

# **City of Coral Gables**

*City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134  
[www.coralgables.com](http://www.coralgables.com)*



## **Meeting Minutes**

**Tuesday, July 15, 2008**

**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*

*David L. Brown, City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

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

## INVOCATION

The Invocation was given by Pastor Thom Shafer of First United Methodist Church of Coral Gables.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Maria Anderson.

## 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 2008-17); (b) Resolution(s) adopted (Resolution No. 2008-100 through Resolution No. 2008-114); (c) Video; (d) Audio Recording; (d) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

## A. PRESENTATIONS AND PROCLAMATIONS

### A.-1. [08-0469](#)

Presentation of a Proclamation declaring July 2008 as Parks and Recreation Month in Coral Gables

[Note for the Record: Vice Mayor William H. Kerdyk, Jr. in commenting on the significance of Parks and Recreation Month in Coral Gables, noted that there are over 308 acres of park land in our City; also noting the recent renovations being done at our Youth Center. Whereupon Fred Couceyro noted that there is construction occurring at our Athletic Field with the re-sodding activity; further reminding the public that said initiative will make said location nice for the fall activities schedules; further noting that the month of July is probably the busiest time of the year; further pointing out that there are approximately 500 children in summer camps; also noting that the Venetian Pool has approximately 400 kids daily attending said facility; further stating that the City's Summer Program accommodates approximately 700-800 children, daily; further introducing the following members of his staff Assistant Director Luciana Santangelo, Pool Supervisor Maggie Hill; Youth Center Supervisor Roxanne Gonzalez; Senior Citizens Supervisor Paul Hunt, and Jeaneen Bell, Aquatic Club Supervisor].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 2

**A.-2. 08-0470**

Presentation of Certificates of Appreciation to Juan Carlos Diaz Padron, Emily Schaefer, and Jose Antonio Villamil IV for their service and dedication to the Coral Gables Parks and Recreation Youth Advisory Board

[Note for the Record: Mayor Slesnick, in describing the Parks and Recreation Department Youth Advisory Board, as a wonderful new board, that has been a great resource for the City; further stating that Commissioner Cabrera will address the issue concerning the board's formation; further stating that said board involves the youth of our City; further acknowledging those graduating seniors, who will be saying so long to the board; further acknowledging Board Member Norma Schaefer, who was out of town; Juan Carlos Diaz Padron (Chairperson to the Board and Commissioner Cabrera's appointee), and Juan Antonio Villamil (Mayor Slesnick's appointed Juan Antonio Villamil IV).

Commissioner Cabrera in describing Juan Carlos Padron, stated that he has been the driving force behind this board for the past two years; further recalling the time when "Juan" had sought him out, and engaged him regarding the Youth Advisory Board; further noting that he had an amazing way of finding him; further noting that the more that he began to talk to Mr. Padron, the more that he realized that the credit should be going to this young man, as the genesis behind the growth of said board; further acknowledging the fine work performed by his parents, namely Juan and Maria Diaz Padron, for great parenting.

Mayor Slesnick also acknowledged that this City is full of great young people, recognizing T.J. Villamil is no exception; further announcing that his father has been recently named as the dean of St. Thomas School of Business; further acknowledging that said outgoing board members will be the recipients of Certificates of Appreciation and the first City of Coral Gables new lapel pin.

Juan Carlos Padron thanked the Commission for his term of service; further noting that as a teenager, in anticipation of the initial establishment of a new board, he had nervously anticipated whether it would be accepted; further stating that he was happy that the City moved forward with said initiative, establishing the Youth Advisory Board noting that he will be attending Florida International University in the fall.

Villamil in recalling his initial involvement with the board, stated that he had received a phone call from the Mayor; further noting that said encounter taught him how to be civic minded, and how personable the City Commissioners can be in Coral Gables; further thanking the Commissioners for this learning opportunity; acknowledging, that hopefully, they may return one day, and possibly run for public office; also, thanking Ms Luanne (Luciana Santangelo) from our City's Parks and Recreation Department, whom he credited as being like a second mom to him; further adding that he will be attending the University of Florida next year].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 3

**A.-3. [08-0491](#)**

Presentation of a \$750.00 donation from the Coral Gables Woman's Club to the City of Coral Gables to provide Venetian Aquatic Club "Learn to Swim" Program scholarships at the Venetian Pool

[Note for the Record: Former Coral Gables Mayor Dorothy Thompson addressed the City Commission, making certain introductory remarks reflecting on the origin and development of the Coral Gables Woman's Club; further noting that initially all Woman's Clubs were initially established for the purpose of providing libraries and of reducing illiteracy; further stating that the location of same was the original site for the Coral Gables Library (100 East Ponce De Leon Blvd), until the County took jurisdictional control over same; further noting that over the years, other projects have come along; further stating that the Junior Woman's Club of Coral Gables and the Woman's Club of Coral Gables, thus focusing all of their efforts on children; further recalling that long ago, the Woman's Club was the only place that children (disadvantaged kids) could get dental service; further affirming that today Coral Gables continues to help out our kids; further noting that on this same date, that the Woman's Club is presenting two checks, one for the Granada Golf Course, and a second donation in the amount of \$750 to the Venetian Pool Aquatic Club providing swimming lessons; further acknowledging the attendance of certain Woman's Club members namely Cheryl Orlins and Robin Byrd].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 5

**A.-4. [08-0497](#)**

Presentation of a \$500.00 donation from the Coral Gables Woman's Club to the George Merrick Boy Scouts Troop 7

[Note for the Record: Ms. Orlins noted that the Woman's Club has been in existence for 86 years, since 1923, and has just under 100 members; noting that it operates a centralized facility, serving approximately 600 kids to the tune of roughly \$160,000; further presenting to Boy Scout Troop 7, a check in the amount of \$500; further acknowledging a couple of children from Troop 7 who were in attendance, namely Danny Lorenzo (Eagle Scout) Issac Pittman, and Alexander Bombino. Presentation of said donation ended with a photo session, wherein Mayor Thompson requested of the Mayor to join other members of the Woman's Club].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 6

**A.-5. [08-0477](#)**

Congratulations to Eileen Holloway, Police Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of July 2008

**Attachments:** [EOMJuly2008](#)  
[Cover Memo EileenHolloway EOM July2008](#)

[Note for the Record: Human Resource Director Marj Adler stated for the record that the Employee of the Month for July had been on vacation during the last City Commission meeting of June 26th; therefore, she is being acknowledged today, along with the Employee of the Month for August; further noting Ms. Holloway's entry into the City's workforce began in March of 2003.

Sergeant Joe Nelson, Coral Gables Police Department's Technical Service Division, who nominated Ms. Holloway, noted that there was a switch in personnel within the Data Management and Records Section toward the end of Calendar Year 2007, whereby Sergeant Claughton was promoted to Lieutenant, thus being transferred to the Patrol Division, thus leaving Ms. Holloway in charge of the Data Management and Records Section, which further necessitated her being in charge of same for a two month period, whereby she fulfilled her records management duties, as well as assuming Sergeant Claughton's supervisory duties (including orienting Sergeant Nelson with respect to his newly assumed role as Data Management and Records Sergeant; further citing Ms. Holloway's exemplary professionalism and dedication to the job as Records Manager, as further justification for her to be selected as the Employee for the Month of July.

In accepting said accolade, Ms. Holloway thanked her supervisors; further thanking her co-workers stating that "it's a great day in records"].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 7

**A.-6. [08-0478](#)**

Congratulations to Lina Hickman, Public Works Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of August 2008

**Attachments:** [Lina Hickman Cover Memo](#) [LinaHickman EOM August2008](#)

[Note for the Record: Human Resources Department Director Marj Adler recognized Lina Hickman, as the Employee of the Month for August 2008; further noting that she began her tenure in our City's workforce in January of '89, as a Sidewalks Inspector; later being promoted to Public Works Engineer; further acknowledging her nomination being made by a resident who lauded her special effort to work toward solving a permit-related "Catch 22" incident, later calling in other impacted departments to make certain that the solution to said incident was acceptable to all affected parties; further acknowledging Ms. Hickman's personal attributes, including her graciousness, being a fair minded team player, with a seriousness of purpose, possessing extensive knowledge of our City Code and regulations, as well as those of the County; always willing to assist our residents through the complexities of the permitting process, as being critical in ensuring quality to our service delivery.

Mrs. Hickman thanked Mr. Delgado; further acknowledging the City of Coral Gables as being a great place to work for; further stating that despite the occasional challenging moments, after 21 years, it's expected; finally observing that we, as members of the Coral Gables workforce, are considered family].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 8

**B. APPROVAL OF MINUTES****B.-1. [08-0485](#)**

Regular City Commission Meeting of June 26, 2008

**Attachments:** [Meeting Minutes 6-26-2008.pdf](#)  
[CCMtg June 26 2008 agenda item E-3, H-4 and H-5 are related CG Cinemateque](#)  
[CCMtg June 26 2008 agenda item F-2 - Commission Appoint Two Members to Tri](#)  
[CCMtg June 26 2008 agenda item H-1 - Reso selecting Weathertrol Maintenance](#)

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

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

City Clerk Item No. 9

**C. CONSENT AGENDA**

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 Withers, seconded by Commissioner Cabrera, 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

[Note for the Record (Agenda Items C-1, C-2, C-4 and C-9): Following the vote by the City Commission on the Consent Agenda, Commissioner Cabrera proffered the following comments on the above referenced items:

**Agenda Items C-1 and C-2:** **Commissioner Cabrera** stated that it was somewhat unusual that he would proffer comments after the vote had been taken on the Consent Agenda; however, since he doesn't have any interest in bringing said items back, it was OK; further stating that his interest was in the balance presently existing in the **State Forfeited Asset Fund and the Federally Forfeited Asset Fund**, respectively; further noting said requested expenditures for both accounts to be in the aggregate \$107,501.58; further inquiring of **Assistant Police Chief Naue**, if he anticipates any additional expenditures?-whereupon Assistant Police Chief Naue responded that he anticipates upgraded services and equipment levels due to technology changes. Commissioner Cabrera further stated that there was no budgetary format followed, other than the utilization of said funding based on the request made to use said funding for projects and services; whereby Assistant Chief Naue further clarified that it is the intent of the Police Department not to try to run down the budgetary balance too far, just in case there are needed projects that are worthy of funding.

Commissioner Cabrera instructed City Manager Brown to direct the Police Chief to provide the City Commission with an overview on the State Forfeited Asset Fund and the Federally Forfeited Asset Fund, to gain a better insight in terms of how said funds will work.

Agenda Item C-4: **Commissioner Cabrera** instructed City **Manager Brown** to provide the City Commission with a copy of those locations as to where the City intends to construct approximately eleven (11) additional extensions attributable to the Parking Fines Reimbursement Program.

Agenda Item C-9: Commissioner Cabrera referenced page 2 of the Parks and Recreation Advisory Board Minutes of June 20, 2008, under the categorical, sub-heading of (5) City Projects Update-Fred Couceyro, more particularly under the first bullet reference (second sentence) which states that Mr. Couceyro would notify Commissioner Cabrera; further stating that he did not know why he needs to be contacted; whereupon Mr. Couceyro clarified that when his department originally went before the Board of Architects with all three Shades designs, one was approved and two were denied; further stating that the Parks and Recreation Advisory Board had requested that he notify Commissioner Cabrera regarding same; further stating that subsequent to said approval by the Board of Architects regarding the shade coverings, the remaining two shade covering designs (i.e. for Sunrise Park and Phillips Park, respectively) have been approved administratively; further acknowledging that the Board of Architects has approved the variance for the Youth Center shade; further stating that pending still is a request for a variance before the Board of Adjustment for the shade coverings for the above reference two projects, namely Sunrise Park and Phillips Park. Commissioner Cabrera requested of Mr. Couceyro to notify him of the scheduled date regarding said variance request before the Board of Adjustment, in order that he may appear before said board.

Mr. Delgado added the variance for the Youth Center shade covering had been approved by the Board of Architects, and a meeting has been scheduled with the contractor (**Shade System**), from Jacksonville, Florida; further stating that construction will start around the middle of August; further estimating that the approximate timetable for construction is approximately four to six weeks].

### **RESOLUTION NO. 2008-102**

**C.-1. [08-0472](#)**

A Resolution authorizing an encumbrance in the amount of \$40,751.58, or 15%, of the State Forfeited Asset Fund (F.A.F.) monies to provide for the funding of future crime prevention or school resource officer programs, as required under FSS 932.7055, the Florida Contraband Forfeiture Act.

**Attachments:** [COMMISSION COVER MEMO -\\$40,751.58- FAF.pdf](#)  
[RESOLUTION - \\$40,751.58-- July 2008.pdf](#)

A RESOLUTION AUTHORIZING AN ENCUMBRANCE IN THE AMOUNT OF \$40,751.58 OR 15%, OF THE STATE FORFEITED ASSET FUND (HEREINAFTER REFERRED TO AS F.A.F.) MONIES TO PROVIDE FOR THE FUNDING OF FUTURE CRIME PREVENTION AND YOUTH RESOURCE OFFICER PROGRAMS, AS REQUIRED UNDER SECTION 932.7055 FLORIDA STATUTES, THE FLORIDA CONTRABAND FORFEITURE ACT.

**This Matter was adopted by Resolution Number 2008-102 on the Consent Agenda.**

City Clerk Item No. 10



**RESOLUTION NO. 2008-103****C.-2. [08-0474](#)**

A Resolution authorizing the Chief of Police to make expenditures in the amount of \$66,750.00 from the Federally Forfeited Asset Fund (F.A.F.) monies to provide for the purchase of two C3 Maestro Communications Dispatch Consoles.

**Attachments:** [COMMISSION COVER MEMO - \\$66750.00 comm. console.pdf](#)  
[RESOLUTION - \\$66,750 00 - Comm Consoles.pdf](#)

A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO MAKE EXPENDITURES IN THE AMOUNT OF \$66,750.00 FROM FEDERALLY FORFEITED ASSET FUND (HEREINAFTER REFERRED TO AS F.A.F.) MONIES TO PROVIDE FOR THE PURCHASE OF TWO C3 MAESTRO COMMUNICATIONS DISPATCH CONSOLES.

**This Matter was adopted by Resolution Number 2008-103 on the Consent Agenda.**

City Clerk Item No. 11

**RESOLUTION NO. 2008-104****C.-3. [08-0479](#)**

A Resolution of the Coral Gables City Commission, with attachments, authorizing the City Manager to execute an Interlocal Agreement between the City of Coral Gables and Miami-Dade County for the provision of library services in a City of Coral Gables facility.

**Attachments:** [coral gables and miami-dade interlocal library07 01 08](#)  
[alf mem](#)  
[library countyinterlocal](#)  
[comm interlocal mem](#)  
[agendacover libraryinterlocal](#)

A RESOLUTION OF THE CORAL GABLES CITY COMMISSION, WITH ATTACHMENTS, AUTHORIZING CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND MIAMI-DADE COUNTY FOR THE PROVISION OF LIBRARY SERVICES IN A CITY OF CORAL GABLES FACILITY.

**This Matter was adopted by Resolution Number 2008-104 on the Consent Agenda.**

City Clerk Item No. 12

**RESOLUTION NO. 2008-105****C.-4. [08-0481](#)**

A Resolution authorizing the City Manager to accept Miami-Dade County's Parking Fines Reimbursement in the amount of \$12,195.00 to be used in the construction of sidewalk extensions in the City of Coral Gables to improve accessibility and equal opportunity to persons who have disabilities.

**Attachments:** [ADA PDF](#)  
[Parking Fines Resolution](#)  
[Parking Fines Resolution Cover](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT MIAMI-DADE COUNTY'S PARKING FINES REIMBURSEMENT IN THE AMOUNT OF \$12,195.00 TO BE USED IN THE CONSTRUCTION OF SIDEWALK EXTENSIONS IN THE CITY OF CORAL GABLES TO IMPROVE ACCESSIBILITY AND EQUAL OPPORTUNITY TO PERSONS WHO HAVE DISABILITIES.

**This Matter was adopted by Resolution Number 2008-105 on the Consent Agenda.**

City Clerk Item No. 13

**Item C.-5. and D.-1. are related**

**RESOLUTION NO. 2008-106****C.-5. [08-0496](#)**

A Resolution urging support for the Children's Trust, which is a ballot question on August 26, 2008.

**Attachments:** [ChildrensTrustCover](#)  
[ChildrensTrustDraftReso](#)  
[MDCLCResolution2008-9](#)

A RESOLUTION CONFIRMING RESOLUTION NO. 2008-100, THEREBY URGING SUPPORT FOR THE CHILDREN'S TRUST, WHICH IS A BALLOT QUESTION ON AUGUST 26, 2008.

**This Matter was adopted by Resolution Number 2008-106 on the Consent Agenda.**

City Clerk Item No. 14

**RESOLUTION NO. 2008-107****C.-6. [08-0501](#)**

A Resolution of the City Commission of the City of Coral Gables, Florida, expressing support for the creation of the Palace at Coral Gables Community Development District by the Miami-Dade County Commission for the area described in Exhibit "A" and providing for an effective date.

**Attachments:** [AR-M620N\\_20080709\\_152025](#)  
[Palace - CDD Structure Description v9 IGV 07-30-07](#)  
[Palace Commission Cover](#)  
[Resolution v4 IGV 07-03-08](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, EXPRESSING SUPPORT FOR THE CREATION OF THE PALACE AT CORAL GABLES COMMUNITY DEVELOPMENT DISTRICT BY THE MIAMI-DADE COUNTY COMMISSION FOR THE AREA DESCRIBED IN EXHIBIT "A" AND PROVIDING FOR AN EFFECTIVE DATE.

**This Matter was adopted by Resolution Number 2008-107 on the Consent Agenda.**

City Clerk Item No. 15

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

**C.-7. [08-0465](#)**

Communications Committee Meeting of June 19, 2008

**Attachments:** [Microsoft Word - minutes june 2008.pdf](#)  
[Microsoft Word - communicationsminutesagendajune08.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 16

**C.-8. [08-0466](#)**

Public Safety Committee Meeting of May 13, 2008

**Attachments:** [PSC Minutes of 05-13-2008](#)  
[summary of PSC minutes 05-13](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 17

**C.-9. [08-0467](#)**

Parks and Recreation Advisory Board Meeting of June 20, 2008

**Attachments:** [Cover Memo 06-20-08 Summary](#)  
[Min 06-20-08](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 18

- C.-10. [08-0475](#) Property Advisory Board Meeting of May 21, 2008

**Attachments:** [PAB Consent Cover](#)  
[PAB Consent Minutes](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 19

- C.-11. [08-0482](#) Economic Development Board Meeting of June 4, 2008

**Attachments:** [Minutes 6-4-08](#)  
[Commission cover no action 7-15-08](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 20

- C.-12. [08-0495](#) Board of Adjustment Meeting of June 2, 2008

**Attachments:** [COVER MEMO 7-15-08](#)  
[NOTICE](#)  
[6-2-08 BOADJ RECAP](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 21

- C.-13. [08-0499](#) Historic Preservation Board Meeting of June 19, 2008

**Attachments:** [HPB June 19 2008 DRAFT.pdf](#)  
[NoAction06.19.08MinutesforCC07.15.08.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 22

**D. PERSONAL APPEARANCES**

Items D.-1. and C.-5. are related

**RESOLUTION NO. 2008-100**

D.-1. [08-0494](#)

David Lawrence, Jr., President of The Early Childhood Initiative Foundation, on behalf of the Children's Trust, urging support of a ballot question on August 26, 2008.

A RESOLUTION OF THE CITY OF CORAL GABLES URGING SUPPORT FOR THE REINSTITUTION OF THE CHILDREN'S TRUST MONEY TO FUND IMPROVEMENTS TO CHILDREN'S HEALTH, DEVELOPMENT AND SAFETY, IN FURTHERANCE OF QUALITY OF LIFE ENHANCEMENT FOR ALL CHILDREN AND THEIR FAMILIES; SAID ISSUE WHICH IS A SPECIAL REFERENDUM ELECTION BALLOT QUESTION IN CONJUNCTION WITH THE PRIMARY ELECTION BEING HELD ON AUGUST, 26, 2008; FURTHER URGING ALL ELECTORS AND THEIR RESPECTIVE MUNICIPALITIES TO SUPPORT THE MISSION OF THE CHILDREN'S TRUST.

[Note for the Record: A copy of the verbatim transcript of Agenda Item D-1 is available for public inspection in the City Clerk's Office and in Legistar].

**A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-100. The motion passed unanimously.**

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

City Clerk Item No. 1

**RESOLUTION NO. 2008-101**

D.-2. [08-0484](#)

Commissioner Carlos A. Gimenez, to discuss the proposed County Budget and its fiscal impact on the City of Coral Gables.

A RESOLUTION OF THE CITY OF CORAL GABLES OPPOSING THE MIAMI-DADE COUNTY'S PROPOSED TENTATIVE MILLAGE RATE OF 9.5391, AS PREPARED BY MIAMI-DADE COUNTY MAYOR CARLOS ALVAREZ AND MIAMI-DADE COUNTY MANAGER GEORGE BURGESS' PROPOSED BUDGET FOR FISCAL YEAR 2008-2009.

[Note for the Record: **Mayor Slesnick** prefaced his remarks by acknowledging Miami-Dade County **Commissioner Carlos Gimenez**, District 7; further stating that Commissioner Gimenez is one who understands the needs of municipalities; whereupon Commissioner Gimenez addressed the Commission, stating that he was here to advise them of Miami-Dade County's Proposed Millage and Budget, as prepared by the Mayor and County Manager; further stating that said proposal does

not spell good news for certain municipalities, including the City of Coral Gables; further stating that the proposed millage represents an increase of the Countywide millage by three tenths of a mill (9.5391 mills); more particularly lowering UMSA by one tenth (1.9282) of a mill; lowering the Fire District by two tenths of a mill, and decreasing the Library District by three tenths of a mill, to make the total millage of 9.5391, the same as unincorporated areas of Miami-Dade County, further noting that 56% of the people in Miami-Dade County live in municipalities; further stating that people who live in the municipalities will be adversely impacted-further pointing out that people in cities that use the least amount of County services will be impacted the greatest; further stating that the biggest loser amongst municipalities will be the City of Hialeah, which has its own Library District, and is not in UMSA; further noting that Hialeah has its own Fire District; however, the Hialeah has no way to offset same by other millages. The second tier losers will be the cities of Coral Gables, Miami, Miami Beach and Key Biscayne, noting that although said cities use the County's Library System, they have their respective Fire Departments.

**Questions/Comments by the City Commission:** **Commissioner Cabrera** inquired of **County Commissioner Gimenez**, whether he had any other advice to render regarding contacting the Miami-Dade Commission?-whereupon Commissioner Gimenez stated that he dislikes the tactic of placing losers against winners (people that will gain); further pointing out that the County need to go back to last year's millage rate, wherein everyone would obtain full benefit of the 25,000 exemption; further stating that ultimately, every one loses, because no one receives the full benefit of the governmental exemption is going above the state limit; further noting that said budget proposal is a shell game.

**Vice Mayor Kerdyk** inquired of the City Manager, what has he done in terms of contacting the Miami-Dade League of Cities, and in engaging our lobbyist, Fausto Gomez regarding interacting with Miami-Dade County Hall; further stating that it is imperative that the City of Coral Gables have said discussion with Commissioner Sosa (District 6) within the next day. Commissioner Cabrera added that each Commissioner needs to make a call to County Commissioner Sosa, as well.

City Manager Brown noted that he has forwarded a letter to the County Commission regarding same. Mr. Gomez is actively involved with attempting to derail this initiative, also that he has conveyed to the League of Cities that said measure should be vigorously opposed.

Commissioner Cabrera stated that each Commissioner needs to communicate with the Miami-Dade Commission. Commissioner Gimenez stated that he has heard Commissioner Sosa state in a Committee Meeting that Commissioner Sosa is also against said proposal; further stating that part of her district is in Hialeah, which will be impacted the most by said proposal;

Commissioner Anderson inquired of **Commissioner Gimenez** as to the status of the proposed Charter Amendment Issue to make Municipal Fire Departments fall within the preview of Miami-Dade County's jurisdictional domain; whereupon County Commissioner Gimenez stated that the County needs to read its own Charter, citing Section 6, as well as Section 6.06, respectively, referencing the rights of cities to self-determination and the right to contract; further indicating his opposition to said budget proposal and millage and urging our citizenry to demand to have a County Commission who is not afraid to represent its community; whereupon Mayor Slesnick said that he would entertain a motion opposing the millage shift of 9.5391, by the Miami-Dade County Board of County Commissioners].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-101. The motion passed unanimously.**

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

City Clerk Item No. 4

### **RESOLUTION NO. 2008-108**

**D.-3. [08-0500](#)**

Gene Prescott, President of The Biltmore Hotel, to request authority to begin the evaluation process for a proposed public underground parking garage and low scale residential development on the site of the Hotel's west parking lot and to further request deferral of the City mandated fees associated with the project.

**Attachments:** [Biltmore Letter Resolution](#)

A RESOLUTION AUTHORIZING THE BILTMORE HOTEL TO MOVE FORWARD WITH THE PUBLIC EVALUATION PROCESS OF A PROJECT CONSISTING OF A PUBLIC UNDERGROUND PARKING GARAGE AND LOW SCALE RESIDENTIAL DEVELOPMENT ON THE SITE OF THE HOTEL'S WEST PARKING LOT.

[Note for the Record: A copy of the verbatim transcript of Agenda Item D-3 is available for public inspection in the City Clerk's office and in Legistar].

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-108. The motion passed by the following vote:**

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

City Clerk Item No. 23(a)

**RESOLUTION NO. 2008-109**

NA.D. [08-0509](#)  
-3.1.

A Resolution authorizing the deferral of fees for the proposed Biltmore Hotel Project.

A RESOLUTION AUTHORIZING THE DEFFERAL OF FEES FOR THE PROPOSED BILTMORE HOTEL PROJECT CONSISTING OF A PUBLIC UNDERGROUND PARKING GARAGE AND LOW SCALE RESIDENTIAL DEVELOPMENT ON THE SITE OF THE HOTEL'S WEST PARKING LOT UNTIL THE PROJECT RECEIVES FINAL CITY COMMISSION APPROVAL.

[Note for the Record: A copy of the verbatim transcript of Agenda Item NA.D.-3.1. is available for public inspection in the City Clerk's office and in Legistar].

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-109. 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. 23(b)

**RESOLUTION NO. 2008-110**

NA.D. [08-0510](#)  
-3.2.

A Resolution of the City Commission instructing the City Manager to contact the federal government in an effort to move the process forward; further stating that the Biltmore Hotel will incur any Attorney fees encountered by the City and requesting direction from the Federal Government as to the appropriateness of this project.

A RESOLUTION OF THE CITY COMMISSION INSTRUCTING THE CITY MANAGER TO CONTACT THE FEDERAL GOVERNMENT IN AN EFFORT TO MOVE THE PROCESS FORWARD REGARDING THE BILTMORE HOTEL (A FEDERALLY DESIGNATED LANDMARK) PARKING LOT; FURTHER STATING THAT THE BILTMORE HOTEL WILL BE RESPONSIBLE FOR ANY SPECIAL COUNSEL FEES INCURRED DURING THIS PROCESS.

[Note for the Record: A copy of the verbatim transcript of Agenda Item NA.D.-3.2. is available for public inspection in the City Clerk's office and in Legistar].

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-110. 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. 23(c)



**E. PUBLIC HEARINGS****ORDINANCES ON SECOND READING****ORDINANCE NO. 2008-17****E.-1. 08-0417**

An Ordinance repealing Ordinance No. 2003-27 which allowed the City Commission to exempt certain advisory boards and committees from complying with the requirements of the City Code, Chapter 2, "Administration", Article V "Conflict of Interest and Code of Ethics"; providing for severability, codification and repealing all Ordinances inconsistent or in conflict herewith. (Passed on First Reading June 26, 2008)

**Attachments:** [County ordinance 08 53 disclosure](#)  
[drafordinance repealordinance2003-27](#)  
[O-2003-27 exempting boards from conflict of interest](#)  
[O-2003-5finalethicsord](#)  
[agendacover repealing Ord 2003 27](#)  
[comm ord repealing 2003 27](#)  
[agendacover repealing Ord 2003 27](#)  
[O-2003-5finalethicsord](#)  
[O-2003-27 exempting boards from conflict of interest](#)  
[draft ordinance repeal ordinance2003 27](#)

AN ORDINANCE REPEALING ORDINANCE NO. 2003-27 WHICH ALLOWED THE CITY COMMISSION TO EXEMPT CERTAIN ADVISORY BOARDS AND COMMITTEES FROM COMPLYING WITH THE REQUIREMENTS OF THE CITY CODE CHAPTER 2, "ADMINISTRATION", ARTICLE V, "CONFLICT OF INTEREST AND CODE OF ETHICS"; PROVIDING FOR SEVERABILITY, CODIFICATION AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

[Note for the Record: Following the City Attorney's reading of the Ordinance on Second Reading into the public record, Ms. Hernandez reminded the City Commission that said legislation had passed on First Reading on June 26th, 2008. Mayor Slesnick further informed the public that said ordinance was discussed fully on First Reading; further instructing the City Attorney to work with him in authoring a letter to Miami-Dade County Commissioner Pepe Diaz, bringing said matter (the filing of this ordinance) to his attention; further pondering the potential impact that this ordinance might have on the composition of our boards and committees-further expressing concern as to how many board members may potentially resign from their respective boards, etc.

**City Attorney Hernandez** further added that as a volunteer, many board members feel that they should not have to expose their financial records to the world. **Mayor Slesnick** mentioned that quasi-judicial boards already have to file financial disclosure

forms; however, those purely advisory boards, namely Landscape and Beautification Committee, Library Committee and Parks and the Recreation Advisory Aboard will be subject to such filing, an initiative that will eliminate approximately 4,000 trees].

**A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2008-17. 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. 24

### **ORDINANCES ON FIRST READING**

**E.-2. [08-0473](#)**

Ordinance amending Article IV of Chapter 78 of the Code of the City of Coral Gables titled "Stormwater Management Utility" for the purpose of redefining developed property, dwelling, impervious area, nonresidential developed property, and residential developed property; and providing a definition and utility fee computation for mixed-use developed property, reserving the City's right to commence in-house billing, increasing the City's discretion to not file notices of lien for amounts less than \$100.00, providing an effective date, and repealing all Ordinances inconsistent herewith. (Passed on First Reading July 15, 2008)

**Attachments:** [O-2006-649 3032\(2\)](#)  
[Stormwater Article 4](#)  
[Ordinance Stormwater](#)  
[Second reading cover](#)  
[Stormwater signed cover](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item E.-2 is available for public inspection in the City Clerk's office and in Legistar].

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

City Clerk Item No. 25

**E.-3. [08-0498](#)**

An Ordinance of the City of Coral Gables amending Chapter 2 of the City Code entitled "Administration" establishing a policy for the use of the City Seal, and providing penalties for misuse of the City Seal. (Passed on First Reading July 15, 2008)

**Attachments:** [citysealordinance](#)  
[R-2004-226\(use of seal\)](#)  
[2007\\_228\\_cityseal](#)  
[agendacover\\_CitySeal](#)  
[comm\\_ord\\_cityseal](#)  
[citysealordinance](#)  
[2007\\_228\\_cityseal](#)  
[R-2004-226seal](#)  
[comm\\_ord\\_cityseal](#)  
[agendacover\\_CitySeal](#)

[Note for the Record: Following the reading of the Ordinance on First Reading into the public record by the **City Manager**, it was stated by the City Attorney that said legislation had passed on First Reading on June 26th, 2008; further stating that said legislation represents the codification of the previous number of resolutions passed and adopted by the City Commission, regarding usage of our City seal.

**Questions/Inquiries by the City Commission:** Mayor Slesnick inquired of the City Attorney as to whether or not elected officials have an inherent right to use the City seal?-whereupon **City Attorney Hernandez** qualified same by saying that said usage must be related to official City business].

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be approved as an Ordinance on First Reading.**  
**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. 26

**RESOLUTIONS**

None

**F. CITY COMMISSION ITEMS**

None

City Clerk Item No. 27

**G. BOARDS/COMMITTEES ITEMS****RESOLUTION NO. 2008-111****G.-1. 08-0493**

Presentation of excerpt of the Property Advisory Board meeting of June 18, 2008, recommending the following action:

Maintain the Granada Snack Shop's (Burger Bob) lease on a month-to-month basis.

**Attachments:** [Property Advisory Board Cover](#)  
[Property Advisory Board Excerpt](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAINTAIN THE GRANADA SNACK SHOP'S (BURGER BOB'S) LEASE ON A MONTH-TO-MONTH BASIS WITH A 30-DAY NOTICE OF CANCELLATION PERIOD UNTIL IT IS DECIDED IF A REEQUEST FOR PROPOSAL (RFP) IS NECESSARY.

[Note for the Record: City **Manager Brown** stated that the recommendation that was proffered by the Property Advisory Board is to maintain the Granada Snack Shop on a month-to-month basis, until there can be an evaluation of the leases in connection with the Coral Gables Country Club, in order that we may keep the lease current, said lease which expires in August of 2008; further stating that part of the Request for Proposals included Burger Bob's; and that it gives the proposer an option that is not critical, but an a la carte choice as to the remaining items contained in said bid; however, they must include in their proposal the Country Club and the Pool.

**Questions/Comments by the City Commission:** **Commissioner Cabrera** informed the City Manager that he was unaware that part of the Coral Gables Country Club lease included the Granada Snack Shop (Burger Bob's); further inquiring if the City were to execute a Coral Gables Country Club lease with a successful bidder, that included the Granada Snack Shop (Burger Bob's), how would that work?-further inquiring as to how much time would **Robert McGuire** (the current operator) be given?-whereupon **City Manager Brown** responded that, said matter would be part of the negotiations with the successful bidder; further adding that he is not in the mode of having to terminate the relationship with Mr. McGuire; instead, he would like for him to finish his term under the lease; further expressing his desire to see the City work extremely hard to make sure that Bob McGuire is treated with fairness, equitably and with respect; further stating that this is not to say that the City would not be fair to his contract; further acknowledging that Burger Bob's is one of those places that has been part of the City's landscape, personally recollecting that it was one of the first places that he ever patronized in Coral Gables, that he went on his own and paid his own way.

**Mayor Slesnick** further added that **Mrs. Cathy Swanson Rivenbark**, in working with the drafting of the RFP, if there is a successful bidder that included the Granada Snack Shop (Burger Bob's), the Commission could do some encouraging regarding character, style, who might be an appropriate operator to run it, etc.]

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-111. The motion passed unanimously.**

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

City Clerk Item No. 28

## **H. CITY MANAGER ITEMS**

### **RESOLUTION NO. 2008-112**

#### **H.-1. 08-0432**

A Resolution authorizing the City Manager to execute a three (3) year lease agreement, plus one (1) three-year (3) option with Dulce, LLC. for 950 square feet of retail space located at 286 Miracle Mile.

**Attachments:** [Coversheet.pdf](#)  
[July - Dulce Lease Agreement Resolution - draft.pdf](#)  
[Final for July Commission Mtg..pdf](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A THREE (3) YEAR LEASE AGREEMENT, PLUS ONE THREE-YEAR (3) OPTION, WITH DULCE, LLC. FOR 950 SQUARE FEET OF RETAIL SPACE AT 286 MIRACLE MILE.

[Note for the Record: Following the City Manager's reading the title to the resolution for Agenda Item H-1 into the public record, **Department of Development Director Cathy Swanson-Rivenbark** addressed the City Commission, stating that this is a 950 square foot building adjacent to the Miracle Theatre which became vacant, whereby the City has negotiated a good use for said space, culminating into a lease agreement (for three years, plus one three year option) with a tenant, namely Dulce, to bring a high end business (i.e. selling of shoes, accessories, handbags, etc.); further stating that because this is a first time tenant, the City has requested a personal guarantee, as recommended by the City's Property Advisory Board; further stating that a three month rent abatement period was recommended in an attempt to assist with the much needed cosmetic upgrades inside the building. The base rent begins at a monthly rate of \$3,500 (\$44.21 per square foot, from August 1, 2008 through July 31, 2009); \$3,605 (\$45.54 per square foot, from August 1, 2009-July 31, 2010); and 3,713.15 (\$46.90 per square foot, from August 1, 2010-July 31, 2011). and increases annually at 3 percent throughout the lease and option periods; further recommending that the City Manager be authorized to execute said lease agreement.

**Questions/Comments from Commissioners:** **Mayor Slesnick** inquired as to who

will pay the BID?-he further inquired as to how long was the lease agreement?-whereupon Mrs. Swanson Rivenbark informed the City Commission that it was for 10 years. Mayor Slesnick stated that he should have informed his colleagues that it required a supermajority vote; however, further noting that since said measure received a unanimous vote, it was OK. Mrs. Swanson Rivenbark further informed the City Commission that under the new Procurement Code, the City Commission will not be revisiting the shorter term leases.

**Vice Mayor Kerdyk** that this was a very good lease; further noting that said lease is at market-- the City is receiving \$1,000 more than what it was previously getting; the three month rent abatement is at market; the two month security is at market; the tenant is responsible for everything in the facility; it's a triple net lease, the tenant is paying for everything including insurance and taxes; in short, this represents something that the City benefits from; further commending the City Attorney on crafting of the template.

**Commissioner Cabrera** inquired of the City Manager as to whether **Karma** had reopened?- further inquiring as to whether the City is in litigation?- whereupon Mrs. Swanson Rivenbark responded that she was not sure if one may characterize the current status as being in litigation, but active discussion. **City Manager Brown** informed the City Commission that **City Attorney Hernandez** said Lourdes Alfonsin had sent them a notice to vacate the premises. City Attorney substantiated the fact that **Ms. Alfonsin** had forwarded to them a notice to vacate, and had given them a time certain; further stating that her office had been working with their attorney trying to get them to leave; however, the City Attorney cannot forcibly make said tennant leave; a formal notice had been sent. Commissioner Cabrera stated that while passing the premises recently he noticed that the doors were reopened under the same ownership, but with a slightly limited menu. Mrs. Swanson Rivenbark added that the owner had challenged the City's ruling.

Mayor Slesnick inquired of the City Manager as to why the City has not locked them out?-since the City Commission had sent a clear message that the City has been messed with long enough; further expressing his frustration with said issue.

**Commissioner Cabrera** apologized for bringing up said matter; further adding that he was totally surprised when he noticed that the tenants had reopened].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2008-112. 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. 29

**RESOLUTION NO. 2008-113****H.-2. 08-0313**

A Resolution authorizing the award of Downtown Towing pursuant to Section 2-828 [c] of the Procurement Code for Towing Services RFP 2008-03-13. Further authorizing the City Manager to execute a two (2) year contract with an option to renew for three (3) one (1) year periods.

**Attachments:** [Distribution Packages](#)  
[Selection Committee Results](#)  
[Letter of Recommendation](#)  
[RFP 2008.03.13 Towing Services](#)  
[2008.03.13 Towing Services Addendum 1 with attachments](#)  
[2008.03.13 Towing Services Addendum 2 with attachments](#)  
[2008.03.13 Towing Services Addendum #3 with attachments](#)  
[2008.03.13 Towing Services Addendum 4](#)  
[Tow Proposed Rates - All - BAFO](#)  
[2008 03 13 Towing Services Draft Res \( Rev\) \(2\)](#)

A RESOLUTION AUTHORIZING THE AWARD OF DOWNTOWN TOWING PURSUANT TO SECTION 2-828 [C] OF THE PROCUREMENT CODE FOR TOWING SERVICES (RFP 2008-03-13); FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE A TWO (2) YEAR CONTRACT ~~WITH AN OPTION TO RENEW FOR THREE (3) ONE (1) YEAR PERIODS.~~

[Note for the Record: A copy of the verbatim transcript of Agenda Item H-2 is available for public inspection in the City Clerk's office and in Legistar].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-113. The motion passed by the following vote:**

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

City Clerk Item No. 30

**I. CITY ATTORNEY ITEMS**

- I.-1. [08-0480](#) Pending Litigation Report

**Attachments:** [PENLIT.7\\_15\\_08](#)

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 31

**RESOLUTION NO. 2008-114**

- NA.-1.1. [08-0511](#)

A Resolution opposing Miami-Dade County's efforts to transfer Municipal Fire Protection and Rescue Services.

A RESOLUTION OF THE CITY OF CORAL GABLES OPPOSING MIAMI-DADE COUNTY'S EFFORTS TO TRANSFER MUNICIPAL FIRE PROTECTION AND RESCUE SERVICES TO THE COUNTY AND PROVIDE A UNIFORM, COUNTYWIDE SYSTEM OF FIRE PROTECTION AND RESCUE SERVICES.

**A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-114. The motion passed unanimously.**

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

City Clerk Item No. 32

**J. CITY CLERK ITEMS**

None

City Clerk Item No. 33



**K. DISCUSSION ITEMS**

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: One thing, the Biltmore II; I contacted you about making sure that their landscaping project which had been held in Building and Zoning had moved onto structural; I want to make sure that the General Manager for the Biltmore II is kept abreast of that situation, where it's at, where they are going, gotten involved the new French village across the street is also very concerned; if we can keep Mr. Larson of the Biltmore II abreast of where it is, when you expect to get it out and...

Commissioner Cabrera: I think Ms. Jimenez briefed him yesterday by e-mail.

Ms. Jimenez:...[Inaudible - off mike]...

Commissioner Cabrera: I'm sure he could have contacted all of us.

Ms. Jimenez:... and structural have approved the plans, right now...I'm sorry.

Commissioner Cabrera: And that's been communicated to the Biltmore II.

Ms. Jimenez: Yes, that's been communicated to them, the only pending item is zoning, and we've offered to sit down with them, there are three issues that need to be addressed.

Commissioner Anderson: That's all I needed, thank you so much; all resolved.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: Whatever happened to the initiative that we approved some months back to install cameras in the intersections throughout the downtown area?

City Manager Brown: I'll give you a very brief summary. A company was selected; the attorneys got a hold of it and made sure it was all ready to go; the company then at the last minute said no, we can't use that agreement, we have to change agreements, just as I was ready to execute it; we've been in negotiations with that company to put back the language that they were trying to take out; the City Attorney and I have agreed with the language that makes the contract still basically in the same form as the one we piggy-backed off of; the City Attorney has it, we've agreed, and I should be executing it within the next twelve hours.

Commissioner Cabrera: Well, that's good news.

City Manager Brown: Now, subsequent to that there's a list of about twenty

intersections that are going to be sent to the company, they'll do some testing and recommend to us, and to the Police Department their thought processes on the top five that we should use. Once we execute the agreement, they say its forty-five days...no I'm sorry...once they get their permit its forty-five days and then they'll have the monuments in the ground.

Commissioner Cabrera: The reason I asked was I just learned yesterday that the City of Hialeah is incorporating the system in their municipality, and I was just simply curious where we were in our process, because I was under the impression that there had been some problems because of legislation.

City Attorney Hernandez: Right.

City Manager Brown: Yes, the legislation is what made them change their mind not to use the agreement because they thought they were going to get control through the legislative process and did not.

City Attorney Hernandez: Right. We were working with them on a piggyback contract City of Aventura, they were attempting to make material changes to that agreement and we could not accept it, as a result we modified it to make it consistent with what the legislators did, but at the same time so that the changes were not material.

Commissioner Cabrera: OK. Well then it's my understanding if and when this system goes into place we'll have...we'll still use Code Enforcement for the purpose of...

City Manager Brown: Yes sir.

City Attorney Hernandez: We have to.

Commissioner Cabrera: OK. So, there's no move afoot at the State level to change that that either one of you know of?

Mayor Slesnick: Maybe next legislative session.

City Manager Brown: Maybe next legislative session it'll be there again.

Commissioner Cabrera: Well we would have the cameras up by then I would hope, and then if there was a change we could obviously implement that change...sir?

City Manager Brown: We'd be grandfathered in probably.

Commissioner Cabrera: You'd be grandfathered in.

City Manager Brown: If they make a legislative change after we are installed.

Commissioner Cabrera: Oh right, right, so we would just go from being a code enforcement citation to being a moving violation, whatever.

City Manager Brown: We are going to have to be very careful, lots of legislation to make sure the County doesn't get into your pocket on those legislative changes if you're already installed.

Commissioner Cabrera: Speaking of that, that was my next comment; the fact that Commissioner Gimenez took the time to come here today was certainly appreciated, and I said to Vice Mayor Kerdyk when he suggested that he contact Commissioner Sosa, which I agree with his recommendation, I whole-heartedly support it, I don't know how the rest of you feel, but I really think that this is the kind of thing that if all five of us make the appropriate contacts it will go a long way, because at least there are a couple of other Commissioners in Miami-Dade County that I have a friendly relationship with that I would be certainly inclined to call, and I would hope the rest of us would do the same, so I'm not telling anyone here what to do, but this is a serious matter and I hope that we look at it that way and we take the right initiatives on it, I'm just hoping that we still have time to do something about it.

Mayor Slesnick: I agree whole-heartedly and be assured I've been engaged to talking with Commissioners at the League of Cities; I am trying, but I have to tell you though as you know it comes down to a matter of which Commissioners represent the cities that are being gored and which ones don't.

Commissioner Cabrera: And I hate to give your staff work to do, but could someone in the City Manager's office tell us of the municipalities that Commissioner Gimenez mentioned Hialeah, Miami Beach, City of Miami...

Mayor Slesnick: City of Miami, Key Biscayne, Miami Beach, Coral Gables, Hialeah.

Commissioner Cabrera: If we could get the names of the five or six Commissioners, or seven or eight, whatever the number is, of Commissioners - Miami-Dade County Commissioners that have responsibility of those so that we can make, at least my office, can make the right phone calls.

City Manager Brown: You want the County Commissioners who belong to the cities.

Commissioner Cabrera: Who belong to those five cities that Mayor Slesnick mentioned, maybe you can circulate that amongst the five cities.

City Manager Brown: I will.

Vice Mayor Kerdyk: That's a good idea.

Mayor Slesnick: Mr. Kerdyk.

Vice Mayor Kerdyk: Nothing Mayor.

Mayor Slesnick: Chip.

Commissioner Withers: Nothing too.

Mayor Slesnick: One thing that really irritates me; we do our best to try to convince the citizens of our State, our County, our region, our City that we are all prepared to help each other through hard times, and hard times as far as hurricanes and so forth, we've live through them, we lived through many in our life time, and we have advertisers like this company that put out advertising like this, hurricanes are terrifying, and their ad was for the last three weeks, terrifying, terrifying, terrifying, big bold underlined; I have to tell you that kind of advertising to me is just irresponsible, it just uses the fear factor to sell products. It's a home construction company.

City Manager Brown: They did the following week too.

Mayor Slesnick: And the fold-over has been on the comic pages, which of course is read by young people in the community. I've complained in the Miami Herald that they accept this kind of advertising, but for those of you reading it everyone we ask its hurricane season, everyone should be prepared, everyone should get the right supplies, we talk about this, you should have your home prepared, but I hope that you approach hurricanes like we have for hundreds of years, like decades and that is sensible, concerned, prepared, but I don't think anybody should be terrified. We are all in this together, it's just a natural storm and we'll get through it together, and we'll be there to help as best we can. With that we will adjourn this meeting and will be back here tomorrow morning for Commission Budget Workshop Session at 9:00 a.m. Thank you all.

City Clerk Item No. 34

**ADJOURNMENT**

[Note for the Record: There being no further business on the Regular City Commission Meeting Agenda. The Commission of the City of Coral Gables adjourned its meeting at 1:03 pm on July 15, 2008. The next regular meeting of the City Commission has been scheduled for August 26, 2008, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK