohibit all exterior construction on Saturdays (Along with Sundays and Holidays) in residential zones or within 100 feet of residential zones, providing for a repealer provision, severability clause, codification, enforceability and providing for an effective date.  
(Sponsored by Commissioner Lago)

**ORDINANCES ON FIRST READING**

- E.-5. [16-5570](#) An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 4, "Zoning Districts," Division 3, "Nonresidential Districts," Section 4-302, "Commercial District;" and, Article 5, "Development Standards," Division 1, "Accessory Uses," Section 5-115, "Drive-throughs, walk-up windows, and automated teller machines (ATM)" requiring conditional use review for drive through facilities; providing for a repealer provision, severability clause, codification, and providing for an effective date. (11 09 16 PZB recommended approval, Vote: 6-0)

**Agenda Items E-6, E-7 and E-8 are related.**

- E.-6. [16-5574](#) An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, "Development Review", Division 15, "Comprehensive Plan Text and Map Amendments", and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Residential Multi-Family Medium Density" to "Commercial Mid-Rise Intensity" for the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; and, providing for a repealer provision, severability clause, and providing for an effective date. (10 19 16 PZB/LPA Review made no recommendation, Vote 3-Yes and 1-No)
- E.-7. [16-5575](#) An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments", from Multi-Family 2 District (MF2) to Commercial District (C) for the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; and providing for a repealer provision, severability clause, and providing for an effective date. (10 19 16 PZB made no recommendation, Vote 3-Yes and 1-No)

**RESOLUTIONS****Agenda Items E-6, E-7 and E-8 are related.**

- E.-8. [16-5577](#) (This Resolution is not for consideration at this time and will be included with the above Ordinances on Second Reading if approved on First Reading.)

A Resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan conditional use review pursuant to Zoning Code Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-201, "Mixed Use District (MXD)", for the mixed use project referred to as "33 Alhambra" on the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; including required conditions; providing for an effective date. (10 19 16 PZB recommended approval with conditions, Vote 3-Yes and 1-No)

**F. CITY COMMISSION ITEMS**

- F.-1. [16-5608](#) A Resolution of the City Commission of the City of Coral Gables, Florida, urging the U.S. Army Corps of Engineers, the Florida Department of Environmental Protection and the South Florida Water Management District to expedite Phase II of the Biscayne Bay Coastal Wetlands Project and to take all necessary actions to expedite completion of the Biscayne Bay Coastal Wetlands Project.  
(Sponsored by Commissioner Slesnick)

**G. BOARDS/COMMITTEES ITEMS****Agenda items C-1 and G-1 are related.**

- G.-1. [16-5196](#) A Resolution approving the donation of a work of public art in conjunction with the Gables Waterway project at 6100 Caballero Boulevard in fulfillment of the Art in Public Places requirement for public art in private development. (Unanimously recommended by the Arts Advisory Panel, 5 to 0, and the Cultural Development Board 5 to 0)

**H. CITY MANAGER ITEMS**

- H.-1. [16-5497](#) A Resolution accepting the recommendation of the Chief Procurement Officer to authorize contract negotiations with AECOM Technical Services, Inc., and if necessary, with the other short-listed firms for the Public Safety Building Design Consultant, pursuant to Florida Statute 287.055, known as the "Consultants Competitive Negotiation Act" and Request for Qualifications (RFQ) 2016.05.MG.
- H.-2. [16-5576](#) A Resolution authorizing the execution of a Maintenance Memorandum of Agreement with the Florida Department of Transportation (FDOT) in order to designate and set forth the responsibilities of each party with regards to the maintenance of the decorative pavers and pattern pavement crosswalks installed pursuant to the Miracle Mile Streetscape Project.
- H.-3. [16-5579](#) A Resolution authorizing the creation of a Special Taxing District by Miami-Dade County for Banyan Drive, Coral Gables, Florida, for purpose of providing for twenty-four hours stationary security guard service subject to compliance with applicable Miami-Dade County and City requirements, approving construction of a guard house facility, operation of traffic control devices, and requiring execution of Interlocal Agreement between City and Miami-Dade County.

**I. CITY ATTORNEY ITEMS**

- I.-1. [16-5603](#) Request for six month extension of Zoning in Progress stay related to the Giralda Overlay District.
- I.-2. [16-5605](#) Discussion and adoption of Civility Code.

- I.-3. [16-5589](#) Request for an Executive Session (if any).

**J. CITY CLERK ITEMS**

None

**K. DISCUSSION ITEMS**

*This time is for informal discussion among the City Commissioners, the City Manager and the City Attorney*

**ADJOURNMENT**

**NOTE**

*Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.*

*Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Interested persons should, therefore, take the necessary steps to ensure that a verbatim record of the proceedings is made which contains the testimony and evidence upon which the appeal is based.*

*Any person making impertinent or slanderous remarks or who become boisterous while addressing the Commission, shall be barred from further audience before the Commission by the Chair, unless permission to continue or again address the Commission is granted by the majority vote of the Commission Members present. Clapping, applauding, heckling or verbal outbursts or any remarks in support or opposition to a speaker shall be prohibited. Signs or placards shall not be permitted in Commission Chambers.*

*Any person who needs assistance in another language in order to speak during the public hearing or public comment portion of the meeting should contact the City's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: [relejabarrieta@coralgables.com](mailto:relejabarrieta@coralgables.com), Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.*

*Any person with a disability requiring communication assistance (such as a sign language interpreter or other auxiliary aide or service ) in order to attend or participate in the meeting should contact the City's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: [relejabarrieta@coralgables.com](mailto:relejabarrieta@coralgables.com), Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.*

**Walter J. Foeman  
City Clerk**

