

City of Coral Gables

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



Agenda

Tuesday, January 25, 2011

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
Lourdes Alfonsin Ruiz, Interim City Attorney
Walter J. Foeman, City Clerk

The use of cell phones in the commission chambers is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings.

INVOCATION

Pastor Bill White, University Baptist Church

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

- A.-1. [11-0560](#) Presentation of a Proclamation declaring January 25, 2011 as Sunday Afternoons of Music Day in Coral Gables.
- A.-2. [11-0561](#) Presentation of a Proclamation declaring March 12, 2011 as St. Patrick's Day Festival in Coral Gables.
- A.-3. [11-0557](#) Presentation of 20 years service pin to Officer Laura Kaminsky, Police Department.
- A.-4. [10-0781](#) Congratulations to Police Officer Geisy Farinas, recipient of the City of Coral Gables Police Officer of the Month Award, for the month of November 2010.
- A.-5. [11-0554](#) Congratulations to Officers Alexander Engmann and Raymond McCalla, co-recipients of the City of Coral Gables Officer of the Month Award, for the month of December 2010.
- A.-6. [11-0548](#) Congratulations to Lieutenant Steve Bush, recipient of the City of Coral Gables Firefighter of the Month Award, for the month of January 2011.
- A.-7. [11-0558](#) Congratulations to Fabio Rodriguez, Parks & Recreation Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of February 2011.

B. APPROVAL OF MINUTES

- B.-1. [11-0566](#) Regular City Commission Meeting of January 11, 2011.

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. [11-0544](#) Resolution authorizing the Kiwanis Club of Little Havana to sell alcoholic beverages at Fred B. Harnett Ponce Circle Park on Friday, March 4, 2011; Saturday, March 5, 2011, and Sunday, March 6, 2011 on Miracle Mile from Douglas to LeJeune as part of the Carnaval on the Mile, subject to Florida Department of Professional Regulation requirements.
- C.-2. [11-0545](#) Resolution authorizing Fritz and Franz Bierhaus to sell alcoholic beverages from 11:00 a.m. to 12:00 p.m. at the plaza located at 60 Merrick Way from Thursday, March 17, 2011, through Sunday, March 20, 2011, during the BLUESFEST event, subject to Florida Department of Professional Regulation requirements.
- C.-3. [11-0546](#) Resolution authorizing the American Institute of Wine and Food to sell wine through the American Institute of Wine and Food at the Grand Finale Picnic from 11:00 a.m. to 1:00 p.m. on March 26, 2011 at the Coral Gables Farmers Market, subject to Florida Department of Professional Regulation requirements.
- C.-4. [10-0730](#) Resolution authorizing the execution of a Museum Development Funding Agreement by and between the Coral Gables Museum Corporation, the Coral Gables Community Foundation, Inc., Donald D. Slesnick, II, as former personal representative of the Estates of Harry and Mary Perrin and as a designated donor representative of the Perrin Charitable Fund, and the City of Coral Gables.
- C.-5. [10-0731](#) Resolution authorizing the execution of a Museum Development Funding Agreement by and between the Coral Gables Museum Corporation, Wayne "Chip" Withers, and the City of Coral Gables.
- C.-6. [11-0567](#) Resolution of the Coral Gables City Commission authorizing entering into a Professional Consultant Agreement for governmental administrative and compliance services.
- C.-7. [11-0565](#) Resolution authorizing entering into a renewal lease with Supercuts Corporate Shops, Inc., with regard to City owned property at 292 Miracle Mile, Coral Gables, Florida for a period of five (5) years.

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

- C.-8. [10-0821](#) Youth Advisory Board Meeting of December 7, 2010
- C.-9. [11-0547](#) Youth Advisory Board Meeting of January 4, 2011
- C.-10. [11-0552](#) Landscape Beautification Advisory Board Meeting of January 6, 2011
- C.-11. [11-0549](#) Retirement Board Meeting of November 3, 2010

D. PERSONAL APPEARANCES

None

E. PUBLIC HEARINGS

All Individuals desiring to give testimony shall be sworn in.

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 the Mayor, during the day of the City Commission Meeting.

APPEAL

- E.-1. [10-0799](#) F.W. Zeke Guilford, Esquire, Applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment at its regular meeting December 6, 2010, wherein it denied an application for variances for the property located at 4995 Hammock Lake Drive pursuant to the provisions of Ordinance No. 2007-01, as amended and known as the "Zoning Code." (Board of Adjustment Vote: 5-2) (Deferred from January 11, 2011 Meeting)

The Applicant is appealing the decision made by the Board of Adjustment to deny the following variances related to the proposed new single-family residence.

