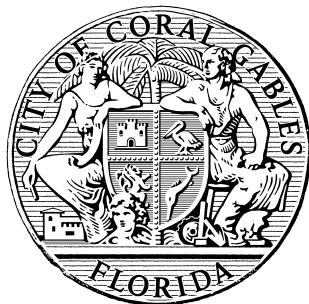


City of Coral Gables

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



Meeting Minutes

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.

ROLL CALL

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

INVOCATION

Reverend Bill White from University Baptist Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Vice Mayor William Kerdyk, Jr. led the Pledge of Allegiance.

[Note for the Record: Mayor Slesnick requested of the public to join him in remembering the police officers who gave their lives in the line of duty, doing the public's work, as well as the St. Petersburg police officers (2), who also gave their lives on behalf of our nation and the State of Florida].

LEGISLATIVE SUMMARY

The following minutes summary includes all presentations made, and actions taken which information is supplemented by the following exhibits on file in the Office of the City Clerk, and which are by reference made a part of the record herein: (a) Ordinance(s) adopted (Ordinance No. 2011-03) (b) Resolution(s) adopted (Resolution No. 2011-12 through Resolution No. 2011-24); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

A. PRESENTATIONS AND PROCLAMATIONS

- A.-1. 11-0560** Presentation of a Proclamation declaring January 25, 2011 as Sunday Afternoons of Music Day in Coral Gables.

[Note for the Record: Mayor Slesnick acknowledged Ms. Doreen Marks, representing the Sunday Afternoons of Music, which he characterized as an incredible program that brings joy and music to lots of kids and children and adults, thereby reading a prepared proclamation into the record proclaiming Tuesday January 25, 2011 as Sunday Afternoons of Music Day in Coral Gables.

In accepting this recognition, Ms. Marks noted that her organization would not have had this festive celebration without the assistance of the City Commission and members of the Cultural Advisory Board providing grant funds for cultural activities, thus enriching the lives of the citizens of Coral Gables and beyond; further stating that her organization is celebrating 30 years of its adult music series and 25 years of its children's music series during the 2011-2012 season; further pointing out that regarding the Sunday Afternoons of Music for Children, that if one does not get those kids, then there would be no adults or audiences to appreciate the joy here on; further adding that on this upcoming Sunday that the Sunday Afternoons of Music series will sponsor a concert at Gusman Hall (University of Miami campus); further adding that at said event, there will be a wonderful violinist, namely Peter Zazofsky; further adding that her organization has a wonderful website, children's concerts, adult concerts, etc. Finally, Ms. Marks thanked the City Commission for its help and support, as well as all of the other associations and events that take place in our City beautiful].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

A.-2. [11-0561](#)

Presentation of a Proclamation declaring March 12, 2011 as St. Patrick's Day Festival in Coral Gables.

[Note for the Record: Mayor Slesnick prefaced his remarks by stating that this is an attempt to recognize the St. Patrick's Day Festival at a time when the Emerald Society and the St. Patrick's Day Committee are both trying to get the word out and use this protocol document (i.e. proclamation) as part of the ramp up.

Mayor Slesnick stated that a lot of people associate the St. Patrick's Day festivities with John Martin's Restaurant and the large party that is held the Saturday preceding St. Patrick's Day.

Mayor Slesnick wished the St. Patrick's Day Committee and the Emerald Society well. Ms. Janice McKay, President of the St. Patrick's Day Committee and President of the Emerald Society further thanked the City Commission for its kindness and support it has given to her organization; adding that City staff has been so supportive; further pointing out that what is being brought forth is Irish culture, it is not just a drinking festival; further adding that her organization wants all of our community to come out and paint the stones with all of the glitter, to lure the Leprechaun out; noting that last year there was a five year old who became very entrepreneurial, painting the stones and charging the public \$1.50 per stone; further noting that during last year's festival the food was good, the entertainment is wonderful and the weather was great].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

A.-3. [11-0557](#)

Presentation of 20 years service pin to Officer Laura Kaminsky, Police Department.

Attachments: [CM Laura Kaminsky](#)

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

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.

Attachments: [Nomination - November - FARINAS](#)
[COMMISSION COVER MEMO - OFFICER OF THE MONTH - NOV](#)

[Note for the Record: Interim Chief Joe McNichol prefaced his remarks by stating that those recent events taking place involving our uniformed patrol illustrate the dangers, risks and sacrifice borne by our men and women of the police force; further acknowledging that in Coral Gables, we proudly recognize our officers, who form that thin blue line in the law enforcement profession; further acknowledging Officer Geisy Farinas, recipient of the Coral Gables Officer of the Month for the month of November, as nominated by Sergeant Klaus Reinoso.

Further explaining that on November 21, 2010, Officer Farinas while working off duty with Sergeant Reinoso in the vicinity of 950 University Drive, noticed a car being driven by an elderly woman make a turn into the wrong lane of traffic, driving easterly in the westbound lanes; further stating that as said elderly driver proceeded on Bird Road, those cars driving eastbound on Bird Road had to yield to her to allow her to run across said cars; the elderly lady proceeded to jump ahead of the oncoming westbound traffic, which was approaching at a high rate of speed; further stating that Officer Farinas got the attention of the elderly driver and motioned to her stop.

Officer Farinas actions averted what could have been a catastrophic accident. However, Sgt. Reinoso stated in later conversations with her, it was discovered that she consciously thought out how to react in this type of situation-adding that she put herself in a difficult situation between the oncoming traffic with the expectation that she would be able to stop a collision; further noting that there was no guarantee that the drivers of the vehicles were going to see her or be able to stop in time. It is these types of actions that are the true nature of police work; noting that they are dangerous, but necessary to maintain security and safety within the community; further recognizing the actions and risks taken by Officer Farinas that day; noting that because of said unselfish risk, that she has been duly recognized by the Kiwanis Club of Coral Gables and presented her with a plaque and a check].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 5

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.

Attachments: [Officers of the Month Nomination - DEC](#)
[COMMISSION COVER MEMO - OFFICER OF THE MONTH - DEC](#)

[Note for the Record: Interim Police Chief prefaced his remarks by acknowledging Officers Alexander Engmann and Raymond McCalla, co-recipients of the City of Coral Gables "Officer of the Month Award."

Interim Chief McNichol stated that on December 20, 2010 the aforementioned officers (assisted by Officer Rogers) responded to a call received from the homeowner at the 400 block of Minorca, resulting from a juvenile knocking on different residences inquiring about directions; further noting that Officer Engmann located the suspect at the 600 block of Alcazar; whereupon after interviewing said suspect, it was duly noted by officers that said suspect's story was inconsistent, which led them to believe that possibly he was attempting a burglary; it was later discovered after a background check that said individual was found to be a missing juvenile; resulting in Officers Rogers and McCalla transporting said individual back to the station for processing.

Detectives Zaccheo and Cachinero (Criminal Division) were later summoned to assist with the investigation; later the juvenile suspect confessed to burglarizing multiple residences as part of an elaborate criminal enterprise; further explaining that following taking said suspect out on location throughout the City, which resulted in the clearing of 10 residential burglary cases; further discovering that during this investigation, a white male subject was the mastermind of this criminal enterprise, who has an extensive criminal past and has actively recruited juveniles to commit burglaries to his benefit; further acknowledging the initiative of Officers Engmann and McCalla with their quick response, excellent investigative skills, and their skillful utilization of experience and knowledge that contributed to the apprehension of said burglary, thus resulting in their nomination for Officers of the Month.

In accepting said accolade, Officer Engmann thanked the Interim Police Chief, Mayor and members of the City Commission. Mayor Slesnick also thanked the officers for putting their lives on the line everyday for the City of Coral Gables].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 6

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.

Attachments: [FF of the Month Notification Letter.pdf](#)
[Cover Memo - FF OF THE MONTH - JAN 2011.doc.pdf](#)

[Note for the Record: Fire Chief Walter Reed was requested by the City Manager to approach the dais, whereby the Fire Chief acknowledged Lieutenant Steve Bush as the recipient of the Firefighter of the Month for the month of January; further noting that Lieutenant Bush began his career with the City in Coral Gables some 29 years ago, in October of 1981; further noting that Lieutenant Bush's father, namely Kenneth Bush served as the City's Police Chief from 1980 until 1987; Chief Reed further remarked that Lieutenant Bush decided that he would rather become a firefighter than a police officer, noting that firefighter crews receive outstanding recognition from the public; further noting Lieutenant Bush's outstanding initiative surpassing job requirements and expectations, more particularly as seen by his donation of his time and efforts in improving Fire Station Number 3 (i.e. pressure cleaning Fire Station No. 3's building and walls, front apron, walkway, front visitors entrance, etc.); further attributing said Fire Station No. 3's improvements to Lt. Bush's leadership, skill and public service; noting that his crew even helped him on said project.

In accepting this accolade Lt. Bush thanked the City Commission, commenting that he thought that said recognition resulted from a rescue call that his crew had received down south (in jest); further noting that Major Hudak (Police Dept.) had been leading a crew of mounted horse patrol when a rescue call was made to help in the event there were instances; whereby his crew noted that major Hudak was on the verge of getting hurt, they maneuvered around and pulled the plug out on the horse (laughter).

Fire Chief Reed commended Lt. Bush on being a fine role model to the firefighting crews in the department].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 7

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.

Attachments: [EOM Ltr. Feb 2011](#)
[Cover Memo EOM FEB 2011](#)

[Note for the Record: City Manager Salerno requested of our Human Resources Director to approach the dais, whereby she acknowledged Fabio Rodriguez, Parks and Recreation Department, as the recipient of the Employee of the Month Award for the month of February 2011; further noting that Fabio had been nominated by fellow employee Tricia Spencer, who noted the following about Fabio:

“Fabio’s qualities are: he goes above and beyond his normal job duties, he is a team player, works very well with others, always has a ‘can do’ positive attitude, solves problems, offers help, he gives support, he is extremely creative and self-motivated; further noting that his values are that he is very responsible, dedicated and honest, loyal, has high integrity, innovative, always coming up with new ideas to help not just the Parks and Recreation Department, but the overall City of Coral Gables.

During the videotaping segment, Parks and Recreation Department Director Fred Couceyro stated that Fabio began his employ with the City in 1997 as a Marketing Assistant; further stating that he was hired fulltime in 2005, as a Marketing Specialist; further explaining that his first responsibility was the production of the “Leisure Guide to Recreation Services,” said publication which was produced in full color, some 18,000 copies that were received by every household in the City of Coral Gables; further acknowledging that Fabio designed said publication, noting that with his desktop publishing skills have become very beneficial to the office; adding that he handles his office website activities; further noting that Fabio’s best trait is his willingness to help constantly provide the best effort, no matter what the task may be, which is what makes Fabio’s a special employee.

In accepting this recognition Fabio thanked the City, further thanking Fred Couceyro, for his leadership in impacting upon his career, thanked colleagues Tricia Spencer (Secretary), and Anastasia Smith his fellow colleagues; further thanking Public Affairs Director Maria Higgins Fallon for her guidance and Belkys Perez for her collaboration; further reminding the viewing public that “Spring Break” is just around the corner, requesting of them to check out the Parks and Recreation camps, and to be on the lookout for the department’s summer camps].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 8

B. APPROVAL OF MINUTES

B.-1. 11-0566 Regular City Commission Meeting of January 11, 2011.

