

City of Coral Gables

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



Agenda

Tuesday, November 15, 2016

9:00 AM

City Hall, Commission Chambers

City Commission

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

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

INVOCATION

Rev. Mario E. Milian, St. Thomas Episcopal Church

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

- A.-1. [16-5533](#) Presentation of a \$750.00 donation from the Coral Gables Woman's Club to the City of Coral Gables, to provide the Venetian Aquatic Club "Donna Perry Scholarship Fund" scholarships at the Venetian Pool.
- A.-2. [16-5510](#) Presentation of a Proclamation declaring November 26, 2016 as "Small Business Saturday" in Coral Gables.
- A.-3. [16-5517](#) Presentation of a Proclamation declaring November 15, 2016 as "America Recycles Day" in Coral Gables.
- A.-4. [16-5555](#) Recognition and Appreciation to the families of city employees who have been deployed for active duty overseas:
Officer Jecabseel Nunez - Octavio and Teresa Nunez
Officer Eric Honig - Harvey and Thorill Honig
Officer Eduardo Pulido - Fiomena Gonzalez
Officer Michael Baluja - Ana Baluja
- A.-5. [16-5461](#) Congratulations to Officer Luis Lopez, recipient of the City of Coral Gables "Officer of the Month Award," for the month of September, 2016.
- A.-6. [16-5500](#) Congratulations to Lt. Jose Pereda, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of November, 2016.
- A.-7. [16-5518](#) Presentation of thirty year service pin to Antonio Silio, City Manager's Office/ Ombudsman for Residents and Small Business Owners.
- A.-8. [16-5549](#) Presentation of thirty year service pin to Michael J. Grant, Public Works/Construction Manager.
- A.-9. [16-5505](#) Congratulations to Cindy Ducuara who holds the title of Compensation Benefits Specialist, recipient of the "Employee of the Month Award", for the month of November, 2016.

B. APPROVAL OF MINUTES

- B.-1. [16-5536](#) Regular City Commission Meeting of October 25, 2016.

C. CONSENT AGENDA

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

- C.-1. [16-5354](#) A Resolution authorizing entering into a Second Amendment Lease Agreement with New Cingular Wireless PCS, LLC with regard to City owned property located at 11911 Old Cutler Road, Coral Gables, Florida.
- C.-2. [16-5513](#) A Resolution to extend the permitted daytime capacity for an event at the University of Miami Convocation Center (aka Watsco Center) to take place December 6, 2016 for a University of Miami Women's Basketball Event targeting elementary school children.
- C.-3. [16-5559](#) A Resolution authorizing the waiver of the cost of parking fees in the City's public garages and the use of a City Trolley from 9:00 a.m. to 5:00 p.m. on November 26, 2016 for the "2016 Small Business Saturday" event.
- C.-4. [16-5562](#) A Resolution of the City Commission of Coral Gables, Florida amending Ordinance No. 2015-17, as amended, to establish fees by the City Clerk's Office; providing for a severability clause, and providing for an effective date.
- C.-5. [16-5563](#) A Resolution appointing Hendrik Woods (Nominated by Vice Mayor Quesada) to serve as a member of the Senior Citizens Advisory Board for the remainder of a two (2) year term, which began on June 1, 2015 and continues through May 31, 2017.

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

- 1.-1. [16-5469](#) Communications Committee Meeting of October 19, 2016.
- 1.-2. [16-5521](#) Construction Regulation Board Meeting of October 17, 2016.
- 1.-3. [16-5502](#) Coral Gables Arts Advisory Panel Meeting of June 30, 2016.
- 1.-4. [16-5503](#) Cultural Development Board Meeting of August 31, 2016.
- 1.-5. [16-5504](#) Cultural Development Board Meeting of October 13, 2016.
- 1.-6. [16-5473](#) Historic Preservation Board Meeting of September 6, 2016.
- 1.-7. [16-5474](#) Historic Preservation Board Meeting of September 15, 2016.
- 1.-8. [16-5560](#) International Affairs Coordinating Council Meeting of September 20, 2016.
- 1.-9. [16-5515](#) Landscape Beautification Advisory Board Meeting of November 3, 2016.
- 1.-10. [16-5471](#) Library Advisory Board Meeting of October 19, 2016.
- 1.-11. [16-5480](#) Parking Advisory Board Meeting of August 25, 2016.
- 1.-12. [16-5481](#) Parking Advisory Board Meeting of September 22, 2016.
- 1.-13. [16-5472](#) Pinewood Cemetery Advisory Board Meeting of July 18, 2016.
- 1.-14. [16-5545](#) Sustainability Advisory Board Meeting of August 24, 2016.
- 1.-15. [16-5546](#) Sustainability Advisory Board Meeting of September 26, 2016.
- 1.-16. [16-5547](#) Transportation Advisory Board Meeting of August 16, 2016.
- 1.-17. [16-5548](#) Transportation Advisory Board Meeting of September 20, 2016.

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

- 2.-1. [16-5564](#) The School and Community Relations Committee Meeting of October 21, 2016 requesting action from the Commission.

D. PERSONAL APPEARANCES

None

E. PUBLIC HEARINGS

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

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

ORDINANCES ON SECOND READING

Time Certain 10:45am (Agenda Item E-1)

- E.-1. [16-4981](#) An Ordinance of the City Commission of Coral Gables amending the City of Coral Gables and University of Miami Development Agreement, adopted by Ordinance No. 2010-31 on 09.28.10, pursuant to Zoning Code Article 3, Division 19, entitled "Development Agreements", for the University of Miami, City of Coral Gables Campus, amending Paragraph 19 of the Development Agreement ("Internal Road and Access") that governs internal circulation on the Coral Gables Campus, modifying the scope and schedule of Phase II of the Internal Road; providing for conditions of approval, providing for enforcement, providing a repealer provision, severability clause, and providing for an effective date. (legal description on file)

Time Certain 10:00am - Agenda Items E-2, E-4 and E-9 are related.

- E.-2. [16-5215](#) An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, amending Article 3, "Development Review," Division 21, "Art in Public Places Program," Section 3-2103, "Art in Public Places Fund Requirements, Waivers, and Exemptions," Section 2104 "Administration," and Section 3-2105 "Enforcement,,"; clarifying the ordinance by utilizing the words "alternative options" in lieu of the word "waivers," modifying procedures of the Art in Public Places Program; providing a repealer provision, severability clause, codification, and providing for an effective date.

Agenda Items E-3 and E-11 are related.

- E.-3. [16-5282](#) An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, "Development Review", Section 3-206, "Building Site Determination" to separate into two (2) single-family building sites the property zoned Single-Family Residential (SFR) District and legally described as Lots 8-10 and the east 15 Feet of Lot 7, Block 25, Coral Gables Section "B" (728 Navarre Avenue), Coral Gables, Florida; one (1) building site consisting of Lot 8 and the west half of Lot 9 and one (1) building site consisting of Lot 10 and the east half of Lot 9 with the remaining east 15 feet of Lot 7 to be included as a part of the property to the west legally described as the east 25 feet of Lot 6 and Lot 7 less east 15 feet, Block 25, Coral Gables Section "B" (734 Navarre Avenue); including required conditions; providing a repealer provision, severability clause, and providing for an effective date. (PZB recommended approval with conditions; Vote 5-1) (The request meets the new building site determination criteria that were adopted by the City Commission on April 12, 2016).

ORDINANCES ON FIRST READING**Time Certain 10:00am - Agenda Items E-2, E-4 and E-9 are related.**

- E.-4. [16-5483](#) An Ordinance of the City Commission of Coral Gables, Florida, providing text amendments to the City of Coral Gables Code by amending: Chapter 2 "Administration," Article IX "Impact Fees," revising Impact Fees, establishing a new Mobility Impact Fee; authorizing the City Manager to adjust the impact fees based on Construction Cost Index; providing applicability, providing for severability, repealer, codification and an effective date.
- E.-5. [16-5499](#) An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts," Division 4, "Prohibited Uses," Section 4-411, "Parking in residential areas;" amending the provisions for loading and unloading of commercial vehicles within residential districts and within a specified distance of residential districts; providing a repealer provision, severability clause, codification, and providing for an effective date. (10 19 16 PZB recommended approval; Vote 5 Yes - 0 No)
(Sponsored by Commissioner Lago)
- E.-6. [16-5512](#) An Ordinance of the City Commission of Coral Gables, Florida, amending Article IV of the City of Coral Gables Code by adding Section 2-203, making it a Code Enforcement Violation to disobey a cease and desist letter sent by the City Attorney's Office, on behalf of the City, providing a repealer, severability, codification, enforceability and providing for an effective date.
- E.-7. [16-5539](#) An Ordinance of the City Commission of Coral Gables, Florida, creating Article VIII, under Chapter 14 of the City of Coral Gables Code prohibiting hourly hotel/motel rentals, providing a repealer, severability, codification, enforceability and providing for an effective date.
(Sponsored by Commissioner Lago)

- E.-8. [16-5551](#) An Ordinance of the City Commission of Coral Gables, Florida, amending Section 105-26 of the City of Coral Gables Code to prohibit all exterior construction on Saturdays in residential zones or within 100 feet of residential zones, providing for repealer, severability, codification, enforceability and providing for an effective date.
(Sponsored by Commissioner Lago)

RESOLUTIONS

Time Certain 10:00am - Agenda Items E-2, E-4 and E-9 are related.

- E.-9. [16-5484](#) A Resolution of the City Commission of Coral Gables, Florida, amending the Impact Fee Schedule, as authorized by Ordinance No. 2015-17, as amended, providing applicability; providing for an effective date. (For discussion purposes, with adoption scheduled for 12.06.16)
- E.-10. [16-5478](#) A Resolution of the City of Coral Gables, Florida electing to use the uniform method of collecting non-ad valorem special assessments levied within the incorporated area of the City; stating a need for such levy; providing for the mailing of this Resolution; and providing for an effective date. (This public hearing is a necessary step to utilize the November 2017 Miami-Dade County Tax Bill to collect assessments imposed on the Miracle Mile and Giralda Avenue Streetscape Improvement Projects).

Agenda Items E-3 and E-11 are related.

- E.-11. [16-5501](#) A Resolution to allow release of Restrictive Covenant for Lots 9, 8 and East fifteen (15) feet of Lot 7, Block 25, Coral Gables Section B, 728 Navarre Avenue, recorded in Plat Book 5, Page 111 of the Public Records of Miami-Dade County, Florida.

F. CITY COMMISSION ITEMS

- F.-1. [16-5511](#) Discussion regarding the possibility of holding evening City Commission Meetings specific to items requiring public input.
(Sponsored by Commissioner Lago and Commissioner Slesnick)
- F.-2. [16-5538](#) Discussion item regarding Miami-Dade County Resolution No. R-822-16 urging municipalities within Miami-Dade County to partner with the County to secure state and federal funding to assist with eliminating septic systems and converting to sewer system.
(Sponsored by Commissioner Lago)
- F.-3. [16-5516](#) Discussion regarding confirmation of City Commission consensus for certain new neighborhood initiatives to slow traffic, improve recycling, and enhance community aesthetics.
(Sponsored by Commissioner Lago)
- F.-4. [16-5534](#) Discussion regarding street lighting.
(Sponsored by Commissioner Keon)

G. BOARDS/COMMITTEES ITEMS

None

H. CITY MANAGER ITEMS

- H.-1. [16-5509](#) A Resolution accepting the recommendation of the Chief Procurement Officer to amend the Master Service Agreement Piggyback Addendum between the City of Coral Gables and Safeware, Inc. for Closed Circuit TV (CCTV) and Automatic License Plate Recognition (ALPR) equipment, and software and maintenance services under their contract with the U.S. Communities Government Purchasing Alliance to increase the existing piggyback contract by an amount not to exceed \$1.9 million over the next three (3) years, while maintaining the scope of the Addendum.
- H.-2. [16-5514](#) A Resolution establishing parking rates as recommended by the Parking Advisory Board for certain City parking facilities and postponing any increase in hourly rates for Miracle Mile, 100 Block of Giralda and Public Parking Garages until after there is substantial completion of Streetscape improvements as determined by the City Manager.
- H.-3. [16-5497](#) A Resolution accepting the recommendation of the Chief Procurement Officer to authorize contract negotiations with AECOM Technical Services, Inc., and if necessary, with the other short-listed firms for the Public Safety Building Design Consultant, pursuant to Florida Statute 287.055, known as the "Consultants Competitive Negotiation Act" and Request for Qualifications (RFQ) 2016.05.MG.

I. CITY ATTORNEY ITEMS

- I.-1. [16-5519](#) Justice Advocate Presentation.
- I.-2. [16-5552](#) Update regarding bats at the property located at 803 Alhambra Circle.
- I.-3. [16-5537](#) Request for an Executive Session (if any).

J. CITY CLERK ITEMS

- J.-1. [16-5540](#) A Resolution with attachments, officially accepting the City Clerk's Certification and Declaration of the Result of the City of Coral Gables Special Election, which was held on November 8, 2016, wherein voters ----_____ an amendment to the City Charter related to Run-Off Elections in City Commission and Mayoral Races.
- J.-2. [16-5541](#) A Resolution with attachments, officially accepting the City Clerk's Certification and Declaration of the Result of the City of Coral Gables Special Election, which was held on November 8, 2016, wherein voters ----_____ an amendment to the City Charter related to the Trial Board.
- J.-3. [16-5542](#) A Resolution with attachments, officially accepting the City Clerk's Certification and Declaration of the Result of the City of Coral Gables Special Election, which was held on November 8, 2016, wherein voters ----_____ an amendment to the City Charter related to Suspension of City Commissioners for Incapacity.
- J.-4. [16-5543](#) A Resolution with attachments, officially accepting the City Clerk's Certification and declaration of the Result of the City of Coral Gables Special Election, which was held on November 8, 2016, wherein voters ----_____ an amendment to the City Charter related to appointment of Vice Mayor by Mayor.
- J.-5. [16-5544](#) A Resolution with attachments, officially accepting the City Clerk's Certification and Declaration of the Result of the City of Coral Gables Special Election, which was held on November 8, 2016, wherein voters ----_____ an amendment to the City Charter related to removal of City Commissioners consistent with Gubernatorial Procedures Under State Law.
- J.-6. [16-5535](#) A Resolution in accordance with Section 2-26 of the City Code, entitled "Regular Meetings, Special Meetings" setting forth the City Commission Meeting dates of January 2017 through March 2017, as follows: Tuesday, January 10, 2017, Tuesday, January 24, 2017, Tuesday, February 14, 2017, Tuesday, February 28, 2017, Tuesday, March 14, 2017, Tuesday, and March 28, 2017.

K. DISCUSSION ITEMS

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

L. EXECUTIVE SESSION

- L.-1 [16-5520](#) Attorney-Client executive session, closed to the public, for purposes of discussing the litigation styled Robert Murhee, Marie Mandeville, Daryl Blakely, Bridgette Hodge, for themselves and on behalf of all others similarly situated v. the City of Coral Gables, Case No. 13-20731 CA 01 (Fla. 11th Jud. Cir.). This session may be attended by the following individuals: Mayor Jim Cason, Vice Mayor Frank Quesada, Commissioner Pat Keon, Commissioner Vince Lago, Commissioner Jeannett Slesnick, Diana Gomez as Acting City Manager, City Attorney Craig Leen, Deputy City Attorney Miriam S. Ramos, Assistant City Attorney Cristina Suarez, Assistant City Attorney Stephanie Throckmorton, special counsel Raoul G. Cantero, III, special counsel Neal McAliley, and special counsel Jim Linn. A certified court reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-stated litigation. At the conclusion of the attorney-client session, the public meeting will be reopened, and termination of the attorney-client session will be announced.

ADJOURNMENT

NOTE

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

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

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

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

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

**Walter J. Foeman
City Clerk**