

# City of Coral Gables

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



## Agenda

**Tuesday, September 22, 2009**

**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*

**INVOCATION**

*Ronald L. Gaudio, Chaplain and Director, Pastoral Care Services, Doctors Hospital*

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

- A.-1. [09-0641](#) Presentation of a Proclamation declaring October 23-31, 2009 as Red Ribbon Week in Coral Gables.
- A.-2. [09-0643](#) Presentation of a Proclamation declaring September 22, 2009 as Silva Architects Day in Coral Gables in recognition of their achievement of LEED Gold Certification.
- A.-3. [09-0633](#) Presentation of 20 years service pin to Mario E. Rimart, Fire Department.
- A.-4. [09-0634](#) Congratulations to Guillermo Cuevas, IT Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of October 2009.

**B. APPROVAL OF MINUTES**

- B.-1. [09-0660](#) Regular City Commission Meeting of September 8, 2009

**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. [09-0439](#) Resolution authorizing encroachments into the right-of-way with light fixtures at an elevation of approximately 10' 0" above the sidewalk, landscaping, miscellaneous architectural moldings and roof overhangs, adjacent to 1505 Ponce de Leon Boulevard, subject to the requirements of the Public Works Department.
- C.-2. [09-0657](#) Resolution authorizing temporary placement of five (5) 3' X 3 ½' banners at certain City facilities from October 23 through October 31, 2009, in recognition of "Red Ribbon Campaign week in the City of Coral Gables".
- C.-3. [09-0658](#) Resolution authorizing the extension of a contract with Gym Kidz, Inc. pursuant to Section 2-834 (D) of the Procurement Code on a month-to-month on an as-needed basis until such time as a new contract is executed for the provision of Gymnastic Professional Services.
- C.-4. [09-0659](#) Resolution of the City Commission of Coral Gables, Florida authorizing a compensation change for excluded employees effective October 1, 2009.

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

- C.-5.    [09-0625](#)            International Affairs Coordinating Council Meeting of August 18, 2009
- C.-6.    [09-0627](#)            Parks and Recreation Youth Advisory Board Meeting of September 1, 2009
- C.-7.    [09-0638](#)            Retirement Board Meeting of August 13, 2009
- C.-8.    [09-0611](#)            Traffic Advisory Board Meeting of July 21, 2009
- C.-9.    [09-0635](#)            Insurance Advisory Committee Meeting of September 9, 2009
- C.-10.   [09-0636](#)           Landscape Beautification Advisory Board Meeting of September 3, 2009
- C.-11.   [09-0639](#)           Historic Preservation Board Meeting of August 20, 2009

**D.    PERSONAL APPEARANCES**

**None**

**E. PUBLIC HEARINGS**

*All Individuals desiring to give testimony shall be sworn in.*

**ORDINANCES ON SECOND READING**

- E.-1. [09-0475](#) Ordinance amending Article III of Chapter 78 of the Code of the City of Coral Gables titled "Sanitary Sewer System" and in particular Section 78-99 titled "Compulsory connection required where sanitary sewer available" for the purpose of making the owner solely responsible for the construction, maintenance, repair, cleaning, and cost of inspection of all laterals from their property line to any point of connection with the City's sanitary sewer system. (Passed on First Reading July 7, 2009)
- E.-2. [09-0564](#) Ordinance amending Chapter 74 of the Code of the City of Coral Gables, Florida, entitled "Traffic and Vehicles" in particular, Section 74-352, entitled "Use of Image Capture Technology" by providing further clarification; Section 74-353, entitled "Definitions" by adding definitions for further clarification; Section 74-356, by changing the title from "Ninety-Day Notice; Introductory Period" to "Thirty-Day Notice; Introductory Period"; thereby increasing the notification period from ninety (90) days from the adoption of the Ordinance (on November 12, 2007) to thirty (30) days following the notification from the Police Chief indicating that the red light camera system is operational at the initial location established; Section 74-359, entitled "Vehicle Owner Responsibilities" by providing further clarification; providing for a severability clause, repealer provision; codification, and provision for an effective date. (Passed on First Reading September 8, 2009)
- E.-3. [09-0608](#) Ordinance amending Chapter 26, entitled "Emergency Services," in particular, Section 26-1 "Fees for Emergency Rescue Services" and Chapter 30, entitled "Fire Prevention and Protection," in particular, Section 30-6 "Fees for Emergency Rescue Services," of the Code of the City of Coral Gables, allowing for fees to be assessed to all persons transported via City Fire Department vehicle; repealing all Ordinances inconsistent herewith and providing for an effective date. (Passed on First Reading September 8, 2009)
- E.-4. [09-0624](#) Ordinance amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions", revising the contributions for employees who are not included in any bargaining unit; providing for an effective date; and repealing all Ordinances herewith. (Passed on First Reading September 8, 2009)

**ORDINANCES ON FIRST READING**

- E.-5. [09-0640](#) An Ordinance of the City Commission of Coral Gables amending the previous conditions of approval (Ordinance No. 3587) and changes to the previously approved site plan for the Country Club of Coral Gables to include outdoor dining on south side of property facing North Greenway Drive, enclosed/open air outdoor area on west side of property and improvements to existing porte-cochere on the rear of the property, legally described as Lots 1-9 and 37-39, Block 32, Section "B" (997 North Greenway Drive), Coral Gables, Florida, and including required conditions; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (PZB Vote 5-2)
- E.-6. [09-0655](#) Emergency Ordinance amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," implementing provisions of the 2008-2009 Collective Bargaining Agreement between the City of Coral Gables and Fraternal Order of Police, Coral Gables, Lodge Number 7; revising the definition of "total earnings"; revising the employee contributions for police officers; repealing all Ordinances inconsistent herewith; further dispensing with the requirement of reading title to said Ordinance on two separate days by a 4/5ths vote of the City Commission pursuant to Article II, Section 13 of the Charter; providing for a repealer provision; a savings clause; a severability clause; and providing for an effective date.

**RESOLUTIONS**

- E.-7. [09-0647](#) Resolution approving a separation of a building site pursuant to Zoning Code Section 12-5, into three (3) separate building sites consisting of two (2) new single-family residential building sites and one (1) existing duplex building site, legally described as Lots 8-15, Block 6, Coral Grove Section (1800 LeJeune Road), Coral Gables, Florida; as set forth in Application No. 07-08-072-P; and providing for an effective date.
- E.-8. [09-0648](#) Resolution approving final plat entitled "Pilafian Properties" being a re-plat of an approximately 0.7 acre site into three (3) platted lots, legally described as Lots 8-15, Block 6, Coral Grove Section (1800 LeJeune Road), Coral Gables, Florida; as set forth in Application No. 07-08-072-P; and providing for an effective date.
- E.-9. [09-0651](#) Resolution relating to the provision of fire protection services, facilities and programs in the City of Coral Gables, Florida; imposing fire protection assessments against assessed property located within the City, for the fiscal year beginning October 1, 2009; approving the rate of assessment; approving the assessment roll; and providing an effective date.

**F. CITY COMMISSION ITEMS**

- F.-1. [09-0620](#) Discussion regarding the adopted policy of unearned annual and sick leave from employees' leave banks.  
Commissioner Rafael "Ralph" Cabrera, Jr.
- F.-2. [09-0649](#) Discussion regarding the Biltmore Hotel.  
Commissioner Rafael "Ralph" Cabrera, Jr.

**G. BOARDS/COMMITTEES ITEMS**

- G.-1. [09-0572](#) Presentation of excerpts from the Historic Preservation Board meeting of July 16, 2009 requesting the following action with regard to Case File AV 2006-06:

That the City Commission adopt a Resolution authorizing Ad Valorem tax relief for the Hotel Place St. Michel, located at 162 Alcazar Avenue, a local historic landmark, legally described as Lots 3 and 4, Block 24, Coral Gables Section "L", according to the Plat thereof, as recorded in Plat Book 8, at Page 85, of the Public Records of Miami-Dade County, Florida.

**H. CITY MANAGER ITEMS**

- H.-1. [09-0363](#) Resolution accepting the recommendation of the Chief Procurement Officer authorizing agreements with AFLAC, Inc. and the Comprehensive Companies to administer a Voluntary Employee Benefits Program (Section 125 Cafeteria Plan) pursuant to Section 2-828 of the Procurement Code and Request For Quotes (RFQT) 2009.04.14 for an initial three (3) year period, with annual renewals, not to exceed a term of ten (10) years. (Deferred from the August 25, 2009 City Commission Meeting)
- H.-2. [09-0632](#) Resolution authorizing the negotiation of two loans in an aggregate principal amount not to exceed \$6,200,000 from the Sunshine State Governmental Financing Commission for the purpose of acquiring, constructing and erecting certain capital improvements; approving the execution and delivery of a loan agreement(s); providing for the repayment of such loan from certain legally available non-ad valorem revenues of the City of Coral Gables, Florida; delegating to the Mayor the authority to determine the final terms of the loan(s); providing certain other matters in connection with the making of such loan; and providing an effective date.
- H.-3. [09-0656](#) Resolution to appropriate funds in the Stormwater Utility Fund in the amount of two million six hundred ten thousand dollars (\$2,610,000) for capital improvements to dredge the Coral Gables Waterway and three million five hundred thousand dollars (\$3,500,000) to appropriate in the Capital Improvement Fund for the Coral Gables Museum.

**I. CITY ATTORNEY ITEMS**

- I.-1. [09-0653](#) Pending Litigation Report

**J. CITY CLERK ITEMS**

None

**K. DISCUSSION ITEMS**

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

**ADJOURNMENT**

**NOTE**

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

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

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

*Any person requiring special accommodations for participation in the meeting should contact R. Alberto Delgado, Public Works Director, at 305-460-5001, with requests for auxiliary aids or services at least one business day before the meeting.*

**Patrick G. Salerno**  
**City Manager**