1) Grant a variance to allow the single-family residence to have a lot coverage of (22.5%), nine thousand, one hundred and fifty square feet (9,150') vs. no single-family residence shall occupy more than (15%), six thousand, ninety-two square feet (6,092') of the ground area of the building site upon which the residence is erected, as allowed by Section A-56 (D) of the Coral Gables "Zoning Code."

2) Grant a variance to allow the proposed single-family residence to have a rear yard area ground coverage for accessory uses and structures of (7.4%), one thousand, ninety square feet (1,090') vs. a maximum rear yard area ground coverage for accessory uses and structures of (5%), seven hundred, thirty-three square feet (733') shall be permitted, as allowed by Section A-56 (D) of the Coral Gables "Zoning Code."

ORDINANCES ON SECOND READING

- E.-2. [10-0739](#) Abandonment and Vacation of Non-Fee Interests. An Ordinance of the City Commission of Coral Gables, Florida, pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations", providing for the abandonment and vacation of non-fee interests of the City for the following public rights-of-way identified as: Theo. Dickinson Drive, Wm. E. Walsh Avenue, George E. Merrick Street, Henry King Stanford Drive, Pavia Street and Levante Avenue, all within the University of Miami campus, Coral Gables, Florida; providing for severability, repealer, codification, and an effective date (Mapping and legal descriptions on file for review within the Planning Department). (Passed on First Reading December 14, 2010)
- E.-3. [10-0727](#) An Ordinance of the City Commission of Coral Gables authorizing entering into an Amended and Restated Agreement for Operation of the Coral Gables Museum with Coral Gables Museum Corp., with regard to city-owned property at 285 Aragon Avenue, Coral Gables, Florida; and providing for severability, repealer, codification and an effective date. (Passed on First Reading January 11, 2011)
- E.-4. [10-0717](#) Planned Area Development, Site Plan, Encroachment, and Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida, requesting the following for Gulliver Academy, located on Tract No. 7, Avocado Land Company Subdivision (12595 Red Road), Coral Gables, Florida:
- 1) Planned Area Development (PAD) assignment, pursuant to Zoning Code Article 3, Division 5;
 - 2) Site plan review and an amendment to the previously approved Gulliver Academy Master Campus Site Plan to allow for new classrooms, pavilion building, gymnasium, baseball field house, natatorium and other miscellaneous improvements;
 - 3) Encroachment into the Campamento Drive, Old Cutler Road and Red Road rights-of-ways; and,
 - 4) Zoning Code Text Amendment to the Official Zoning Code, Appendix A, Site Specific Zoning Regulations;
- providing for severability, repealer, codification, and an effective date. (PZB recommended approval, Vote: 6-0) (Passed on First Reading November 9, 2010)

F. CITY COMMISSION ITEMS

None

G. BOARDS/COMMITTEES ITEMS

None

H. CITY MANAGER ITEMS

None

I. CITY ATTORNEY ITEMS

- I.-1. [10-0810](#) Resolution of the City Commission, with attachment, making provisions for holding a General Biennial Election on April 12, 2011, for the election of candidates for the office(s) of Mayor and two Commissioners; further designating and appointing the City Clerk as the Official Representative of the City Commission, with respect to the supervision of said General Biennial Election; further directing the City Clerk to give notice by publication of the adoption of this Resolution and the provisions hereof.
- I.-2. [11-0564](#) Pending Litigation Report

J. CITY CLERK ITEMS

- J.-1. [11-0563](#) Resolution, with attachment, granting permission to the City Clerk to proceed with preparation of the Municipal Election Order Form in conjunction with Miami-Dade County Elections Department for services, materials and support to be rendered, in connection with the Coral Gables General Biennial Election of April 12 2011, to procure the necessary ballots and other forms, to arrange for the use of voting machines, provide appropriate absentee ballot request policy (in those instances wherein Miami-Dade County manages the distribution of absentee ballots) and canvass of returns from our designated precincts within the City of Coral Gables.
- J.-2. [11-0562](#) Resolution appointing certain members of the Canvassing Board (board) for the upcoming General Biennial Election of Tuesday, April 12, 2011, namely, Commissioner Rafael "Ralph" Cabrera and Commissioner Wayne "Chip" Withers for the purpose of canvassing absentee ballots and precinct returns; further authorizing said board to certify the results of said election.

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 Ernesto Pino, Assistant Public Works Director, at 305-460-5004, with requests for auxiliary aids or services at least one business day before the meeting.

Patrick G. Salerno
City Manager