Attachments: [Meeting Minutes](#)

[Verbatim Transcript - Agenda Item E-2 - Ordinance re Text Amd on Stopping Stan](#)

[Verbatim Transcript - Agenda Item E-4 - Ordinance Amended and Restated Agree](#)

[Verbatim Transcript - Agenda Item I - Recruitment of New City Attorney](#)

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be approved. The motion passed 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. 9

C. CONSENT AGENDA (As Amended)

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

Passed the Consent Agenda

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

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

RESOLUTION NO. 2011-12**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.

Attachments:

[Special Events Application & Permit.pdf](#)
[Carnaval on the Mile Draft Resolution.pdf](#)
[Cover Memo for Carnaval on the Mile.pdf](#)
[C-1 Signed Cover Memo](#)
[Signed Resolution 2011-12](#)

RESOLUTION AUTHORIZING THE KIWANIS CLUB OF LITTLE HAVANA TO SELL ALCOHOLIC BEVERAGES AT FRED B. HARTNETT 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.

This Matter was adopted by Resolution Number 2011-12 on the Consent Agenda.

City Clerk Item No. 10

RESOLUTION NO. 2011-13**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.

Attachments:

[Resolution for Bluesfest.pdf](#)
[Special Events Application Permit Bluesfest.pdf](#)
[Bluesfest Flyer.pdf](#)
[Cover Memo Bluesfest.pdf](#)
[C-2 Signed Cover Memo](#)
[Signed Resolution 2011-13](#)

RESOLUTION AUTHORIZING FRITZ AND FRANZ BIERHAUS TO SELL ALCOHOLIC BEVERAGES FROM 11 A.M. UNTIL 12 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.

This Matter was adopted by Resolution Number 2011-13 on the Consent Agenda.

City Clerk Item No. 11

RESOLUTION NO. 2011-14**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.

Attachments:

[Draft Resolution Farmers Market.pdf](#)
[Special Events Application & Permit Farmers Market.pdf](#)
[Cover Memo American Institute of Wine and Food.pdf](#)
[Farmers Market Schedule.pdf](#)
[C-3 Signed Cover Memo](#)
[Signed Resolution 2011-14](#)

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 A.M. UNTIL 1 P.M., ON MARCH 26, 2011 AT THE CORAL GABLES FARMERS MARKET, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2011-14 on the Consent Agenda.

City Clerk Item No. 12

RESOLUTION NO. 2011-15**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.

Attachments: [Resolution - 1 25 11_Supercuts_2.pdf](#)
[PAB 1-19-11 excerpts_2.pdf](#)
[Commission cover 1 25 11 \(Supercuts\).pdf](#)
[Supercuts 1 18 11.pdf](#)
[C-7 Signed Cover Memo](#)
[Signed Resolution 2011-15](#)

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.

This Matter was adopted by Resolution Number 2011-15 on the Consent Agenda.

City Clerk Item No. 13

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

Attachments: [Youth Advisory Board Minutes 12-7-2010.pdf](#)
[Youth Advisory Board Cover Sheet Minutes 12-07-10.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 14

C.-9. [11-0547](#)

Youth Advisory Board Meeting of January 4, 2011

Attachments: [Minutes 1-4-2011.pdf](#)
[Cover Sheet Minutes 01-04-11.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

C.-10. [11-0552](#)

Landscape Beautification Advisory Board Meeting of January 6, 2011

Attachments: [Minutes BC 1-6-11](#)
[BC Cover Sheet 1-6-11 \(1\)](#)
[Signed Minutes](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

C.-11. [11-0549](#) Retirement Board Meeting of November 3, 2010

Attachments: [CC.01-25-2011.November 3, 2010](#)
[Executive Summary.11-3-2010](#)
[Minutes.11-03-10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

Pulled from Consent Agenda

RESOLUTION NO. 2011-16

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.

Attachments: [Resolution - 1 25 11_ Slesnick donation to Museum_.pdf](#)
[Perrin Agreement rev clean.pdf](#)
[Commission cover 1 25 11_ Slesnick Donation to Museum_.pdf](#)
[C-4 Signed Cover Memo](#)
[Richard Namon regarding C-4-C-5 and C-6](#)
[Signed Resolution 2011-16](#)

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.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2011-16. The motion passed 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. 18

RESOLUTION NO. 2011-17**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.

Attachments: [Commission cover 1 25 11 Withers Donation to Museum .pdf](#)
[Resolution - 1-25-11 Withers donation to Museum .pdf](#)
[Withers Agreement rev.pdf](#)
[C-5 Signed Cover Memo](#)
[Richard Namon regarding C-4-C-5 and C-6](#)
[Signed Resolution 2011-17](#)

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.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2011-17. The motion passed 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. 19

RESOLUTION NO. 2011-18 (As Amended)**C.-6. [11-0567](#)**

Resolution of the Coral Gables City Commission authorizing entering into a Professional Consultant Agreement for governmental administrative and compliance services.

Attachments: [C-6 Signed Cover Memo](#)
[Professional Consultant Agreement Resolution](#)
[Richard Namon regarding C-4-C-5 and C-6](#)
[Signed Resolution 2011-18](#)

RESOLUTION OF THE CORAL GABLES CITY COMMISSION AUTHORIZING ENTERING INTO A PROFESSIONAL CONSULTANT AGREEMENT FOR GOVERNMENTAL ADMINISTRATIVE AND COMPLIANCE SERVICES.

[Note for the Record: The verbatim transcript for Agenda item C-6 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2011-18. The motion passed by the following vote:

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

Nays : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 20

Non Agenda Item**RESOLUTION NO. 2011-19**

Non 11-0588
Agenda

A Resolution of the City Commission of Coral Gables instructing the City Manager to exclude from placing any item requiring a 4/5 vote on the Consent Agenda portion of the meeting agenda.

Attachments: [Signed Resolution 2011-19](#)

RESOLUTION INSTRUCTING THE CITY MANAGER TO EXCLUDE FROM THE CITY OF CORAL GABLES CITY COMMISSION AGENDA THAT PORTION DESIGNATED AS "CONSENT AGENDA," THOSE ITEMS WHICH REQUIRE A FOUR-FIFTHS (4/5THS) VOTE BY THE CITY COMMISSION.

[Note for the Record: Commissioner Cabrera prefaced his remarks by stating that for the second time in two City Commission meetings that the City Commission has approved a matter in connection with an exemption to the Procurement Code; further adding that such action is serious since that in order to approve a waiver, a four-fifths (4/5s) vote is needed; further informing his colleagues that after sitting on the City Commission for the past 10 years, that there are so many mundane issues/general issues that should be on the consent agenda (i.e. Kiwanis Club of Little Havana/re Carnaval on the Mile event; St. Patrick's Day event, etc.); however, when one has a waiver of the City's Procurement Code, a constitutional document, in his opinion it is not right because he feels it projects a lack of transparency, open government, and good government; further requesting that the City Commission join him in requesting of the City Manager to forego bringing any further waivers to the Procurement Code under the Consent Agenda; further referencing a prior agenda item requiring a four-fifths waiver, namely the Median on Ponce de Leon matter wherein it was stated by the City Manager that generally the information obtained by the City Commission was all that was needed to make a decision, when in fact the City Commission pulled said matter because of insufficient information, citing certain exhibits that were missing and no agreement; further stating that because of the aforementioned reasons he cannot continue supporting such a practice because said issues are too important to the City, and to good government in the future.

Mayor Slesnick in response to Commissioner Cabrera's statements indicated that the City Commission did pull those items referenced and they did get fully discussed ; further stating that he was in agreement with Commissioner Cabrera on his request and that he would request of the City Manager to refrain from putting any more waivers to the Procurement Code on the Consent Agenda.

Commissioner Withers stated that the City Commission should make said action

official in our Procurement Code, with a review of how the City Commission votes; the requirements, etc.- adding that no laws were broken by putting said matter on the Consent Agenda, noting that he was planning to pull said matter from the Consent Agenda, Bill was also planning to pull this item, along with request(s) from members of the public.

City Manager Salerno stated that he has no problem with taken off the Consent Agenda any item requiring a four-fifths vote, he will do it as requested by the City Commission; further adding that it is a matter of form, not a matter of substance].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2011-19. The motion passed unanimously.

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

City Clerk Item No. 21

D. PERSONAL APPEARANCES

None

City Clerk Item No. 22

E. PUBLIC HEARINGS**APPEAL****RESOLUTION NO. 2011-20****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."

Attachments:

- [Application for Appeal for BOADJ](#)
- [Transcript \(part 1\)](#)
- [Transcript \(part2\)](#)
- [BOADJ Package](#)
- [Applicant's Proposal](#)
- [Pictures - BOADJ 4995 Hammock Lake Dr.](#)
- [Plans](#)
- [Appeal - Cover Memo 01-11-11](#)
- [Notice for Appeal 01-11-11](#)
- [E-1 Signed Cover Memo](#)
- [Zeke Guilford's Correspondence dated 01-10-11](#)
- [City Commission Appeal - BOADJ January-25-2011](#)
- [Notice for 01-25-11](#)
- [E-1 Signed Cover Memo](#)
- [Signed Resolution 2011-20](#)

RESOLUTION OF THE CITY COMMISSION GRANTING THE APPEAL FILED BY F. W. ZEKE GUILFORD, ESQUIRE/APPLICANT, APPLICATION NO. BA-10-10-5515, THEREBY REVERSING THE DECISION OF THE BOARD OF ADJUSTMENT, TO GRANT A VARIANCE TO ALLOW A SINGLE FAMILY RESIDENCE TO HAVE A LOT COVERAGE OF (22.5 PERCENT), NINE THOUSAND ONE HUNDRED AND FIFTY (9,150) SQUARE FEET OF THE GROUND AREA OF THE BUILDING SITE UPON WHICH THE RESIDENCE IS ERECTED; SAID PROPERTY WHICH IS LOCATED AT 4995 HAMMOCK LAKE

DRIVE. LEGALLY DESCRIBED AS LOT 17, BLOCK 3 OF HAMMOCK LAKE PARK, PB 44/PG 87, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

[Note for the Record: The verbatim transcript is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion reverse the decision of the Board of Adjustment, and thereby Grant the Appeal. The motion passed by the following vote:

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

Nays : 2 - Commissioner Anderson and Commissioner Cabrera, Jr.

City Clerk Item No. 23

RESOLUTION NO. 2011-21

E.-1.1. [11-0590](#)

A Resolution of the City of Coral Gables City Commission granting a variance to allow the proposed single-family residence to have a rear yard area ground coverage for accessory uses and structure 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."

Attachments: [Signed Resolution 2011-21](#)

RESOLUTION OF THE CITY COMMISSION GRANTING THE APPEAL FILED BY F. W. ZEKE GUILFORD, ESQUIRE/APPLICANT, APPLICATION NO. BA-10-10-5515, THEREBY REVERSING THE DECISION OF THE BOARD OF ADJUSTMENT, TO GRANT A VARIANCE TO ALLOW A SINGLE FAMILY RESIDENCE TO HAVE A REAR YARD AREA GROUND COVERAGE FOR ACCESSORY USES AND STRUCTURES OF (7.4 PERCENT), ONE THOUSAND AND NINETY SQUARE FEET (1,090), OF THE PROPERTY WHICH IS LOCATED AT 4995 HAMMOCK LAKE DRIVE. LEGALLY DESCRIBED AS LOT 17, BLOCK 3 OF HAMMOCK LAKE PARK, PB 44/PG 87, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion reverse the decision of the Board of Adjustment, and thereby Grant the Appeal. The motion passed by the following vote:

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

Nays : 2 - Commissioner Anderson and Commissioner Cabrera, Jr.

City Clerk Item No. 24

ORDINANCES ON SECOND READING

ORDINANCE NO. 2011-03E.-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)

Attachments:

[12 14 10 CC Cover Memo - UM right-of-way vacations - 1st Reading](#)
[12 14 10 Exhibit A: Ordinance - UM Vacation and Abandonment- 1st Reading](#)
[12 14 10 Exhibit B: 11 30 10 PZB Staff Report w attachments](#)
[12 14 10 Exhibit C: 11 30 10 PZB Meeting Minutes](#)
[12 14 10 Exhibit D: Public Comments](#)
[E-4 Signed Cover Memo](#)
[01 25 2011 Exhibit A Ordinance with attachments](#)
[01 25 2011 CC Cover Memo - UM right-of-way vacations - 2nd Reading](#)
[E-2 Signed Cover Memo](#)
[Signed Ordinance 2011-03](#)

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

[Note for the Record: Following the reading of the title to Agenda Item E-2 into the public record by Interim City Attorney Lourdes Alfonsin, there being no public testimony proffered by any member of the public, nor there being any deliberation of said matter by any member of the City Commission, upon a motion being made by Vice Mayor Kerdyk, seconded by Commissioner Withers, Mayor Slesnick instructed the City Clerk to call the roll on Agenda Item E-2].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2011-03. The motion passed by the following vote:

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

Absent : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 25

ORDINANCE NO. 2011-04

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) (Deferred from the January 25, 2011 Meeting)

Attachments:

[PAB 11-02-10 Mtg Minutes Excerpt.pdf](#)
[Museum Cover Memo.pdf](#)
[Museum Ordinance.pdf](#)
[Museum - Amended and Restated Lease.pdf](#)
[Museum Global Comparison.pdf](#)
[E-4 Signed Cover Memo](#)
[Richard Namon's Correspondence](#)
[Commission cover 1 25 11 \(Museum\).pdf](#)
[Ordinance - 1 25 11 Museum .pdf](#)
[Amended and restated agreement 1 25 11.docx.pdf](#)
[Museum Mission Statement - revised 1 25 11.docx.pdf](#)
[E-3 Signed Cover Memo](#)
[David A. Doheny dated 01-24-2011](#)
[Changes between First and Second Reading 2 8 11.pdf](#)
[Commission Cover 2-8-11 \(Museum\).pdf](#)
[Ordinance - 2 8 11 Museum .pdf](#)
[Amended and restated agreement 2 8 11.pdf](#)
[E-1 Signed Cover Memo](#)
[E-1 - Dolly MacIntyre Letter](#)
[Signed Ordinance 2011-04](#)
[Signed Resolution 2011-22](#)

RESOLUTION DEFERRING CONSIDERATION OF AGENDA ITEM E-3
[SUBJECT MATTER: PROPOSED ORDINANCE TO AUTHORIZE ENTERING INTO AN AMENDED AND RESTATED AGREEMENT FOR OPERATION OF THE CORAL GABLES MUSEUM IN CONNECTION WITH CORAL GABLES MUSEUM, CORP., IN CONNECTION WITH CITY OWNED PROPERTY AT 285 ARAGON AVENUE].

[Note for the Record: The verbatim transcript for Agenda Item E-3 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be deferred by Resolution Number 2011-04. The motion passed unanimously.

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

City Clerk Item No. 26

ORDINANCE NO. 2011-06**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) (Deferred from the January 25, February 8 and March 8, 2011 Meetings)

Attachments:

[11 09 2010 CC Cover Memo: Gulliver Academy 1st reading](#)
[11 09 2010 Exhibit A - Gulliver Academy ordinance 1st reading](#)
[11 09 2010 Exhibit B - Gulliver amended conditions clean version](#)
[11 09 2010 Exhibit C - Gulliver amended conditions strikeout version](#)
[11 09 2010 Exhibit D - Gulliver Academy Application \(Cover & Table of Contents\)](#)
[11 09 2010 Exhibit D - \(Tab 1 - Letter of Intent\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 2 - Settlement Agreement\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 3 - Request to encroach\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 4 - Zoning Code Site Specific Standards\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 5 - Gables By-The-Sea Road Closing District\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 6 - Land Use & Zoning Map\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 7 - Aerial Photos\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 8 - Site Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 9 - Landscape & Vegetation Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 10 - Encroachment Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 11 - Elevation Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 12 - Building Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 13 - Survey\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 14 - Traffic Reports\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit E - PZP Staff Report](#)
[11 09 2010 Exhibit F - B&Z Preliminary Zoning Analysis](#)
[11 09 2010 Exhibit G - BOA Preliminary Review Comments](#)
[11 09 2010 Exhibit H - City Consultant Marlin Memorandum - Review of Gulliver Academy Application](#)
[11 09 2010 Exhibit I - City Consultant Marlin Memorandum - Review of Gulliver Academy Application](#)
[11 09 2010 Exhibit J - 07.14.10. Planning and Zoning Board meeting minutes](#)
[11 09 2010 Exhibit K - 07.21.10 Planning and Zoning Board meeting minutes](#)
[11 09 2010 Exhibit L - 09 15 10 Planning and Zoning Board meeting minutes](#)
[11 09 2010 Exhibit M - Public comments](#)
[E-6 Signed Cover Memo](#)
[12 14 2010 CC Cover Memo: Gulliver Academy - 2nd reading](#)
[12 14 10 Exhibit C: Add'l Public Comments since 1st Reading](#)
[12 14 10 Exhibit A: Ordinance -Gulliver Academy - 2nd reading](#)
[12 14 10 Exhibit B: Applicant's revised application package, dated 12 07 10](#)
[E-3 Signed Cover Memo](#)
[Signed Resolution 2010-282](#)
[01 25 2011 CC Cover Memo: Gulliver Academy continuance](#)
[01 25 2011 Exhibit A: 01 11 2011 and 01 02 2011 applicants letters](#)
[01 25 2011 Exhibit B: Resolution 2010-282 continuance](#)
[01 25 2011 Exhibit C: 12 14 10 CC Mtg Minutes Agenda Item E-3 - Gulliver - PAD](#)
[E-4 Signed Cover Memo](#)
[02 08 2011 CC Cover Memo: Gulliver Academy 2nd reading](#)
[02 08 2011 Exhibit A: Gulliver Academy ordinance 2nd reading](#)
[02 08 2011 Exhibit C: 12 14 10 CC Mtg Minutes Agenda Item E-3 - Gulliver - PAD](#)
[02 08 2011 Exhibit B: 01 28 11 Letter to Eric Riel re Gulliver Academy](#)
[02 08 2011 Exhibit E: GBTS HOA and Gulliver Schools Settlement Agreement](#)
[02 08 2011 Exhibit D: Gulliver Academy Site Plans](#)
[01-25-11 - City Clerk Memo to City Commission](#)
[E-2 Signed Cover Memo](#)
[E-2 - Request to Defer item until March 8, 2011](#)
[Letter dated 02-03-11 - Laura L. Russo - Gulliver Schools - Request for Continuance](#)
[03 08 2011 CC Cover Memo re : Gulliver Academy 2nd reading](#)
[03 08 2011 Exhibit A: Gulliver Academy ordinance 2nd reading](#)
[03 08 2011 Exhibit B: 01 28 11 Gulliver Academy Letter](#)
[03 08 2011 Exhibit C: 12 14 10 CC Mtg Minutes - Gulliver - PAD - Site Plan - Enclosure](#)
[03 08 2011 Exhibit E: GBTS HOA and Gulliver Schools Settlement Agreement](#)

[03 08 2011 Exhibit D: Gulliver Academy Site Plans](#)
[E-1 Signed Cover Memo](#)
[03 22 2011 CC Cover Memo re: Gulliver Academy 2nd reading](#)
[03 22 2011 Exhibit A: Gulliver Academy ordinance 2nd reading](#)
[03 22 2011 Exhibit B: 03 16 11 Gulliver Academy Letter](#)
[03 22 2011 Exhibit C: GBTS HOA and Gulliver Schools Settlement Agreement](#)
[E-1 Signed Cover Memo](#)
[Signed Resolution 2011-45](#)
[Signed Ordinance 2011-06](#)

[Note for the Record: Agenda Item E-4 was continued.

This Ordinance was Continued

City Clerk Item No. 4

F. CITY COMMISSION ITEMS**None**

City Clerk Item No. 27

G. BOARDS/COMMITTEES ITEMS**None**

City Clerk Item No. 28

H. CITY MANAGER ITEMS**None**

City Clerk Item No. 29

I. CITY ATTORNEY ITEMS**RESOLUTION NO. 2011-23**

- 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.

Attachments: [General Biennial Elections Resolution](#)
[AgendaCoverMemoBiennialElections1_25_11.doc](#)
[Agenda Item I-1 - Revised Cover Memo](#)
[Listing of Precincts](#)
[Signed Resolution 2011-23](#)

A RESOLUTION OF THE CITY COMMISSION, WITH ATTACHMENT MAKING PROVISION 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.

[Note for the Record: Interim City Attorney Lourdes Alfonsin informed the City Commission that the issue before the City Commission was a resolution with attachment that makes provisions for holding our General Biennial Election of April 12,

2011 for candidates seeking the office(s) of Mayor and two Commissioners; further stating that said legislation places certain responsibilities upon the City Clerk, thus appointing and designating him as the official representative of the City Commission with respect to the supervision of the election, and directing the City Clerk to give notice by publication of the adoption of this resolution and the provisions thereof.

Following the Interim City Attorney's explanations of the provisions of proposed legislation, there being no deliberations by any member of the City Commission, and upon a motion being made by Commissioner Anderson and seconded by Vice Mayor Kerdyk, Mayor Slesnick instructed the City Clerk to call the roll on Agenda Item I].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2011-23. The motion passed by the following vote:

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

Absent : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 30

I.-2. **11-0564** Pending Litigation Report

Attachments: [PENLIT001_25_11.doc](#)

[Note for the Record: In response to Mayor's Slesnick's query regarding the City Attorney's Litigation Report, Interim City Attorney Lourdes Alfonsin stated that the only additional matter other than what has been provided in the Litigation Report is that in the matter of the Kuvin case, the City of Coral Gables has been given until February 7, 2011 to provide the Court with its jurisdictional brief; further stating that everything else in the Litigation Report remains the same].

This Agenda Item was Discussed and Filed

City Clerk Item No. 31

J. CITY CLERK ITEMS**RESOLUTION NO. 2011-24**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.

Attachments: [Cover Memo - Permission to Request Municipal Election Order Form - 1-25-11](#)
[R-2011-Draft Permission to Request Municipal Election Order Form](#)
[J-1 Signed Cover Memo](#)
[Signed Resolution 2011-24](#)

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 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.

[Note for the Record: City Clerk Walter Foeman informed the City Commission that the item before them was a housekeeping item in connection with a request to have the City Commission grant permission to proceed with the preparation of a Municipal Ordering Form for the procurement of certain, supplies, equipment, materials and support in furtherance of our upcoming General Biennial Election of April 12, 2011.

Following the City Clerk's explanation of the aforementioned Agenda Item, there being no deliberation made by any member of the City Commission, and upon a motion being made by Commissioner Anderson and seconded by Vice Mayor Kerdyk, Mayor Slesnick requested of the City Clerk to call the roll on Agenda Item J-1].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2011-24. The motion passed by the following vote:

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

Absent : 2 - Commissioner Withers and Commissioner Cabrera, Jr.

City Clerk Item No. 31

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. (Deferred from the January 25, 2011 Meeting)

Attachments: [Cover Memo - Canvassing Board - 1-25-11](#)
[R-2011- Draft - Canvassing Board](#)
[J-2 Signed Cover Memo](#)

[Note for the Record: Agenda Item J-2 was deferred].

This Resolution was Deferred

City Clerk Item No. 32

K. DISCUSSION ITEMS

Mayor Slesnick: And we wouldn't want to leave without wishing you a Happy New Year, because you weren't here to wish you a Happy New Year.

Commissioner Anderson: Thank you, I was in cold Boston.

Mayor Slesnick: And we'll give you the first shot at any personal comments.

Commissioner Anderson: OK, I actually would like to follow up, and have the Planning Board, our Planning Board look at Hammock Lakes and Snapper Creek to revisit their site specific zoning and have the whole community involved because in this last particular decision the whole community was not involved. Only a hand full of people had that notice so, I would like that, for us to review it, for the community to decide. Whatever they decide as a group so be it, and that way we don't do what I believe to be zoning by variance. I'll save my other one for the next Commission meeting, I am kind of tired; I'll save that for a surprise.

Mayor Slesnick: Mr. Kerdyk?

Vice Mayor Kerdyk: Yes, just really two quick issues. The first being I read an article that said, that the end of December 30th the 31st, our then City Attorney gave an increase to a couple of our attorneys, and I'd just like to have this City Attorney (Interim) review that, and make sure that is something that we want from the City's perspective to increase those hourly rates for a couple of the attorneys that were increased.

City Attorney Alfonsin Ruiz: May I receive clarification for what it is that you would like for me to review?

Vice Mayor Kerdyk: That the increase in rate is merited, and it is something that you could recommend, that's it, that's all. And if you want to meet with me off-line I'd be glad to go more into detail?

Commissioner Anderson: Actually, I support that.

Vice Mayor Kerdyk: Yes I mean this is a very easy request, just look at it, tell me if those increases in hourly rates are merited, if they are, so be it, come back with a recommendation; if not, go back to the original amount that they were being paid. That's easy. The second thing is more of a fun issue, which has to do with the City run; I guess there is a run downtown? The Corporate Run? I think last year, I mentioned to you that we had some people, in the City of Coral Gables that galvanized together and finished 2nd in the Cities category. Anyway, if the City Manager could find in his budget something to support this Corporate Run for the City of Coral Gables. I know a lot of other Cities do that around the community, and it would be nice to have a team from Team Coral Gables to participate.

Commissioner Withers: I think we should go get Manute Bol...

Mayor Slesnick: Your request is to...

Vice Mayor Kerdyk: If you could fund it, yes.

Mayor Slesnick: Support for the team, not the run in general?

Vice Mayor Kerdyk: No, correct to support the team.

Commissioner Withers: Support a team in the corporate run.

Vice Mayor Kerdyk: Yes from the City of Coral Gables.

Commissioner Withers: We need to, if they don't win it they have to give the money back. How is that?

All together: Laughter

Mayor Slesnick: I suppose the support might be in the form of shirts or...

Vice Mayor Kerdyk: Or there is a corporate tent.

Mayor Slesnick: Maybe there is an entrance fee that we could pay for them?

Vice Mayor Kerdyk: I'll go over it with you prior, thank you.

Mayor Slesnick: Mr. Withers?

Commissioner Withers: Nothing.

Mayor Slesnick: Just wanted to inform the Commission, that some of the international outreach that we've done recently, which is good for business here I hope, and good for jobs. Is that we did entertain a delegation from the nation of South Africa who are looking to the possibility of establishing a new mission here in South Florida, and they are looking at the City of Coral Gables as a possible site.

Commissioner Anderson: Excellent.

Mayor Slesnick: Secondly, we worked with a delegation from Canada and the Counsel General of Canada and that delegation is here studying United States government and so forth and Canada is one of Florida's biggest trading partners and means a lot of business, so we are trying our best to stay up with that. I would like to compliment the Parks and Recreation Department for the Farmer's Market it is a glorious Farmer's Market this year so far, two Saturdays have been very successful, it has expanded and more vendors, more honey vendors and more people out there. I mean it really is, it is a great experience if you haven't been to our Farmer's Market. Mr. Manager, do you have anything else?

City Manager Salerno: Nothing Mayor.

Mayor Slesnick: Any other City activities that we should...

Commissioner Cabrera: Did you go to the informal discussion?

Mayor Slesnick: Yes we did.

Commissioner Cabrera: May I?

Mayor Slesnick: Sure.

Commissioner Cabrera: I got caught downstairs by a resident.

Mayor Slesnick: Sure.

Commissioner Cabrera: You stole my comments, and I am so glad you did because it really means a lot coming from you, congratulating Fred and Norma and the Parks and Rec. Department. I guess in all of the years that I have come to the Farmer's Market, the first day I have never seen the kind of activity that we saw there.

Vice Mayor Kerdyk: I heard it was unbelievable.

Commissioner Cabrera: Don made a comment about honey, my best friend is a bee keeper and he had a honey booth and my son works at the honey booth and so he has become somewhat of an expert on honeys. Will the next Commission Meeting which is scheduled for this Thursday be televised? Can anyone tell me that?

City Manager Salerno: Yes it will.

Mayor Slesnick: Can I cut in on you there.

Commissioner Cabrera: Sure.

Mayor Slesnick: Good point. I wanted to make that point, I thought the citizens of Coral Gables should know what their Commission is about, if you think we just meet here today. Thursday morning we are meeting in special session to discuss and to be presented with a presentation on the redevelopment of Miracle Mile Streetscape. On Friday this Commission is seating through a day long series of briefings concerning the Biltmore Hotel and on February the 7th, this Commission is going through a half-day, a little bit more than half-day series of private interviews, between separate commissioners, and city attorney candidates. Those are the things that now lie between us now and our next meeting, so.

Commissioner Cabrera: Do you all, when you get these invites to these meetings, do you all look at your entire week, and see how much of it is going to be City?

Vice Mayor Kerdyk: This is a big week.

Commissioner Cabrera: I don't understand why we all agreed to it though. It's almost like...

Mayor Slesnick: Masochism.

Commissioner Cabrera: Well I mean, staff doesn't really know that all of us have other responsibilities in our lives that really consume us. And so for example this particular week is going to be very difficult to juggle for all of us. I mean as it stands now, we won't be out of here for about 5 minutes, and we'll be back Thursday for a three hour marathon; and then like you said, on Friday we all have briefings; but then on the 7th of February is when we'll be interviewing city attorneys and we'll be at the Youth Center all day practically, because we'll have 6 people to interview.

Mayor Slesnick: 9 a.m. to 1 p.m.

Commissioner Cabrera: Well, OK but I expected that the productive part of the day would be shot. And then the following day we're right back together again at a City Commission Meeting, I just don't know why we do that to each other. I you know again it's us, we govern this City we, anyway...The Parks and Recreation Department, Mr. Kerdyk you had to leave at this juncture, I had a meeting about 6 meetings ago? I think we had an event to go to and you had to leave a little earlier, you had to take one of your family members to the event.

Vice Mayor Kerdyk: Yes, to the University of Miami.

Commissioner Cabrera: Yes, that's what it was, but when you left and the informal discussion period began, I talked about how you had requested...

Vice Mayor Kerdyk: I saw that.

Commissioner Cabrera: An update on City owned properties and the opportunity for parks, and I thought that was really very insightful on your behalf. So I sort of piggy backed on it, and we got an E-mail, from Fred Couceyro, through Dona Spain. That pretty much outlines on January 10th pretty much outlines a review of City owned properties, and you know this work is too good for it just to be a memo that gets shelved somewhere. And I don't know how you feel about it, but I'd like to get a presentation on this, a public presentation.

Vice Mayor Kerdyk: I think it's great.

Commissioner Cabrera: Yes you know why, because it affects on many different neighborhoods. So would you support me on that?

Vice Mayor Kerdyk: 100 percent.

Commissioner Cabrera: With your support it should go somewhere.

Vice Mayor Kerdyk: (Laughter)

Commissioner Cabrera: OK, and last but not least, I just have a general question did the Greening Task Force finally meet? Have they met? Does any one know if the Greening Task Force has met?

Mayor Slesnick: They met once as an organization I heard. They are meeting tomorrow, and I have actually cleared a calendar spot to go and greet them and welcome them.

Commissioner Cabrera: Oh, OK.

Commissioner Anderson: What time?

Mayor Slesnick: 10 O'clock

Commissioner Anderson: OK

Commissioner Cabrera: 10 O'clock?

Commissioner Anderson: Here?- or where?

Mayor Slesnick: I don't know, is it at the Youth Center or here? (Inaudible)

Commissioner Cabrera: Well can you all find out? You know this is the mother of the Green Task Force, and she probably would enjoy going as well, and saying a few words. I am going to go back to the Green Task Force at some point in time after they become more acclimated with one another, and adjusted to the process, and bring them leaf blowers as a topic of conversation because that's what I've committed to, the people that wanted this process to be looked at in spite of the fact I told them that it was simply dying a very nice political death. I'd like to stand corrected and bring the issue back, George you got that? You got that one, on leaf blowers? Leaf blowers' baby, that's what you need to get upset about.

Mr. Volsky: (INAUDIBLE)

Commissioner Cabrera: Oh the guy? He's a leaf blowing machine. The guy is crazy about leaf blowers. (Laughter) Anyway, listen that's it for me it has been thoroughly enjoyable to be back with you in 2011. I welcome you back, we missed you.

Commissioner Anderson: Thank you, Thank you.

Commissioner Cabrera: I felt an unsettled feeling in the force without you around.

Commissioner Anderson: As well you should.

Commissioner Cabrera: Yes, Yes.

Mayor Slesnick: We're going to adjourn this meeting

Commissioner Cabrera: OK, do that; go ahead, hit that little gavel of yours. Thanks Chip, thanks for sticking around.

(Laughter)

City Clerk Item No. 33

ADJOURNMENT

[Note for the Record: There being no further business on the Regular City Commission Meeting Agenda. The Commission of the City of Coral Gables adjourned its meeting at 1:14 pm on January 25, 2011. The next regular meeting of the City Commission has been scheduled for February 8, 2011, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK