

City of Coral Gables

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



Agenda

Tuesday, November 14, 2017

9:00 AM

**Pre-meeting presentations will be held in the
City Hall Courtyard at 8:30 am.**

City Hall, Commission Chambers

City Commission

*Mayor Raul J. Valdes-Fauli
Vice Mayor Patricia Keon
Commissioner Vince Lago
Commissioner Michael Mena
Commissioner Frank C. Quesada*

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

INVOCATION

Rev. Vidalis Lopez - First United Methodist Church of Coral Gables

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

- A.-1. [17-6706](#) Presentation of a \$3,010 donation from the City of Coral Gables to the Coral Gables Community Foundation collected during the "Pumpkin Patch" at Pittman Park, and benefitting Hurricane Irma victims in the Florida Keys.
- A.-2. [17-6752](#) Presentation of a Proclamation to Virginia Martinez Miranda on the occasion of her 96th birthday.
- A.-3. [17-6750](#) Presentation of a Proclamation declaring November 15, 2017 as "America Recycles Day" in Coral Gables.
- A.-4. [17-6751](#) Presentation of a Proclamation declaring November 25, 2017 as "Small Business Saturday" in Coral Gables.
- A.-5. [17-6723](#) Congratulations to Officer Christopher Naya, recipient of the City of Coral Gables "Officer of the Month Award," for the month of August, 2017.
- A.-6. [17-6724](#) Congratulations to Officer Gordon Dickinson, recipient of the City of Coral Gables "Officer of the Month Award," for the month of September, 2017.
- A.-7. [17-6766](#) Presentation of thirty year service pin to Darnell Johnson, Public Service/Landscape Services.
- A.-8. [17-6765](#) Congratulations to Chelsea Granell who holds the title Commission Liaison, recipient of the "Employee of the Month Award," for the month of November, 2017.

B. APPROVAL OF MINUTES

- B.-1. [17-6759](#) Regular City Commission Meeting of October 10, 2017.
- B.-2. [17-6760](#) Regular City Commission Meeting of October 24, 2017.

C. MAYOR'S COMMENTS

- C.-1. [17-6780](#) Acceptance of the David Hayes art long term loan as per City Attorney agreement.
- C.-2. [17-6782](#) Discussion and action re investigation of Chief Ed Hudak and other related matters concerning anonymous social media posts.
- C.-3. [17-6783](#) Sad day for Coral Gables concerning our City Attorney who has received a very important federal appointment.

D. 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.

- D.-1. [17-6743](#) A Resolution authorizing the Rotary Club of Coral Gables to sell alcoholic beverages at Fred B. Hartnett Ponce Circle Park on Sunday, February 25, 2018, from 1:00 p.m. to 5:00 p.m., during the Rotary Club of Coral Gables Chili-Cookoff event to benefit the Rotary Club of Coral Gables, subject to Florida Department of Professional Regulation Requirements.

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

- 1.-1. [17-6725](#) City of Coral Gables / University of Miami Community Relations Committee Meeting of October 23, 2017.
- 1.-2. [17-6741](#) Code Enforcement Board Hearing of October 25, 2017.
- 1.-3. [17-6699](#) Communications Committee Meeting of October 19, 2017.
- 1.-4. [17-6701](#) Construction Regulation Board Meeting of October 16, 2017.
- 1.-5. [17-6774](#) Construction Regulation Board minutes of November 6, 2017
- 1.-6. [17-6707](#) Coral Gables Merrick House Governing Board Meeting of March 20, 2017.
- 1.-7. [17-6639](#) Cultural Development Board Meeting of October 3, 2017.
- 1.-8. [17-6710](#) Historic Preservation Board Meeting of September 21, 2017.
- 1.-9. [17-6728](#) Landscape Beautification Advisory Board Meeting of November 2, 2017.
- 1.-10. [17-6711](#) Property Advisory Board Strategic Planning Workshop Meeting of October 11, 2017.
- 1.-11. [17-6727](#) Retirement Board Meeting of September 28, 2017.
- 1.-12. [17-6775](#) School and Community Relations Committee Meeting of August 18, 2017.
- 1.-13. [17-6776](#) School and Community Relations Committee Meeting of October 20, 2017.

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. [17-6773](#) A Resolution approving a temporary public art loan, for up to a year, of a sculpture by David Hayes. (Unanimously recommended by the Cultural Development Board approval/denial vote: 4 to 0).

E. PERSONAL APPEARANCES**Time Certain 11:00am (Agenda Item E-1)**

- E.-1. [17-6377](#) Status report regarding restoration and repair of local historic landmark at 803 Alhambra and related matter involving U.S. Fish & Wildlife Service.
(Sponsored by Mayor Valdes-Fauli)

Time Certain 11:30am (Agenda Item E-2)

- E.-2. [17-6722](#) Presentation by Jorge Hernandez on behalf of the Single-Family Committee regarding proposed Zoning Code text amendments to Single-Family Residential regulations.

F. 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

- F.-1. [17-6599](#) An Ordinance of the City Commission of Coral Gables adopting and enacting a new Code for the City of Coral Gables, Florida; providing for the repeal of certain ordinances not included therein; providing a penalty for the violation thereof; providing for the manner of amending such code; and providing when such code and this ordinance shall become effective; providing for a repealer provision, severability clause, codification, and providing for an effective date.
- F.-2. [17-6668](#) An Ordinance of the City Commission of Coral Gables, Florida, creating a State of Emergency Ordinance to Establish Powers and Regulations during a State of Emergency; providing for a repealer provision, severability clause, codification, enforceability and providing for an effective date.
(Sponsored by Mayor Valdes-Fauli)

ORDINANCES ON FIRST READING

- F.-3. [17-6754](#) An Emergency Ordinance amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," implementing provisions of the 2017-2020 Collective Bargaining Agreement between the City and the Teamsters and implementing similar changes for Excluded Employees, amending Section 50-29, City contributions; amending Section 50-230, Normal Retirement Income; providing for a repealer provision, severability clause, codification, and providing for an effective date.
- F.-4. [17-6748](#) An Ordinance of the City Commission of the City of Coral Gables, Florida, amending Section 2-243, of the Code of the City of Coral Gables, entitled "Lobbying" and providing for a repealer provision, codification, enforceability, and providing for an effective date.
- F.-5. [17-6778](#) An Ordinance of the City of Coral Gables, Florida, amending Chapter 26 "Emergency Services", of the City of Coral Gables Code to clarify definitions and processes; providing for a repealer provision, severability clause, codification, and providing for an effective date.
- F.-6. [17-6749](#) An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the text of the City of Coral Gables Comprehensive Plan, to include a Coastal Management Element, pursuant to expedited state review procedures (S.163.3184, Florida Statutes) and Zoning Code Article 3, "Development Review," Division 15, "Comprehensive Plan Text and Map Amendments;" to include Objectives and Policies to protect coastal areas of the city; providing for a repealer provision, severability clause, and providing for an effective date.
- F.-7. [17-6779](#) An Ordinance of the City Commission of Coral Gables, Florida amending the City Code, Chapter 82, entitled "Vegetation"; to include additional measures to review and protect trees; to set procedures to evaluate tree protection and removal; to set an appeals process for a Tree Permit denial; to establish a Tree Trust Fund for the purposes of maintaining and increasing the City tree canopy from tree mitigation fund fees; and other measures as deemed as necessary for the preservation and enhancement of the City's tree coverage; providing for repealer provision, severability clause, codification, and providing for an effective date.
(Sponsored by Commissioner Lago)

RESOLUTIONS**Time Certain 5:00pm (Agenda Item F-8)**

- F.-8. [17-6729](#) A Resolution of the City Commission of Coral Gables approving the submission of an application to Miami-Dade County for the annexation of the area known as Little Gables into the City of Coral Gables pursuant to Chapter 20 of the Miami-Dade County Code and requesting Miami-Dade County to approve the application.

G. COMMISSIONER INITIATIVES AND UPDATES

- G.-1. [17-6784](#) Commission Action Items Spreadsheet
- G.-2. [17-6787](#) Initiative Tracker Requested by Commissioner Lago

H. CITY COMMISSION ITEMS

- H.-1. [17-6737](#) An update from staff on the Joint Enforcement Zone Agreement.
(Sponsored by Vince Lago)
- H.-2. [17-6739](#) A discussion regarding the City's potential action plan relating to damaged swales as a result of Hurricane Irma.
(Sponsored by Commissioner Lago)
- H.-3. [17-6753](#) A discussion regarding site specific zoning regulations in the Coral Gables Zoning Code.
(Sponsored by Vice Mayor Keon)
- H.-4. [17-6755](#) A discussion regarding the possible placement of cameras at the entrances of our waterways in South Gables.
(Sponsored by Commissioner Mena)
- H.-5. [17-6764](#) Update on City-wide LED lighting initiative.
(Sponsored by Commissioner Lago)

I. BOARDS/COMMITTEES ITEMS

[Note for the Record: Board Appointments are an Administrative Act not a Legislative Act, therefore, the City Clerk has requested of the Mayor to have a motion made have the City Clerk accept each elected and appointed officials list of appointees].

J. CITY MANAGER ITEMS

- J.-1. [17-6726](#) A Resolution accepting the recommendation of the Procurement Officer to authorize a "piggyback" contract from Miami-Dade County Water and Sewer Department with Insituform Technologies, LLC, at an estimated amount of \$700,000 for each remaining one-year renewal period of the contract, not to exceed the budgeted available funds, for a Two-Year Countywide Contract for Rehabilitation of Sanitary Sewer by the Cured-In-Place Pipe Lining Method, pursuant to Section 2-978, of the Procurement Code entitled, "Use of Other Governmental Unit Contracts (Piggybacks)."
- J.-2. [17-6698](#) A Resolution of the City Commission of Coral Gables, Florida, with attachments, ratifying the collective bargaining agreement between the City of Coral Gables and the Teamsters, Local 769, Affiliated with the International Brotherhood of Teamsters, for the period of October 1, 2017 through September 30, 2020.
- J.-3. [17-6747](#) Consideration of allowing a downtown cigar retail establishment at 2320 Galiano Street, to add the sale of alcoholic beverages for consumption on premises as an accessory use to the retail cigar establishment, provided that the total receipts from the sale of alcoholic beverages not exceed 25 percent of the total annual gross receipts, and subject to a valid certificate of use and local business tax.

K. CITY ATTORNEY ITEMS

- K.-1. [17-6756](#) A Resolution of the City Commission of the City of Coral Gables, Florida, directing the City's Administration to make support of House Bill 439 and Senate Bill 560 part of the City's 2018 Legislative Agenda, and urging the Florida House of Representatives and Senate to adopt House Bill 43 and Senate Bill 560, or similar legislation.
- K.-2. [17-6772](#) A Resolution of the City Commission of the City of Coral Gables, Florida, in support of Florida Constitution Revision Commission Proposal 61.
- K.-3. [17-6702](#) A Resolution by the City Commission of Coral Gables recognizing substantial concerns regarding the constitutionality of certain recent amendments to the Florida Statutes and directing staff to construe and apply those statutory provisions in a manner consistent with the First Amendment to the U.S. Constitution.
- K.-4. [17-6777](#) A Resolution of the City Commission of the City of Coral Gables, Florida, directing the City's Administration to make opposition to Senate Bill 574 part of the City's Legislative Agenda and urging the Florida House of Representatives and Senate not to adopt Senate Bill 574 or similar legislation.
(Sponsored by Commissioner Lago)

Time Certain 2:00pm (Agenda Item K-5)

K.-5. [17-6703](#) Update on Justice Advocate Program cases.

K.-6. [17-6704](#) Update on Abandoned Property cases.

K.-7. [17-6761](#) Request for Executive Session (if any).

L. CITY CLERK ITEMS

L.-1. [17-6705](#) A Resolution confirming the Preliminary Assessment Roll for Business Improvement District of Coral Gables Special Assessments.

M. 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 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**