

City of Coral Gables

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



Meeting Minutes

Tuesday, May 25, 2010

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
Elizabeth M. Hernandez, 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 Laurie Kraus from Riviera Presbyterian Church gave the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Ralph Cabrera 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) Ordinance(s) adopted (Ordinance No. 2010-08 through Ordinance No. 2010-09); (b) Resolution(s) adopted (Resolution No. 2010-91 through Resolution No. 2010-100); (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. **10-0349** Presentation of donation in the amount of \$425.00, from "Walk a Mile in Her Shoes" event, to the Coral Gables Police Department's Victim Witness Unit.

Attachments: [COMMISSION COVER MEMO - WALK A MILE IN HER SHOES](#)
[NOTES FOR WALK IN HER SHOES EVENT](#)
[A-1 Signed Cover Memo](#)

[Note for the Record: Mayor Slesnick requested of Chief Naue to address the City Commission regarding this item, wherein Chief Naue prefaced his remarks by thanking the City Commission for the kind recognition and words of comfort during his period of bereavement, regarding the untimely passing of his son; further appreciating the support rendered by the citizens, members of the city team, thanking everyone on behalf of his family; further stating that it is very important to the city that we develop good partnerships, adding that Katia Castellanos has done a great job in the Police Department's Victims Witness Unit; further pointing out that it is not only what our city's Police Department does to solve crimes, but also what the city does to make the victims become whole, thereby helping them to continue to become productive members of society and to our community; further stating that he appreciates the check that was received from the University of Miami in the amount of \$425 in furtherance of Katia Castellanos and the Victims Witness Unit; further acknowledging the attendance of Alisson ("Ali") De Finis and Josh Hook from the University of Miami's Counseling

Center for Sexual Assault SWAT Team and Counseling Outreach and Peer Education Program.

Ms. De Finis informed the City Commission that she and Josh Hook, both pre-doctoral interns at the aforementioned UM program are donating said monies raised during the "Walk A Mile in Her Shoes" event, said international march which was held on the University of Miami's campus on March 10, 2010 to prevent, educate, and promote awareness of rape, sexual assault, gender violence and domestic violence; further noting that said event drew approximately 200-plus people comprising both volunteers and participants; further pointing out that an estimated one-half of said participants were men walking in high heels; further commenting that said money raised by students and faculty was for the purpose of donating to the city's Victims Witness Unit for their continual support to the University of Miami; further stating that Katia has come out every year to help UM with its training of the Sexual Assault team advocates; further expressing hope that said money raised will help support those victims of crime.

Josh Hook also commented that it was agreed upon by both male and female students to make a certain pledge, which reads as follows:

"That by taking this pledge, to end rape, sexual assault, gender violence and domestic violence, and to contact the proper authorities if I see these crimes in my neighborhood; and that I promise to talk to my family and friends about unhealthy relationships, and to educate others about signs of rape, sexual assault, gender violence and domestic violence, and be supportive when family and friends approach me about unhealthy relationships."

Questions, Comments, Inquiries and Concerns by the City Commission: Commissioner Anderson informed the public that if everyone in our nation would display this initiative, as displayed by Josh and Alisson ("Ali") this world would become a better place; further adding that she knows that Katia Castellanos, will put the donated money to good use; further expressing optimism that our city will continue to have good relations with the UM Counseling Center for Sexual Assault SWAT Team and Counseling Outreach and Peer Education Program in the future.

Katia Castellanos, also thanked the UM Counseling Center, SWAT team, all of the participants that walked in high heels over the stones during said event; further noting that this was the initial walk event, and that she is looking forward to next year; further adding that a lot of victims will be helped through said donation].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

A.-2. 10-0358

Rolando Aedo, Senior Vice President of Marketing and Tourism of the Greater Miami Convention & Visitors Bureau, to present an update on the state of the visitor industry.

[Note for the Record: Mayor Slesnick prefaced his remarks by noting the mosaic of citizens, businesses, people of Coral Gables, such diverse segments of our community that make our world go around, which are all impacted by our tourist industry; further noting that when he first began his political career, that he spoke at several forums about the importance of tourism in our community; further pointing out that in Coral Gables that our city has three major hotels, and that we have a cadre of other hotels stretching from US-1 to the center of our city; further noting that the city also has businesses (i.e. including, but not limited to retail, restaurants, etc.) that depend in part on tourists; further commenting that if the city were to depend solely upon our 45,000 residents and businesses, that it would not be enough to sustain us; further introducing Rolando Aedo, Senior Vice President of Marketing and Tourism of the Greater Miami Convention and Visitors Bureau, along with Eugene Prescott, immediate past president of the industry Bureau. Mr. Prescott thanked the City Commission for being present, stating that he was transmitting greetings from Executive Director Bill Talbert, who was in Houston, Texas attempting to lure the Super Bowl to Miami for Calendar Year 2014; further acknowledging representatives from our local hotels, The Business Improvement District (BID), and the Coral Gables Chamber who were also in attendance; further stating that Mr. Aedo would provide the City Commission with a State of the Industry Report.

Mr. Aedo stated that tourism is the Number 1 industry in our community (including Miami Beach, Coral Gables, Miami, etc.); further stating that the tourism industry employs more than 100,000 people; our South Florida community receives more than 17 million visitors annually; generate in excess of \$17 billion in economic impact, plus generate a variety of taxes that fuel a lot of revenue back to this community.

Mr. Aedo also pointed out that Calendar Year 2009 was a difficult and challenging time for many in the tourism industry; however, Miami and the Greater Miami area was viewed as being one of the more resilient areas in the tourism industry; further stating that one-half of our visitors are international travelers; adding that Coral Gables figures prominently in this mix, being home to so many international corporations, combined with its rich residential base, etc; further stating that there was a slight decline in the number of visitors (1.8%) to the area; further stating that our area recorded record expenditures by our international visitors (Brazil up by 6%; Argentina up by 6%); further noting that Coral Gables has benefited from those dollars that have been expended into our local economy because of our close ties to Latin America.

Mr. Aedo stated that the first few months of Calendar Year 2010, that we have

started strong and things are getting better, even though from a revenue standpoint the revenue is down, but that the Greater Miami Convention and Visitors Bureau officials are cautiously optimistic; further stating that their success is based on partnerships (i.e. POW-WOW; Miami Spice Restaurant, noting that on the Convention Bureau's website, that "Coral Gables Restaurant Week" is on the homepage, noting that Coral Gables is at the epicenter of all things gourmet; further observing that as a destination, the Greater Miami area is improving, noting that Coral Gables has lagged somewhat, only because we are not near the beach; however, Coral Gables has a bevy of other amenities to offer; further stating that our area is trending in the right direction; and that the Bureau will be bringing back major events to the area in the not so distant future.

Mr. Aedo presented a plaque to the City Commission in further recognition of the leadership and support displayed by our city to the Travel and Tourism Industry. Mayor Slesnick stated that he was accepting said plaque on behalf of the City with great humility, and that he would be giving it to the City Manager for placement in City Hall; further stating that he believed in tourism and in the power of the tourist dollar, which makes our community that much richer in two ways: not only in terms of money, but in the diversity that it brings to our City and to people that interact with us and that we interact with; further citing that he has met some of the most interesting people in our hotels].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

A.-3. 10-0390

Presentation of a Proclamation proclaiming June 7th through 20th, 2010 as Restaurant Week in Coral Gables

[Note for the Record: Vice Mayor Kerdyk prefaced his remarks by noting that Mayor Slesnick in the previous item, had talked about the favorable amenities that our city has (i.e. fine residential areas; University of Miami; Fairchild Tropical Gardens; a great downtown; epicenter for fine dining, etc.); further noting that what many fail to realize is that our city is able to recruit a lot of our tenants because of the quality of life that is maintained in our city.

Mari Gallet, Executive Director of the BID greeted the City Commission on behalf of the downtown area; further acknowledging the resident of her Board of Directors, namely Brad Rosenblatt, Anabella Smith (Coral Gables Chamber Liaison), Michael Wurster as well as those restauranteurs who were in attendance (i.e. including but not limited to Nino Pernetti, whom she dubbed the "Godfather of Italian cuisine"); also acknowledging Alex Prendes, Market Manager, Bacardi, the sponsor of Coral Gables Restaurant Week.

Mrs. Gallet noted that this year the BID has 30 restaurants that will be participating in Coral Gables Restaurant Week, adding that next Friday, June 1st, 2010 will be the "Taste of the Gables" event. Vice Mayor Kerdyk requested of Mr. Pernetti to join him on the dais and convey to the viewing audience his thoughts regarding the transformation that has taken place in Coral Gables regarding the dining experience, whereby Mr. Pernetti noted that when he came to Coral Gables in 1985, he noted that the streets were virtually vacant, except for the Police; further noting with the evolution of transformation of our community, it has shown that Coral Gables is Miami because of its residential quality, the restaurants, development, etc.; further stating that everyone wants to come to Coral Gables because our city represents the future; further adding that he is happy to be located here in Coral Gables, and will be here for many years; further stating that the promotions associated with the aforementioned events will be successful and draw many people to Coral Gables.

Vice Mayor Kerdyk in requesting of Mr. Alex Prendes to provide public input, stated that Bacardi Inc. has been a great corporate sponsor, having moved to Coral Gables fairly recently, within the past few months; further noting that having Bacardi Inc. in Coral Gables enhances our corporate citizens. Mr. Predens thanked the city of Coral Gables for making Bacardi USA feel that they are part of the Coral Gables community; further adding that it has been a pleasure to give back to the community, and to the restaurants with whom Bacardi has formed a partnership.

Ms. Anabella Smith stated that as a resident for many years, she used to go to South Miami sometimes Miami Beach; further adding that now since she is close to the downtown area, she does not know where to dine.

Brad Rosenblatt appealed to the residents along with any interested passers-by, to break out their wallets and pocketbooks next week, and to partake in "Coral Gables Restaurant Week;" further noting "that is what keeps us going."

General Manager for the Westin stated that they will be excited to join the restaurant party very shortly with the return of Norman's Restaurant to Coral Gables, hopefully next month. Mrs. Mari Gallet also acknowledged Santiago Martinez, one of the owners of Red Koi, currently under construction along the 300 block of Miracle Mile.

Vice Mayor Kerdyk also added that despite the economic struggles that many of the restaurants have shared, that it is fantastic to note how many restaurants still want to open up business in the Gables; further attributing such desire to the initiative displayed by the Coral Gables Chamber of Commerce, City of Coral Gables, etc.].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

A.-4. 10-0364

Congratulations to Laura Rodriguez, Fire Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of June 2010.

Attachments: [EOM Ltr. Laura Rodriguez](#)
[Cover Memo EOM June 2010](#)

[Note for the Record: Mayor Slesnick requested of Human Resources Director Elsa Velez-Jaramillo to introduce the "Employee of the Month," wherein Mrs. Velez prefaced her remarks by noting that Ms. Laura Rodriguez joined the City of Coral Gables in 1994; further stating that she is presently serving as a public education specialist in the Fire Department, always going above and beyond the call of duty having participated in the bi-annual "Children's Fire Safety Festival and in Fire Prevention Month" during the month of October; further distinguishing herself among the kids for making activities relative to fire safety fun, exciting and hip; further participating in Senior Citizen Programs and Safety Programs.

During the videotaped segment of the Employee of the Month presentation, Division Chief Hope Gibbs reiterated that Ms. Rodriguez, has been cited as making important life safety information fun consistent with the mission of the city, also has been credited with coordinating, conducting and developing many other educational activities such as: Senior Citizen Safety Talks, Citizen CPR Programs, Fire and Life Safety Evacuation Planning and Drills for area businesses, and KAPOW, to name a few; further adding that she has become the face and voice for the call for information from the Fire Department; further noting that her actions illustrate not only the actions of a model employee, but also that of an employee who knows that she makes a difference in the lives of other people she serves. Division Chief Gibbs in citing an adage by the late great Winston Churchill noted: "One makes a living by what we does; one makes a life by what we gives."

Chief Reed also noted that everything witnessed regarding Ms. Rodriguez only represents the tip of the iceberg; further stating that she is an amazing employee; kids love her-and that goes a long way in the delivery of fire and life safety messages; further recognizing Laura Rodriguez and congratulating her as Employee of the Month.

In accepting this accolade, Ms. Rodriguez thanked the city very much and apologized for being so emotional; further pointing out that getting recognition for something that one loves is very humbling; noting that she loves coming to work, working with the best students, teachers, etc., stating that she appreciates it very much; further expressing thanks to all, including our residents].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

B. APPROVAL OF MINUTES

B.-1. 10-0395 Regular City Commission Meeting of May 11, 2010.

Attachments: [Meeting Minutes.pdf](#)
[Verbatim Transcript - Agenda Item C-6 - Reso to award contract to Gym Kidz Inc..pdf](#)
[Verbatim Transcript - Agenda Item D-1 - Betsy Adams Past President of Garden.pdf](#)
[Verbatim Transcript - Agenda Item F-2 - Discussion regarding resurface project of.pdf](#)

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be approved. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 5

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.

Passed the Consent Agenda

A motion was made by Commissioner Cabrera, Jr., 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. 2010-91

C.-1. 10-0289 Resolution authorizing the execution of a Customer Agreement between the City of Coral Gables and the School Board of Miami-Dade County, Florida for a sewer connection outside the City Sanitary Sewer District to serve West Laboratory Elementary School located at 5300 Carrillo Street, Coral Gables, Florida, subject to the requirements of the Public Works Department as provided under Chapters 62 and 78 of the City Code, Ordinance No. 2007-29 and Resolution No. 27941; and provided that the executed agreement be made part of this Resolution. (Deferred from the April 13, 2010 City Commission meeting.)

Attachments: [West Lab 4-27 \(2\)](#)
[West Lab 4-27 \(3\)](#)
[West Lab Final Resolution](#)
[West lab Cover-1](#)
[WESTLABCustomerAGreement-final-1](#)
[C-1 Signed Cover Memo](#)
[Signed Resolution 2010-67.pdf](#)
[Signed Resolution 2010-91.pdf](#)

RESOLUTION AUTHORIZING THE EXECUTION OF A CUSTOMER AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA FOR A SEWER CONNECTION OUTSIDE THE CITY SANITARY SEWER DISTRICT TO SERVE WEST LABORATORY ELEMENTARY SCHOOL LOCATED AT 5300 CARRILLO STREET, CORAL GABLES, FLORIDA, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT AS PROVIDED UNDER CHAPTERS 62 AND 78 OF THE CITY CODE, ORDINANCE NO. 2007-29 AND RESOLUTION NO. 27941; AND PROVIDED THAT THE EXECUTED AGREEMENT BE MADE PART OF THIS RESOLUTION.

This Matter was adopted by Resolution Number 2010-91 on the Consent Agenda.

City Clerk Item No. 6

RESOLUTION NO. 2010-92

C.-3. 10-0371

Resolution authorizing execution of agreement for gravity sewer line outside district from Sanitary Sewer District No. 11 to 216 Romano Avenue, Coral Gables, Florida, subject to the requirements of the Public Works Department as provided under Chapters 62 and 78 of the City Code, Ordinance No. 2007-29 and Resolution No. 2008-07; and provided that the executed agreement be made part of this resolution.

Attachments:

[216 Owner letter](#)
[216 Develotec](#)
[216 78 106](#)
[216 2007 Res](#)
[216 2008 Res](#)
[C-3 Signed Cover Memo](#)
[216 Romano Resolution](#)
[Signed Resolution 2010-92.pdf](#)

A RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT FOR GRAVITY SEWER LINE OUTSIDE DISTRICT FROM SANITARY SEWER DISTRICT NO. 11 TO 216 ROMANO AVENUE, CORAL GABLES, FLORIDA, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT AS PROVIDED UNDER CHAPTERS 62 AND 78 OF THE CITY CODE, ORDINANCE NO. 2007-29 AND RESOLUTION NO. 2008-07; FURTHER PROVIDING THAT THE EXECUTED AGREEMENT BE MADE PART OF THIS RESOLUTION.

This Matter was adopted by Resolution Number 2010-92 on the Consent Agenda.

City Clerk Item No. 7

RESOLUTION NO. 2010-93

C.-4. 10-0369

Resolution granting permission to the American Cancer Society to use the Coral Gables War Memorial Youth Center during the Relay for Life event, beginning on June 18, 2010 from 6:00 p.m. until noon on June 19, 2010.

Attachments:

[Cover Memo for American Cancer Society.pdf](#)
[American Cancer Society - Relay for Life Draft Resolution.pdf](#)
[Special Event Application for the American Cancer Society.pdf](#)
[C-4 Signed Cover Memo](#)
[Signed Resolution 2010-93.pdf](#)

RESOLUTION GRANTING PERMISSION TO THE AMERICAN CANCER SOCIETY TO USE THE CORAL GABLES WAR MEMORIAL YOUTH CENTER DURING THE "**RELAY FOR LIFE EVENT**", BEGINNING ON JUNE 18, 2010 FROM 6 P.M. UNTIL NOON ON JUNE 19, 2010.

This Matter was adopted by Resolution Number 2010-93 on the Consent Agenda.

City Clerk Item No. 8

RESOLUTION NO. 2010-94**C.-5. 10-0368**

Resolution confirming the election of Daniel Digiocomo, as a member of the City of Coral Gables Retirement Board (participating Police Officer Representative); further confirming said individual by the City Commission as a member to said board, to fill an unexpired term effective May 25, 2010 through December 31, 2011.

Attachments: [Cover Memo - Appointing Daniel Digiocomo - Participating Police Officer Representative.pdf](#)
[Draft Resolution - Appointment of Daniel Digiocomo.pdf](#)
[C-5 Signed Cover Memo](#)
[Signed Resolution 2010-94.pdf](#)

RESOLUTION CONFIRMING THE ELECTION OF DANIEL DIGIACOMO, AS A MEMBER OF THE CITY OF CORAL GABLES RETIREMENT BOARD (PARTICIPATING POLICE OFFICER REPRESENTATIVE); FURTHER CONFIRMING SAID INDIVIDUAL BY THE CITY COMMISSION AS A MEMBER TO SAID BOARD, TO FILL AN UNEXPIRED TERM EFFECTIVE MAY 25, 2010 THROUGH DECEMBER 31, 2011.

This Matter was adopted by Resolution Number 2010-94 on the Consent Agenda.

City Clerk Item No. 9

RESOLUTION NO. 2010-95**C.-6. 10-0370**

Resolution appointing Kirk Youmans (Nominated by Vice Mayor Kerdyk) to serve as a member of the Emergency Management Division, for the unexpired balance of a two (2) year term, from May 25, 2010 through May 31, 2011.

Attachments: [R-2010 - Draft - Kirk Youmans - EMD](#)
[Cover Memo - Kirk Youmans - EMD](#)
[C-6 Signed Cover Memo](#)
[Signed Resolution 2010-95.pdf](#)

RESOLUTION APPOINTING KIRK YOUNMANS (NOMINATED BY VICE MAYOR KERDYK), TO SERVE AS A MEMBER OF THE EMERGENCY MANAGEMENT DIVISION, FOR THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, EFFECTIVE MAY 25, 2010 THROUGH MAY 31, 2011.

This Matter was adopted by Resolution Number 2010-95 on the Consent Agenda.

City Clerk Item No. 10

RESOLUTION NO. 2010-96**C.-7. 10-0378**

Resolution reappointing Frank Rodriguez (Nominated by Mayor Slesnick), Jorge Garrido (Nominated by Mayor Slesnick), Maria Velez (Nominated by Commissioner Anderson) and Chandra Iglesias-Balsera (Nominated by Commissioner Cabrera), to serve as members of the Code Enforcement Board for a three (3) year term, beginning June 1, 2010 through May 31, 2013.

Attachments: [R-2010- Resolution - Code Enforcement Board](#)
[C-7 Signed Cover Memo](#)
[Jorge Garrido - Resume](#)
[Maria Velez - Resume](#)
[Signed Resolution 2010-96.pdf](#)

A RESOLUTION REAPPOINTING FRANK RODRIGUEZ (NOMINATED BY MAYOR SLESNICK), JORGE GARRIDO (NOMINATED BY MAYOR SLESNICK), MARIA VELEZ (NOMINATED BY COMMISSIONER ANDERSON) AND CHANDRA IGLESIAS-BALSERA (NOMINATED BY COMMISSIONER CABRERA), TO SERVE AS MEMBERS OF THE CODE ENFORCEMENT BOARD, FOR A THREE (3) YEAR TERM, BEGINNING JUNE 1, 2010 THROUGH MAY 31, 2013.

This Matter was adopted by Resolution Number 2010-96 on the Consent Agenda.

City Clerk Item No. 11

RESOLUTION NO. 2010-97**C.-8. 10-0380**

Resolution entering into a renewal lease with the United States of America for City owned property located at 3501 Granada Boulevard, Coral Gables, FL for a term of five years.

Attachments: [Resolution - 5.25.10 \(3501 Granada\).pdf](#)
[PAB 5-19-10 Mtg Excerpt on Granada Lease Renewal.pdf](#)
[20100519134148. Original U.S. Government Lease for Real Property 1.1.99.pdf](#)
[20100519134230. Supplemental Agreement 3.1.10.pdf](#)
[20100519134244. Resolution 29839.pdf](#)
[20100519134300. Resolution 2010-51.pdf](#)
[20100519132526. Draft U.S. Government Lease for Real Property.pdf](#)
[C-8 Signed Cover Memo](#)
[Signed Resolution 2010-97.pdf](#)

RESOLUTION ENTERING INTO A RENEWAL LEASE WITH THE UNITED STATES OF AMERICA FOR CITY OWNED PROPERTY LOCATED AT 3501 GRANADA BOULEVARD, CORAL GABLES, FL FOR A TERM OF FIVE YEARS.

This Matter was adopted by Resolution Number 2010-97 on the Consent Agenda.

City Clerk Item No. 12

RESOLUTION NO. 2010-98

C.-9. 10-0381 Resolution entering into a renewal lease with Plumer Management, L.L.C. for 12 parking spaces on City property behind 5915 Ponce de Leon Boulevard, Coral Gables, FL, for a period of three (3) years with a one (1) year option.

Attachments: [Resolution - 5.25.10 \(Plumer\).pdf](#)
[20100519124944. Letter Renewal 10.14.09.pdf](#)
[20100519124923. R-2009-179.pdf](#)
[20100519124958. R-2007-92.pdf](#)
[20100519125032. R-30051.pdf](#)
[20100519125047. Original Parking Lease 8.8.01.pdf](#)
[PAB 5-19-10 Mtg Excerpt on Plumer Parking Lease Renewal.pdf](#)
[20100519163255. Renewal Lease 6.1.07.pdf](#)
[Plumer lease 5 19 10](#)
[C-9 Signed Cover Memo](#)
[Signed Resolution 2010-98.pdf](#)

RESOLUTION ENTERING INTO A RENEWAL LEASE WITH PLUMER MANAGEMENT, L.L.C., FOR 12 PARKING SPACES ON CITY PROPERTY BEHIND 5915 PONCE DE LEON BOULEVARD, CORAL GABLES, FL, FOR A PERIOD OF THREE (3) YEARS WITH A ONE (1) YEAR OPTION.

This Matter was adopted by Resolution Number 2010-98 on the Consent Agenda.

City Clerk Item No. 13

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

C.-10. 10-0357 Retirement Board Meeting of April 8, 2010

Attachments: [CC.05-25-2010.April 8, 2010](#)
[Minutes.04-08-10](#)
[Executive Summary.04-08-2010](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 14

C.-11. 10-0351 Economic Development Board Meeting of April 7, 2010

Attachments: [EDB. Commission cover no action 5-25-10.pdf](#)
[EDB Minutes 4.7.10.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

C.-12. 10-0356 Parks and Recreation Advisory Board Meeting of April 16, 2010

Attachments: [Cover Sheet.Mинutes 04-16-10.pdf](#)
[Minutes 04-16-10 draft.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

C.-13. 10-0359 Senior Citizens Advisory Board Meeting of April 12, 2010

Attachments: [Cover Sheet Minutes 04-12-10.pdf](#)
[Min 04-12-2010 draft.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

C.-14. 10-0362 Board of Adjustment Meeting of May 3, 2010

Attachments: [Board of Adjustment Summary 05-03-10](#)
[Cover Memo - 5-25-10](#)
[Notice 05-03-10](#)
[BOARD OF ADJUSTMENT RECAP 5-03-10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

C.-15. 10-0363 Landscape Beautification Advisory Board Meeting of May 6, 2010

Attachments: [BC Cover Sheet 5-6-10](#)
[Minutes BC 5-6-10](#)
[LBAB Minutes 5-6-10 signed.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 19

C.-16. 10-0372 Traffic Advisory Board Meeting of April 20, 2010

Attachments: [TAB Cover](#)
[TAB Minutes](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 20

C.-17. 10-0375 International Affairs Coordinating Council Meeting of April 29, 2010

Attachments: [Microsoft Word - IACC Minutes 04-29-10](#)
[Microsoft Word - Agenda Cover Memo 3-16-10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 21

Pulled from Consent Agenda

RESOLUTION NO. 2010-99

C.-2. 10-0355 Resolution authorizing the execution of a Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement for law enforcement services between the City of Coral Gables and the Town of Surfside.

Attachments: [COMMISSION COVER MEMO - SURFSIDE MUTUAL AID](#)
[RESOLUTION - SURFSIDE MUTUAL AID](#)
[MUTUAL AID AGREEMENT - SURFSIDE](#)
[C-2 Signed Cover Memo](#)
[Signed Resolution 2010-99.pdf](#)

RESOLUTION AUTHORIZING THE EXECUTION OF A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF CORAL GABLES AND THE TOWN OF SURFSIDE.

[Note for the Record: Commissioner Cabrera informed City Manager Salerno that he understands how we establish Mutual Aid Agreements for law enforcement services between our city and different law enforcement agencies; further stating that he has quite often witnessed said agreements being executed with those municipalities that are either contiguous or within a close geographical proximity; further noting that the City of Surfside is more distant than South Miami, West Miami, Miami, Hialeah; further inquiring as to what do these agreements accomplish?- further stating that he is trying to understand the relationship and the basis for Mutual Aid Agreements.

City Attorney Hernandez interjected that our city has maintained these Mutual Aid Agreements with other law enforcement jurisdictions that have a certain life span; further recalling that during the FTAA (Free Trade of the America's Agreement), that our Police Chief needed to call upon other agencies to use resources that crossed jurisdictional lines in order to be able to provide adequate levels of police services; further recalling the need to also rely on mutual assistance for law enforcement services during the presidential debates.

Police Chief Naue stated that his department tried to enter into Voluntary Assistance and Operational Assistance Mutual Aid Agreements for law enforcement services with

each and every one of the municipalities in Miami-Dade County; further stating that he strives to formulate strong bonds, good relationships and delineates what we can provide to those participating agencies, what said agencies provide to us in the event of an emergency, as well as in instances wherein there are large scale gatherings (i.e. Presidential Debates, Summit of the Americas, etc.) where our city cannot provide proper law enforcement services; further stating that if said law enforcement services are needed, that we will have an existing contract which delineates what services our city will provide, as well as what services the participating law enforcement agency will provide; further observing that as we enter another hurricane season, it may become necessary to assist other surrounding jurisdictions in furtherance of bringing continuity and peace; further adding that with this upcoming Memorial Day, that our city will be assisting Miami Beach with its large Urban Celebration, assistance that our city has rendered for the past 10 years.

Commissioner Cabrera further inquired as to whether the proposed Voluntary Cooperation and Mutual Aid Agreement is reciprocal?- in other words, when our City Commission approves it, the municipality of the participating agency within their jurisdiction will concomitantly approve said agreement there as well?- wherein Police Chief Naue stated that he ensures through our City Attorney, that the language and what is being agreed upon is appropriate within the legal guidelines of what our city provides].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-99. The motion passed by the following vote:

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

City Clerk Item No. 22

D. PERSONAL APPEARANCES

None

City Clerk Item No. 23

E. PUBLIC HEARINGS

ORDINANCES ON SECOND READING

ORDINANCE NO. 2010-08

E.-1. 10-0312 An Ordinance of the City Commission of Coral Gables amending the City Code, Chapter 101, "Administration & Enforcement," Article vi, "Code Enforcement", Division 3, "Supplemental Code Procedures", Sections 101-181 through 101-188, allowing Hearing Officers to be Attorneys who are either residents or maintain a business establishment within the City limits for a minimum of five years; adding the label Special Master to Hearing Officer; and providing for severability, repealer, codification, and an effective date. (Passed on First Reading April 27, 2010)

Attachments: [OrdinanceHearingOfficer4 27 10](#)
[E-2 Signed Cover Memo](#)
[AgendaCoverSheetHearingOfficer5 25 10](#)
[E-1 Signed Cover Memo](#)
[Signed Ordinance 2010-08.pdf](#)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES AMENDING THE CITY CODE, CHAPTER 101, "ADMINISTRATION & ENFORCEMENT," ARTICLE VI, "CODE ENFORCEMENT", DIVISION 3, "SUPPLEMENTAL CODE PROCEDURES", SECTIONS 101-181 THROUGH 101-188, ALLOWING HEARING OFFICERS TO BE ATTORNEYS WHO ARE EITHER RESIDENTS OR MAINTAIN A BUSINESS ESTABLISHMENT WITHIN THE CITY LIMITS FOR A MINIMUM OF FIVE YEARS; ADDING THE LABEL SPECIAL MASTER TO HEARING OFFICER; FURTHER PROVIDING FOR A SEVERABILITY CLAUSE, REPEALER PROVISION, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the title to Agenda Item E-1, by City Attorney Hernandez, there being no public testimony proffered by any member of the public, nor there being any deliberation proffered by any member of the City Commission, following a motion being made by Commissioner Withers and seconded by Commissioner Anderson, Mayor Slesnick instructed City Clerk Foeman to call the roll on Agenda Item E-1].

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Ordinance Number 2010-08. 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. 24

ORDINANCES ON FIRST READING

E.-2. 10-0366 An Ordinance of the City Commission of Coral Gables amending the following regulations of the Official Zoning Code:

1. Article 3, "Development Review", Division 3, "Uniform Notice and Procedures for Public Hearing", Section 3-303, "Reconsideration of City Architect Determination - Panel Review by Board of Architects", amending requirements for reconsideration of City Architect determinations;
2. Article 3, "Development Review", Division 5, "Planned Area Development", Section 3-505, "Time limit on approval"; and, Section 3-509, "Commencement of construction", providing consistency with similar Zoning Code provisions regarding time limitation of approval and construction;
3. Article 4, "Zoning Districts", Division 1, "Residential Districts", Section 4-101, "Single-Family Residential (SFR) District"; Section 4-102, "Multi-Family 1 Duplex (MF1) District"; Section 4-103, "Multi-Family 2 (MF2) District"; Section 1-104, "Multi-Family Special Area (MFSA) District"; Division 2, "Overlay and Special Purpose Districts", Section 4-204, "Special Use (S) District"; Division 3, "Nonresidential Districts", Section 4-301, "Commercial Limited (CL) District"; Section 4-302, "Commercial District (C)"; and, Section 4-303, "Industrial District (I)", to allow trellises as a permitted accessory use;
4. Article 5, "Development Standards", Division 1, "Accessory Uses", Section 5-113, "Trellises", to permit the use of metal as a construction material for trellises; and,
5. Article 8, "Definitions", to provide for definitions; and,

providing for severability, repealer, codification and an effective date.

(Passed on First Reading May 25, 2010)

Attachments:

[05 25 10 CC Cover Memo - Zoning Code Text Amendments - 1st Reading](#)
[05 25 10 Exhibit A Ordinance - ZC Text Amendments 1st Reading](#)
[05 25 10 Exhibit B 05 12 10 PZB Staff Report](#)
[05 25 10 Exhibit C 05 12 10 PZB Meeting Minutes](#)
[E-2 Signed Cover Memo](#)
[06 01 10 CC Cover Memo - Zoning Code Text Amendments - 2nd Reading](#)
[06 01 10 Exhibit A Ordinance - ZC Text Amendments - 2nd Reading](#)
[06 01 10 Exhibit B 05 12 10 PZB Staff Report](#)
[06 01 10 Exhibit C 05 12 10 PZB Meeting Minutes](#)
[E-1 Signed Cover Memo](#)
[Signed Ordinance 2010-10.pdf](#)

[Note for the Record: Following City Manager Salerno's reading of the title to Agenda Item E-2 into the public record, City Manager Salerno requested of Planning Director Eric Riel to approach the dais, wherein Mr. Riel stated that he wanted to provide the public with a brief synopsis of each of the text amendments, as more particularly described herein below:

Text Amendment No. 1: Establishes a time limitation of 60 days for filing of reconsiderations to administrative determinations by the City Architect; also establishes time limitations for reconsideration by a three member panel of the Board of Architects; further stating that our Zoning Code is silent regarding said matter and does not provide for a time frame;

Text Amendment No. 2: Further clarifies our Zoning Code for PAD requirements for 18 months- adds application submittal requirements for filing reconsiderations to City

Architect determinations;

Test Amendment Numbers 3 through 5: Allows for the use of metal as a permitted material for trellises and adds trellises as an accessory use in the S, CL, C and I Districts].

Questions, Comments, Inquiries and Concerns from the City Commission: Mayor Slesnick inquired of the City Attorney, if she has had a chance to review this item?- whereby Ms. Hernandez stated that she has reviewed this item, and that she has also worked with the Planning Department and over the next two months she will bring certain cleanup measures to ensure that further changes are made to make our Zoning Code read well.

Vice Mayor Kerdyk acknowledged that development in our city has been low, which in his view has been attributable to the recession; further acknowledging that before this time period, there were a lot of rights and entitlements that were granted to developers; further instructing the City Manager to direct the Planning Director to provide him with a list of those projects that were outside of that window, in order that if approached by the inquiring public, he may better understand what projects will have entitlements or not, adding that said request is purely informational, and for the betterment of the community.

Commissioner Withers inquired through the City Manager of Mr. Riel whether or not the color of the trellises match the composite of the building?- whereby Mr. Riel stated that they do. Further adding if there is dissatisfaction with the City Architect's review of same, then there can be an appeal to the Board of Architects].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be approved as an Ordinance on First Reading. 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. 27

E-3. 10-0394

An Ordinance of the City of Coral Gables Commission creating in accordance with the City Code, Article III, Division 1, Section 2-64, a Green Task Force and setting forth guidelines by which such task force shall be governed and providing for severability, repealer, codification and an effective date.

Attachments: [Commission Cover - Ordinance - 5 25 10 \(Green Task Force\).pdf](#)
[Ordinance - 5 25 10 \(Green Task Force\).pdf](#)
[E-3 Signed Cover Memo](#)

[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 Commissioner Cabrera, Jr., that this motion be approved as an Ordinance on First Reading as Amended. 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. 25

ORDINANCES ON FIRST AND FINAL READING**ORDINANCE NO. 2010-09****E.-4. 10-0365**

An Ordinance of the City Commission of Coral Gables adopting the annual update to the Capital Improvements Element (CIE) within the City's Comprehensive Plan; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date.

(Florida State Statutes Section 163.3177(3)(b)2. provides for an expedited process for local governments to adopt the CIE annual update by ordinance requiring only one (1) public hearing. Therefore, waiver of requirement that said Ordinance be read on two separate days pursuant to Section 13 of the City of Coral Gables Charter is requested.)

Attachments:

[05 25 10 CC Cover Memo re: CIE annual update](#)
[05 25 2010 Exhibit B - PZB staff report](#)
[05 25 2010 Exhibit C - PZB Meeting Minutes](#)
[05 25 2010 Exhibit A - Ordinance and CIE](#)
[E-4 Signed Cover Memo](#)
[Signed Ordinance 2010-09.pdf](#)

[Note for the Record: Following City Manager Salerno's reading of the title to Agenda Item E-4 into the public record, Mayor Slesnick reminded the public that there is a sub-footnote on the agenda, requesting a waiver of the requirement that the proposed Ordinance be read on two separate readings pursuant to Section 13 of our City Charter, should said request be the desire of the City Commission).

City Manager Salerno requested of Planning Director Eric Riel to approach the dais, whereby Mr. Riel informed the City Commission that every year in accordance with Florida Statutes, that all municipalities must update its Capital Improvement Element (CIE), and adopt the required amendments into the Comprehensive Plan, which is analogous to what is included in the city's current five-year Capital Improvement Program and revisions to the supporting data and analysis submitted with the previous year's update; further stating that said amendment to the City of Coral Gables Comprehensive Plan's Capital Improvement Element shall be transmitted to the Department of Community Affairs (DCA) and South Florida Regional Planning Council, as required by State law].

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading. The motion passed by the following vote:

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

Absent : 1 - Mayor Slesnick II

City Clerk Item No. 28

ORDINANCE NO. 2010-09**E-4.1. 10-0365**

An Ordinance of the City Commission of Coral Gables adopting the annual update to the Capital Improvements Element (CIE) within the City's Comprehensive Plan; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date.

(Florida State Statutes Section 163.3177(3)(b)2. provides for an expedited process for local governments to adopt the CIE annual update by ordinance requiring only one (1) public hearing. Therefore, waiver of requirement that said Ordinance be read on two separate days pursuant to Section 13 of the City of Coral Gables Charter is requested.)

Attachments: [05 25 10 CC Cover Memo re: CIE annual update](#)
[05 25 2010 Exhibit B - PZB staff report](#)
[05 25 2010 Exhibit C - PZB Meeting Minutes](#)
[05 25 2010 Exhibit A - Ordinance and CIE](#)
[E-4 Signed Cover Memo](#)
[Signed Ordinance 2010-09.pdf](#)

AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT (CIE) WITHIN THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Ordinance Number 2010-09. The motion passed by the following vote:

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

Absent : 1 - Mayor Slesnick II

City Clerk Item No. 29

F. CITY COMMISSION ITEMS

F.-1. **10-0130** Resolution appointing (Nominated by Commission-As-A-Whole) to serve the unexpired balance of a two (2) year term, as a member of the Firefighters Pension Trust Fund, said term which began on June 1, 2009 through May 31, 2011. (Deferred from the January 26, May 11 and May 25, 2010 City Commission Meetings.)

Attachments: [Firefighters Retirement Pension Trust Fund](#)
[R-2010 - Draft re Firefighters Retirement Board](#)
[C-2 Signed Cover Memo](#)
[R-2010 - Draft re Firefighters Pension Trust Fund](#)
[Firefighters Retirement Pension Trust Fund](#)
[F-1 Signed Cover Memo](#)
[Firefighters Retirement Pension Trust Fund](#)
[R-2010 - Draft -Firefighters Pension Trust Fund](#)
[F-1 Signed Cover Memo](#)
[F-1 Signed Cover Memo](#)
[Larry Thomas McMillan, Esq. - Resume.pdf](#)
[Signed Resolution 2010-113.pdf](#)

[Note for the Record: Mayor Slesnick reminded his colleagues that at the last City Commission meeting of May 11, 2010, that the name of Larry Thomas McMillan, Esquire was submitted to the City Commission; further apologizing to the governing body that he has been unable to contact him; however, since the next City Commission is meeting on June 1, 2010, that gives any member of the City Commission who is desirous of contacting Mr. McMillan, including himself the opportunity to do so; further stating that said matter will be deferred until the upcoming meeting of June 1, 2010].

This Resolution was Deferred

City Clerk Item No. 30

F.-2. **10-0354** Discussion regarding the City of Coral Gables' supporting the resurface project of Sunset Drive from Cocoplum Circle to Red Road to include bicycle lanes. (Deferred from the May 11, 2010 City Commission Meeting)

Commissioner Rafael "Ralph" Cabrera, Jr.

[Note for the Record: The verbatim transcript for Agenda Item F-2 is available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed and Filed

City Clerk Item No. 26

F.-3. 10-0391 Discussion regarding local vendor preference.
Commissioner Rafael "Ralph" Cabrera, Jr.

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

This Agenda Item was Discussed and Filed

City Clerk Item No. 31

G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 32

H. CITY MANAGER ITEMS

H.-1. 10-0398 University of Miami Modification to UMCAD.

Attachments: [H-1 Signed Cover Memo](#)
[Letter from Shubin and Bass](#)

[Note for the Record: Following City Manager Salerno's reading of the title to Agenda Item H-1 into the public record, City Manager Salerno explained to the City Commission that the intent in bringing said matter before the governing body was to make the Commission aware of the request from the University of Miami, which deals with a minor modification to the schedule for Phase I of the Internal Road; further stating that the University has requested an administrative determination as to whether the extension of the deadline for the construction of Phase I of the Internal Road from December 31, 2010 until August 31, 2010, represents a minor amendment- further pointing out that staff has determined that the proposed extension of 8 months is less than 20 percent of the existing approved period (from March 27, 2010 until December 31, 2010) is a minor amendment, and has recommended the approval of said request. Commissioner Cabrera stated that he does not support the aforementioned request].

This Agenda Item was Discussed and Filed

City Clerk Item No. 33

RESOLUTION NO. 2010-100**H.-2. 10-0346**

Resolution accepting the recommendation of the Chief Procurement Officer to award a contract for Gymnastic Professional Service to Gym Kidz, Inc. pursuant to Section 2-828 of the Procurement Code and Request for Proposal (RFP) 2010.02.19 for an initial three (3) year term with an option to renew for two (2) additional one (1) year periods. (Deferred from the May 11, 2010 City Commission Meeting)

Attachments: [Gymnastics Professional Services - Draft Reso - \(2\)](#)
[gymkidz proposal](#)
[Tabulation Sheet](#)
[Score - Evaluation Committee](#)
[Gymnastics Professional Services - Draft Agenda_2](#)
[C-6 Signed Cover Memo](#)
[H-2 Signed Cover Memo](#)
[Signed Resolution 2010-87.pdf](#)
[Signed Resolution 2010-100.pdf](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD A CONTRACT FOR GYMNASTIC PROFESSIONAL SERVICE TO GYM KIDZ, INC. PURSUANT TO SECTION 2-828 OF THE PROCUREMENT CODE AND REQUEST FOR PROPOSAL (RFP) 2010.02.19 FOR AN INITIAL THREE (3) YEAR TERM WITH AN OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS.

[Note for the Record: Following the reading of the title to Agenda Item H-2 into the public record, City Manager Salerno stated that the item before the City Commission was to accept the recommendation of the Chief Procurement Officer regarding this matter, which was deferred from the May 11, 2010 City Commission meeting; further stating that last week, the City Commission was forwarded a copy of a memorandum from the Chief Procurement Officer responding to those comments that were made in connection with the recommendation process; further stating that said memorandum, along with the continued recommendation of the Chief Procurement Officer was again before the Commission for its consideration and review.

City Attorney Hernandez informed the City Commission that since there were issues circulating regarding this matter, that Division 6, Section 2-950 (k) of the City Code states as follows: "Failure of a party to timely file either the notice of intent to file a protest or the written protest, or submit the filing fee, with the city clerk's office within the time provided in subsections (a), (b) and/or (c), above, shall constitute a forfeiture of such party's right to file a protest pursuant to this section. The protesting party shall not be entitled to seek redress before the city commission or seek judicial relief without first having followed the procedure set forth in this section, constitutes a forfeiture of the right to file a protest;" further advising the City Commission that if there are any questions regarding this matter that are directed by any member of the City

Commission to the City Administration, then that is OK; however, said questions are to be limited to the City Commission, only since there is no party that is appropriately before the City Commission raising any challenge; further expressing her desire to preserve the integrity of the public record for any potential litigation, further urging the City Commission to follow the procedure as outlined in the Code].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2010-100. The motion passed 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. 34

I. CITY ATTORNEY ITEMS

I.-1. **10-0374** Pending Litigation Report.

Attachments: [Pending Litigation Report](#)

[Note for the Record: City Attorney Hernandez informed the City Commission that in regards to the Riviera LLC matter (property located on U.S.-1), that she had previously filed for an alternative dispute resolution procedure; however, the parties represented by opposing counsel proceeded to file a lawsuit; as a consequence thereof, she filed a notice of abatement; therefore, she has put said alternative resolution dispute procedure on hold].

This Agenda Item was Discussed and Filed

City Clerk Item No. 35

J. CITY CLERK ITEMS

None

City Clerk Item No. 36

K. DISCUSSION ITEMS

Mayor Slesnick: Now Ms. Anderson.

Commissioner Anderson: Thank you very much. On the Riviera Park issue, I will sadly not be there, but I wish to make sure please send them my regards and best wishes, for happy use, long use of the park; and I have had the occasion of eating at the Liberty Café, and they have great food, and I just wanted to say that I'm going to start writing reviews, so watch out in the next few weeks, I recommend the grilled vegetable

facachia sandwich, breakfast bagel with salmon, and the orange juice.

Commissioner Withers: Pistachio ice cream.

Commissioner Anderson: I didn't have that one, I had the vanilla. But anyway, just a happy note; it looks like a very nice place, it looks like a lot of families are attending it, and so that's kind of the thing we look forward to and I wish it success. That's it for me.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: On the 17th of May, one of our citizens wrote me and I'm not sure if he wrote the rest of you, so that's why I'm bringing this item up, I think it was a personalized letter, but you never know. The gentleman that wrote me was Mr. James, and I hope to pronounce his last name correctly, Dezel, Mr. Dezel lives at 4853 Campo Sano Court, and he's lived in Coral Gables for 51 years. The purpose of the letter was simply to let me know about Campo Sano, and while I haven't lived here for 51 years, I think I have lived here like 42 or 43 years, I'm pretty familiar with the street, but for those of you who may not, it's a short street running from Blue Road to Campo Sano; it runs kind of parallel to Granada, curves a little bit, and his argument or his comments were that the last time he saw Campo Sano Court, and I meant to say Court, Campo Sano Court, maintained was about fifteen years ago, and apparently what he remembers is that sand and tar were applied in a very hazard manner. So I just wanted to pass this along to the Manager's office, this letter in the event that some of you all got it, I'm passing it on to Mr. Salerno's office, so that someone can contact Mr. Dezel and let him know if and when that road is to be repaved any time in the not so distant future. So Mr. Mayor would you kindly pass that along. Another quick question that I have is, I understand that this Commission has an appointment to the Historic Preservation Board, do you know when that is coming before us for decision, because the appointee to the Board from the Commission is an open seat.

Mayor Slesnick: I didn't know that.

Commissioner Cabrera: I just became aware of it.

Commissioner Anderson: Didn't we just appoint somebody about a month ago, I'm not sure, we could find out.

Commissioner Cabrera: I can't recall; you know how I found out about this?- former Mayor Thomson sent me an e-mail during the Commission meeting and asked me to look into this for her.

Mayor Slesnick: That's strange, she's my appointee, she did not bring it to my

attention.

Commissioner Cabrera: You know what happened though?- Mayor Thomson knows I'm on my e-mail the whole time I'm in the Commission meeting.

Mayor Slesnick: Well maybe before we actually leave the Chambers, Dona, can you ask Kara if that's true.

Vice Mayor Kerdyk: I've heard that too.

Commissioner Cabrera: Well she's a member.

Mayor Slesnick: No, I know that, but - I appreciate that. I don't know why it wasn't brought to us, if we need to appoint somebody, we shall.

Commissioner Anderson: That can come back. I thought we had appointed somebody but it might have been something else, part of that Board.

Mayor Slesnick: I don't know. Thank you for bringing it to our attention.

Commissioner Cabrera: I've got two more items, but I'm leaving the last item, the big item I want to leave it, let me just say that we never really get an opportunity to thank staff that put these packages together for us and these agendas, and they go through great pain, and they work very hard late into the hours, so I wanted to take this opportunity to thank Lillian and Pilar and anyone else in the City Manager's office that works in the preparation of our agenda packages, and even Rusty who delivers them to our homes. I'm very grateful to all of them, and I sincerely appreciate their good work. So to all of you thank you for doing such a fine job and putting these agenda packages together for us. My last item of the day kind of - is an interesting one because today we talked about tourism, we talked about hotels, we got into green initiatives quite extensively, and I wanted to share with you all, and we got into bicycle lanes, my favorite topic of all time, next to metal roofs...

Commissioner Anderson: No, that's mine.

Commissioner Cabrera: Oh, I'm sorry...

Commissioner Anderson: Don't take that from me.

Commissioner Cabrera: You know what?- I did try to take that one away from you.

Commissioner Anderson: Metal roofs, don't do that, OK. (Laughter)

Commissioner Cabrera: Anyway, what I wanted to bring to your attention today is that the City of Miami Beach continues to be an exceedingly progressive community, and they've embarked upon an initiative that literally, like I stole metal roofs from you, they stole this one from me. Cities throughout Europe specifically Paris, France, Barcelona Spain, and communities in the Netherlands have adopted a program that we here in this country call "public bicycle sharing and rental program"; and what the City of Miami Beach has done is they partnered with a private enterprise to literally create a number of kiosks throughout their downtown and throughout their residential neighborhoods to some extent of these public bicycles that are stationed strategically within the business district, within the downtown areas, and it's not just for tourists. I want to make that very clear here, this is not just for tourists, this is for people that want to use a bicycle as an alternate form of transportation rather than take that car out of the parking lot just like they do with our trolley for those that use it of that purpose; and the City of Miami Beach, has actually coined its program, they call it "deco bikes" - so the City of Miami Beach has coined this program "deco bikes", and you will see that they have bicycles strategically located throughout most of the city and they have done so with a private enterprise, and from what I've been told by their Procurement Director, this was done without tax dollars impacted, this is going to be looked upon by the city as a revenue generator. They are projecting revenues upwards of a million dollars in a 24-month period, not to say that the City of Coral Gables would do something like that; but it's not only a greening initiative, it's a revenue producing initiative. What I have done is, I have copied their program, I am going to distribute to the seven of us up here, and I again would ask that we seriously look at something like this. The city has really committed to it and I have to tell you I'm envious, I'm jealous and I'm envious and I'm sorry that we didn't do it first because we are definitely in a very great position to have a program like this, and so, I know I beat around the bush, but basically what this means is that there are a series of kiosks strategically situated throughout the city and anyone can take out a bike and ride it from destination "A" to destination "B", leave the bike at destination "B" and they'll be another bike there to take them back to destination "A"; and again it's a wonderful means of transportation. The City of Miami Beach through their progressiveness has already studied the liability impacts, the concerns with left. All of these kiosks are solar powered, again it's a private enterprise, it is not them, they are in a private/public partnership. This is something that we should really be looking at; their primary goals incidentally are to replace those short trips normally made by car, to increase community mobility, to improve community health, to reduce the overall need for automobiles and fossil fuels, and last but certainly not least, to help rid the atmosphere of harmful air pollution; and some of the coolest things that they have done, this private enterprise has also created an application that you can download on your Blackberry or your I-Phone, that will give you locations, accessibility, and it's just a very unique program and I sincerely hope that we take a strong hard look at it. I'm going to contact this company with or without staff's assistance, so I can learn more about them, but I'm pretty excited about it, and I'd like for you all to share in that excitement, and I hope maybe we'll do this

before I leave office.

Commissioner Anderson: You know, I think this is really an interesting thing, I like it.

Commissioner Cabrera: That's it for me. I thank you all, it's been fun.

Commissioner Anderson: Can I ask a question? The private company, if they were going to supply the bikes?

Commissioner Cabrera: I know what you are going to ask me. The bikes are supplied by them, and then we privatize it, we customize it; we can call it "Gable Bike".

Commissioner Anderson: Sure, sure - whatever, yes, I hear you.

Commissioner Cabrera: So the whole idea is to customize it so it becomes our proprietary symbol. The City of Miami Beach obviously uses "Deco Bikes" as its name because obviously the Art Deco District. We could call it Merrick Bikes.

Commissioner Withers: Kerdyk wants to know if you have tandem because he doesn't want to...

Commissioner Cabrera: You know what I got for him?- I not only have tandems, I have some with training wheels on the side.

Commissioner Withers:...[Inaudible]...

Commissioner Cabrera: Hey, I know he took a spill once, I know he took a spill on Old Cutler, and the concern with him is not so much the tandem, but the training wheels on the side.

Commissioner Anderson: You know, it's really neat. I just want to commend you on that. If we were to go forward with a program such as this, we could make this as part of the memorialization during the green initiative.

Commissioner Cabrera: I would, but this is my project. I think this is going to be - I don't have exciting things to have a legacy project; this would be a fun one to have. So if it works great, if it doesn't. Look when you talk to these people that are doing "Deco Bikes", they are going to tell you that Coral Gables is so beautifully suited for this project, in so many different ways. It's just a shame that we didn't seize the moment, but hey, better late than never.

Commissioner Anderson: With all our tree lined streets.

Mayor Slesnick: Well we do have one of these programs in Coral Gables, it's just not run by Coral Gables, it's the University of Miami has a bike sharing program.

Commissioner Cabrera: They do - well, what they have that I'm aware of Mr. Mayor, is the University's administration has purchased, I forget how many bikes, and then they sell them at a huge discount to the students. The problem with that is that they are private bikes, and the students break the bike, the bike needs maintenance, this program is maintained by the company. I will tell you a pitfall, you are ready for it? - you need to give this company a suitable place so that they can maintain, store, inventory bikes, but you know, maybe Bijan's is a good place for it, maybe the Old Preston Scott is a good place for it, we've got plenty of areas throughout the city that we could find space for something like this. Our own Police Department bikes are stored at the Merrick Garage, the ground floor; they utilize a small space there next to Graziano's in between Fritz and Franz, and they maintain or keep their bikes there for storage purposes; and you never know, this company might be even willing to maintain our own city bikes, our own Police bikes, maybe a real cross synergistic opportunity here.

Commissioner Anderson: Remember a few years ago they simulated the....the folks from the Trust for Public Land did a thing on greening on Miracle Mile, they simulated something, might be funny to have, one day, when they come out to show that, if it's something that the Commission is interested in.

Commissioner Cabrera: You know Commissioner, it's amazing all these little public spaces that we call passive parks, it's amazing how many of these kiosks we could have at those public parks, and again the liability falls within the company and not the city. So there are a lot of good things to be said, and again, you know you can piggyback on a great community like the City of Miami Beach, and do something like this, but it takes some forward thinking and initiative to make these things happen. That's it for me, thank you.

Commissioner Anderson: Thank you, it's very nice.

Mayor Slesnick: Thank you. Mr. Kerdyk.

Vice Mayor Kerdyk: Just one issue Mayor. I want to revisit an issue that I brought in front of this Commission several years ago believe it or not, and it had to do with the front here, Biltmore Way parkway right in front of the City of Coral Gables, and the reason I'm bringing this in front of us right now, is we are embarking on studying Miracle Mile right now with the B.I.D., and I know that we are looking at it from a holistic perspective, and we are looking not only on Miracle Mile, but we are looking possibly down Miracle Mile unto Biltmore Way and seeing how that synergy creates something good for the Mile and for the citizens of Coral Gables. Several years ago I

brought forth to the Commission the thought of possibly not closing Biltmore Way all the time, but possibly putting bollards up at nighttime on Friday and taking them down on Sunday around 5:00 p.m. to create that open space between City Hall and the park itself. Now George Hernandez was nice enough to draw me up some plans where we had brick pavers in front of there, really created a neat little place there right in front of City Hall. So I would like Mr. City Manager, when you are having this discussion with the B.I.D. and the people that we are bringing in to survey Miracle Mile that you make sure that you incorporate these possible plans in looking at how it will relate to, not only Miracle Mile but just the whole City of Coral Gables.

Commissioner Cabrera: You know the only way Commissioner Anderson and I are going to support this...

Vice Mayor Kerdyk: Yes.

Commissioner Cabrera:...is if you not only include that as a modular road, for closing, but we want to include a modular annex....

Vice Mayor Kerdyk: A modular annex...?

Commissioner Cabrera:...you just put it up and down as you need it, you know, so that's the only way we are going to consider this thing.

Commissioner Anderson: Be careful that snippet you said of closing Biltmore Way doesn't get taken out of context.

Vice Mayor Kerdyk: Yes, yes, really.

Commissioner Anderson: You should - as a temporary, just want to protect you.

Vice Mayor Kerdyk: Bollards - key words like Europe, bollards.

Commissioner Anderson: Make sure.

City Manager Salerno: We'd be glad to refer your comments to our consultant and I think you are piggybacking on the idea of those bollards using it to close off public spaces which is quite common in Europe.

Vice Mayor Kerdyk: Yes, exactly - that's exactly it, and we of course are thriving and looking for additional spaces in the downtown area where we can have meeting places and this would certainly be one that does that. Thank you very much.

Mayor Slesnick: Mr. Withers.

Commissioner Withers: I'm surprised Commissioner Kerdyk wants to close Biltmore Way.

Commissioner Anderson: You know the key word to look up to close Biltmore Way.

Commissioner Withers: I'm shocked, I don't know if I can support that initiative.

Commissioner Cabrera: I'd like to use one of the famous words that citizens say, incensed with your idea of doing that.

Commissioner Withers: Quick question for Liz, and I'm sorry I didn't ask you during the City Attorney's presentation time; are we going to court on June 7th with Amace? It said that...

City Attorney Hernandez: We are on standby on four different dockets of Judge Acharte because there are so many cases ahead of us. The Neighbor's Association as of this morning, I got a copy of an e-mail, and the Neighborhood Association and the Amace Group are still negotiating.

Commissioner Withers: OK.

City Attorney Hernandez: We are getting ready for trial. We are moving forward, there was a calendar call, the Judge put us on standby on June 7th and on June 14th because we are a two to three day trial, so he has us all over the map.

Commissioner Withers: OK, I just didn't know. It just said June 7th, so I didn't know if that was still...because that's right around the corner.

City Attorney Hernandez: It is and we've been getting ready and moving forward; the discovery deadlines were extended, depositions are still being taken, the experts' depositions have already been taken, it's moving forward.

Commissioner Withers: OK. That's it. Thank you.

Mayor Slesnick: Where did we leave your item? Are you going to work with the Manager's office on the bicycles to get us further information?

Commissioner Cabrera: I'm going to move ahead and I'll certainly like to have someone in city staff move with me on it, so I'm hoping that I'll be able....I sent this to the Manager, the two Assistant City Managers, and the City Attorney last, I think it was either last Wednesday or Thursday, and I received zero feedback. So I decided that in the best interest of all, I should bring it to you all. I'm assuming that when the

opportunity presents itself they'll contact me, but I've received no contact from anyone in the Manager's office on this matter.

City Attorney Hernandez: From my perspective, for the longest time my spam and junk mail was catching Commissioner Withers e-mails.

Commissioner Cabrera: We talked about this already.

City Attorney Hernandez: OK.

Commissioner Cabrera: You don't remember talking to me about this?

City Attorney Hernandez: No.

Commissioner Cabrera: Oh, we talked on Friday.

City Attorney Hernandez: OK, thank you.

Commissioner Cabrera: We chatted about this.

Mayor Slesnick:....someone from the staff.

Commissioner Cabrera: I verified that it was received.

Mayor Slesnick: Manager said someone from the staff will sit with you, OK.

Commissioner Cabrera: Thank you Don, I appreciate that.

Mayor Slesnick: Several things - I notified the Commission and the Manager that I've been able to - we've talked about green, and I should point out that we not only have one of our residents is the Regional Manager of the Trust for Public Lands, which is one of the great conservation groups in the nation, we also just opened a regional office for the Nature Conservancy here in Coral Gables, we are very proud of that, the Nature Conservancy is probably the largest worldwide organization for conservation; and as part of the thing that they are starting to interact with us is now citizens of Coral Gables, and they have been providing us with some information on what is happening in the Keys to prepare for the possible oil spill impact with the reefs and the coral reefs. So I've shared that with the Commission and I wanted to also say that I've had the distinct pleasure of being invited to take part in daily briefings from the White House that occur at 3:00 o'clock everyday for local officials in the States that are possibly to be effected by the oil spill, and I said I would share with you just a few of the interested facts. Now, on Sunday at 3:00 o'clock, I actually was sitting where I could write down things; I did do the call yesterday but I was in the car, and so some

of this is a little bit out of date, and if I remember the update I will, but it's amazing the amounts of things they are talking about. They now have two probes down into the earth, one at 11,000 feet and one at something like 7,000 feet that are sucking as much of it can out, and like over the last twenty-four hours before yesterday, they had sucked 12,000 barrels of the oil out from that system. They also are skimming off the surface; they skimmed on Saturday and Sunday 12,000 barrels schemed off the surface, and I think yesterday's figure was even higher at 14,000 barrels. On Sunday they actually did massive burns across the face of the Gulf, and they keep reporting how many feet of boom are out to protect our coast, and I didn't write down for the others, but for Florida there are 270,000 plus feet of boom had been deployed to protect the beaches. Now, interestingly they said that....I got to ask the question, I said you know, I may be the furthest south and east city participating in this call, and what is our exposure right now?- they said, the Coast Guard on the call and the Department of Homeland Security said, that at the moment the main swirl of the oil is to the northwest threatening Louisiana the most, they expected some leakage toward Mississippi in the coming days; however, yesterday's called concerned me because where they are employing the majority of people to clean beaches, and by the way there is a massive effort, they are employing people at about \$18.00 an hour to do the manual labor and \$30 something an hour for people to supervise, and they are employing thousands of people across the Gulf coast, the majority of people they are looking for now are in Florida, so someone is preparing for something worse than what they suggested because they are employing here, not here but in the northwest, but at the moment that they answered my question was is that you are not in trouble yet, we have not seen the oil in the gulfstream as yet. The shore line that has been impacted so far as of Sunday was 65 miles of shore line that has been impacted, 30.5 acres of marsh was impacted, and by the way they said yesterday just curiosity, they had gone ahead and swept the floor around Mobile to see what it was doing to the oysters and other things, the crabs and so forth, and they do not have substantial residue of oil yet on the floor near those areas; and one last two points, the Labor Department is out trying to help people relocate, reestablish themselves when they've been displaced because their jobs are out, because of the fishing industry and so forth, and there have been \$26 million dollars in payments from BP's fund already that nobody has been denied a payment for damage and the \$26 million dollars have been distributed. So anyways, we are keeping up on that, and Mr. Manager what I'd like to say for the people of Coral Gables, it was very funny because someone in Tallahassee commented, why is Coral Gables an inland city participating?- and I want the people of Coral Gables to understand that we know that we are not an inland city and that we have lots of valuable waterfront properties and public and private, sometimes people only focus on Gables Estates, Cocoplum, but we have Fairchild Tropical Gardens, Montgomery Gardens, we have the old ITT property, we have all kinds of properties that border the Bay, where we border the Bay, the Bay is basically open to the ocean, and so we just need to be thinking and prepared.

City Manager Salerno: Yes Mayor, in fact just to echo the comments you made already. I've asked staff to video the shoreline within the city, just as a preemptive measure, to show what the current conditions are both video and still photographs, and staff from the various departments are working on that, hope to get that done within the next week to ten days.

City Attorney Hernandez: And we had White Serrotta reach out with a summary of what's going on throughout the State and we have a meeting set with their resident expert on these issues, you know, so that we have a checklist of what to look for, and what to be aware of, and they are doing that as a courtesy call on most of the cities that front the water, just to look for what potential impacts may have.

Mayor Slesnick: And Mr. Manager, if you have a principal point of contact on your staff, I would be glad to share the information for the afternoon calls, so they can sit in and listen to the information, which may be more effective than me hearing it, but I'm happy to share it with everybody. So, if you let me know, and I'll give them the information.

City Manager Salerno: Thank you Mayor, will do.

Mayor Slesnick: Two more things, quick. One is, I wanted to publicly thank my wife Jeannette, who has been a great Mayor's wife for nine years, plus nine years now, and as the Commission knows she has been always on call, and always active in helping and supporting the Mayor's office, in all the things I'm asked to do, and she is also at the same time been very active in civic groups and supporting the city in many ways, and I just wanted to thank her, that she got very concerned about the price that the city was paying for the property that we are going to make a new park, and despite the fact that her knowledge of this whole thing came late and her input came late, and kind of too late to really make an impact on this, I wanted to just personally thank her for her efforts to give her expertise and comments to the City of Coral Gables. So thank you Jeannette. I also wanted to bring up this glossy nice pretty book that the County published, General Obligation Bond Program (G.O.B.), and it features our museum, in pictures and words, and Chip, I thought - do you have that?

Commissioner Withers: I'd like to have that.

Mayor Slesnick: You have it, it's yours. So again, our museum gets passed around the whole of South Florida as part of the GOB thing. Mr. Manager, I also wanted to say how grateful we are, and Fred, with the great redo of Salvador Park playground area, maybe that's another area we should have some families invited out one Saturday, and maybe some of us can join, and Mr. Cabrera and his spandex can be there, and we could do something there. By the way, we've noted that already somebody has scribbled on the seats of the swings and it was not children's writing, it was an adult

that has written on the swing set. We would ask our citizens, and I'm not suggesting that it was one of our citizens, but we would ask our citizens to please be as careful and as thoughtful in handling the things that are paid for by your tax dollars as all of us would normally do, and I really appreciate all the things we are doing, and again I want to call to the citizens attention, be aware that when you see these large County signs proclaiming the County's work projects at places like Salvador Park, Coral Way and so forth, that the money that is being used is coming from the County Bond Issue and that our Commissioners Rebecca Sosa and Carlos Gimenez are watching out for our best interest in ensuring that the money comes to us as deserved, but also be knowledgeable of the fact that the money that goes to the County Bond Issue comes from your pockets, and this money is being returned to the City of Coral Gables, and that it is your Public Works Department and your Parks Department and your City Manager and your Commission, that has worked hard and long on planning these projects and visualizing these projects and executing these projects. So we don't put up big signs though, thought I'd call that to your attention and with that, if there is no other business, we will adjourn this, and we are unusually, so I call it to your attention, going to meet in one week, June 1st next Tuesday. Thank you.

City Clerk Item No. 37

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 12:31 pm on May 25, 2010. The next regular meeting of the City Commission has been scheduled for June 1, 2010, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK