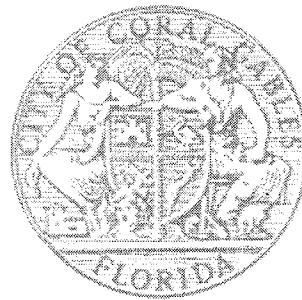


City of Coral Gables

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



Meeting Minutes

Tuesday, January 22, 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: Mayor Slesnick, Commissioner Cabrera, Jr., Commissioner Withers, Commissioner Anderson and Vice Mayor Kerdyk, Jr.

INVOCATION

[Note for the Record: The invocation was given by Dr. Laurie Hafner, Reverend for the Coral Gables Congregational Church].

PLEDGE OF ALLEGIANCE

The Honorable Judge John Thornton led the Pledge of Allegiance.

LEGISLATIVE SUMMARY

The following minutes summary includes all presentations made, and actions taken which information is supplemented by the following exhibits on file in the Office of the City Clerk, and which are by reference made a part of the record herein: (a) Resolution(s) adopted (Resolution No. 2008-09 through Resolution No. 2008-16); (b) Ordinance(s) adopted on Second Reading (Ordinance No. 2008-03); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and back-ground information, including items were submitted at the meeting.

A. PRESENTATIONS AND PROCLAMATIONS

A.-1. Presentation of Proclamation proclaiming March 15, 2008 as "St. Patrick's Day Festival in Coral Gables"

Presented and Filed

[Note for the Record: In presenting the proclamation declaring March 15th, 2008 as "St. Patrick's Day in Coral Gables, Mayor Slesnick stated that said occasion represents a down home enjoyable event wherein one feels that he or she is part of a small community. St. Patrick's Day Festival Committee **President John Lindeman** confirmed that the date for said event is indeed March 15th; the admission is free, thus encouraging the public to bring their kids.

Mayor Slesnick thanked the St. Patrick Day Committee and the Emerald Society for their efforts in coordinating said event; further acknowledging that here in Coral Gables all cultures are equally at home; further reminding the public that our City will host the Columbian Festival in Fred Hartnett Ponce Circle Park, this Saturday, January 26, 2008 from 6 p.m. until 10 p.m.].

City Clerk Item No. 5

A.-2. Recognition of G. W. Carver Middle School for being a Blue Ribbon School of Excellence

Recognized

[Note for the Record: Mayor Slesnick acknowledged that within the City of Coral Gables, that we have some of the best elementary schools in the state; further recognizing Livia Gonzalez, principal of **George Washington Carver Elementary School, on the occasion of her school being declared a Blue Ribbon School of Excellence**; further pointing out the effort put forth by the students, faculty and staff in furtherance of said recognition, citing the significance of said award, wherein only 13 schools in the state were invited to apply; further noting that without the support of all of the aforementioned individuals involved, said accolade would not have been realized].

City Clerk Item No. 1

A.-3. Recognition of Coral Gables Elementary School for being in the top 4% of all of the elementary schools in the State of Florida

Recognized

[Note for the Record: **Mayor Slesnick** acknowledged the presence of **Coral Gables Elementary School Principal**, namely **Ms. Shelly Cerra**; Ms. Cerra further recognized the presence of two teachers from Coral Gables Elementary School, namely **Ms. Nelly Gonzalez** and **Annie Quintero**, the latter whom was accompanied by her son **Nicholas Quintero**; further pointing out that her Parents Teacher Association President (PTA) **Laura Horton**, along with her two kids, namely **Star** and **Chloe**, were also in attendance].

City Clerk Item No. 2

A.-4. Congratulations to Yolande A. Davis, City Clerk's Office, recipient of the City of Coral Gables Employee of the Month Award, for the month of February 2008

Attachments: [YolandeDavis_EOM_Feb2008-Cover Memo.DOC](#), [EOM_Feb2008.pdf](#)

Recognized

[Note for the Record: **Yolande A. Davis (Yoli), Operations Service Coordinator in the City Clerk's Office** was the recipient of the Employee of the Month for February 2008 honor. In accepting said accolade, Ms. Davis pointed out that her son was also recognized for a similar honor in June of 2007, for the City of North Miami Beach; further counting her blessings in working for an organization wherein she has been treated with respect and loved by her fellow employees; citing the City Clerk for challenging her to excel on a daily basis in every aspect of her job; recognizing her fellow staff members in being a dynamic group of individuals who make coming to work a pleasurable

experience; acknowledging her office for serving as not only a learning laboratory, but being a fun environment in which to work; further thanking those individuals responsible for selecting her for this award, while offering special thanks to the City of Coral Gables for affording her the opportunity to provide excellent service].

City Clerk Item No. 7

A.-5. Bid farewell to retiring Fire Chief Richard Cook and welcome to new Fire Chief Walter Reed

Recognized

[Note for the Record: **City Manager Brown acknowledged Fire Chief Richard Cook's 33 year tenure** with the City, citing his exemplary work at the Fire Communications Center; his efforts in furtherance of Emergency Management initiatives, along with fellow co-worker Dona Lubin, etc. In reflecting on such a storied career, Chief Cook pointed out that it has been a wonderful 33 years; further stating that if he had to do it over again, he would do it the same way again; further noting that his tenure as Fire Chief has been a rewarding job, incorporating so many things that are done on a daily basis; further recognizing that one is constantly being challenged; however, with each challenge, sharpens you; further acknowledging he has always been a peoples' person-and to this end, recognizing his love for working with his fellow firefighters, along with his brothers at the Police Department; further counting his blessings; thanking his wife, etc.

City Manager Brown also acknowledged Calendar Year 1975 as being a good year for leadership, thus producing both a fire chief and a deputy fire chief; further sharing with the public his long personal and professional relationship with **Deputy Fire Chief Tim Daniels**, whom he started working with in a bowling alley in 1974.

Deputy Chief Daniels stated that this was a very emotional moment for him; further stating that the Fire Department is analogous to his family; further acknowledging that the leadership of the Fire Department is being turned over to a wonderful person; further reminding incoming **Chief Reed** that if he ever needs help, then it will be his for the asking.

City Manager Brown in describing appointed Chief-to-be **Walter Reed's** ascendancy through the ranks, stated that Chief Reed joined the Coral Gables Fire Department in 1987, in the capacity of a firefighter paramedic; later becoming a lieutenant (1993) and captain ('93) in July of the same year; further rising through the ranks to division chief (2002), managing the department, even serving in the capacity of Acting Fire Chief briefly while Fire Chief Cook was fixing the Fourth Floor at the 2801 Salzedo, and implementing our citywide strategic operational plan; being appointed to the position of deputy fire chief

during Calendar Year 2002, while assuming responsibility for budget development, professional standards, fire prevention and operations.

Chief Reed's credentials include having attained a Master's Degree in Public Administration from Florida International University, and a Bachelor of Science Degree in Fire and Safety Engineering from the University of Cincinnati, where he graduated Summa Cum Laude. His professional affiliations include membership in the International Association of Firefighters, FEMA Executive Fire Officer Certification, National Fire Academy, etc.

In assuming the top post, **Chief Reed thanked City Manager Brown and the City of Coral Gables** for their confidence in selecting him to lead one of the nation's premier fire departments; further noting that he is looking forward to the challenge; further stating that outgoing Chief Cook has been a friend and a mentor to him; further reiterating the same for outgoing Deputy Chief Daniels, a co-worker and a long term friend; further stating that although together both outgoing colleagues will be missed for their charisma, he nevertheless wished them a long and healthy retirement].

City Clerk Item No. 8

B. APPROVAL OF MINUTES

B.-1. Regular City Commission Meeting of January 8, 2008

Attachments: Meeting Minutes 1-08-2008.pdf

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

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

Absent: 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 9

C. CONSENT AGENDA**Passed The Consent Agenda**

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, to Adopt the Consent Agenda. The motion carried by the following vote:

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

Absent: 1 - Vice Mayor Kerdyk, Jr.

RESOLUTION NO. 2008-11

C.-2.

Resolution authorizing the Kiwanis Club of Little Havana to sell alcoholic beverages as a part of the Latin Jazz Art Festival and Carnaval at Ponce Circle Park on Friday, March 7, and on Miracle Mile on Saturday and Sunday, March 8 and 9, 2008.

Attachments: Cover Sheet Kiwanis of Little Havana Event 3-7-08 - 3-9-08 (signed).pdf, Cover Sheet & Reso - Kiwanis of Little Havana Event 3-7-08 - 3-9-08.doc, Kiwanis Special Event Application 2008.pdf

This Matter was adopted by Resolution Number 2008-11 on the Consent Agenda.

A. RESOLUTION AUTHORIZING THE KIWANIS CLUB OF LITTLE HAVANA TO SELL ALCOHOLIC BEVERAGES AS A PART OF THE LATIN JAZZ ART FESTIVAL AND CARNAVAL AT PONCE CIRCLE PARK ON FRIDAY, MARCH 7, AND ON MIRACLE MILE ON MARCH 8 AND 9, 2008, AS PART OF THE LATING JAZZ FESTIVAL AND CARNAVAL, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

City Clerk Item No. 10

RESOLUTION NO. 2008-12**C.-3.**

Resolution accepting dedication of property for right-of-way purposes, legally described as a portion of Lot 39, Block 17, of the Revised Plat of Coral Gables Industrial Section according to the Plat thereof, as recorded in Plat Book 28 at Page 22 of the Public Records of Miami-Dade County, Florida.

Attachments: Conveyance cover.doc, Conveyance Resolution.doc

This Matter was adopted by Resolution Number 2008-12 on the Consent Agenda.

A. RESOLUTION ACCEPTING DEDICATION OF PROPERTY FOR RIGHT- OF-WAY PURPOSES, LEGALLY DESCRIBED AS A PORTION OF LOT 39, BLK 17, OF THE REVISED PLAT OF CORAL GABLES INDUSTRIAL SECTION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 28 AT PAGE 22 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

*City Clerk Item No. 11
{par}*

RESOLUTION NO. 2008-13**C.-4.**

Resolution appointing Rhonda Anderson (Nominated by Commissioner Anderson) to serve as a member of the Public Safety Committee (Zone 2), for the remainder of a two (2) year term, beginning June 1, 2007 through May 31, 2009.

Attachments: Public Safety Committee - Rhonda Anderson- Action Req.DOC, R-2008 - DRAFT - RHONDA ANDERSON - PUBLIC SAFETY COMMIIITTEE.doc

This Matter was adopted by Resolution Number 2008-13 on the Consent Agenda.

A RESOLUTION APPOINTING RHONDA ANDERSON (NOMINATED BY COMMISSIONER ANDERSON) TO SERVE AS A MEMBER OF THE PUBLIC SAFETY COMMITTEE (ZONE 2), FOR THE REMAINDER OF A TWO (2) YEAR TERM, BEGINNING JUNE 1, 2007 THROUGH MAY 31, 2009.

City Clerk Item No. 12

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

C.-6. Board of Adjustment Meeting of January 7, 2008

Attachments: Board of Adju Minutes Jan 07, 2008.pdf

This Matter was approved on the Consent Agenda.

City Clerk Item No. 13

C.-7. Budget/Audit Advisory Board Meeting of December 13, 2007

Attachments: 012208-Cover Memo CC Minutes 121307.doc, 121307-Minutes.doc

This Matter was approved on the Consent Agenda.

City Clerk Item No. 14

C.-8. Code Enforcement Board Meeting of December 19, 2007

Attachments: ROLLCALLdec07.doc, dec.07.doc, memo coverdec07.DOC

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

C.-9. Communications Committee Meeting of December 20, 2007

Attachments: minutes december 2007.doc

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

C.-10. Coral Gables Advisory Board on Disability Affairs Meeting of November 7, 2007

Attachments: Corrected Nov cover.DOC, 07Nov.doc

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

C.-11. Economic Development Board Meeting of November 7, 2007

Attachments: Commission cover no action -11-7 1-22-08.doc, Minutes 11-7-07.pdf

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

C.-12. International Affairs Coordinating Council Meeting of November 29, 2007

Attachments: Cover Mem 01-22-08 No Action IACC Mtg. of 11-29-07.DOC, IACC Minutes 11-29-07.doc

This Matter was approved on the Consent Agenda.

City Clerk Item No. 19

C.-13. Retirement Board Meeting of November 8, 2007

Attachments: Retirement Board Minutes Cover.DOC, Retirement Board Minutes.doc

This Matter was approved on the Consent Agenda.

City Clerk Item No. 20

C.-14. Senior Citizens Advisory Board Meeting of January 7, 2008

Attachments: Cover Memo 01-07-08 Summary.doc, Min 01-07-08 Draft (3).doc

This Matter was approved on the Consent Agenda.

City Clerk Item No. 21

C.-15. Traffic Advisory Board Meeting of November 20, 2007

Attachments: Traffic cover.doc, November Minutes 07.doc

This Matter was approved on the Consent Agenda.

City Clerk Item No. 22

PULLED FROM CONSENT AGENDA**RESOLUTION NO. 2008-10**

C.-1. Resolution granting a one-day permit to the St. Patrick's Day Committee, Inc. to sell alcoholic beverages from noon until 6:00 p.m. on Saturday, March 15, 2008, at the Fred B. Hartnett/Ponce Circle Park as part of the St. Patrick's Day Festival, subject to Florida Department of Professional Regulation requirements.

Attachments: St. Patrick's Committee 2008.DOC, Cover Memo St. Patrick's Day Festival - 2008 (signed).pdf, St. Patrick's Day Committee-Special Event App 2008.pdf

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this matter be adopted by Resolution Number 2008-10. The motion carried by the following vote:

Yea: 3 - Commissioner Withers, Commissioner Anderson and Mayor Slesnick

Absent: 2 - Commissioner Cabrera, Jr. and Vice Mayor Kerdyk, Jr.

A RESOLUTION GRANTING PERMISSION (ONE-DAY PERMIT) TO THE ST. PATRICK'S DAY COMMITTEE, INC., TO SELL ALCOHOLIC BEVERAGES FROM NOON UNTIL 6:00 P.M. ON SATURDAY, MARCH 15, 2008, IN FRED B. HARTNETT/PONCE CIRCLE PARK, AS PART OF ST. PATRICK'S DAY FESTIVAL, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

City Clerk Item No. 6

Item C-5 and Item D-1 are related

RESOLUTION NO. 2008-09

C.-5. Resolution authorizing the City Manager to execute a Memorandum of Understanding between the City of Coral Gables and the School Board of Miami-Dade County, Florida (M-DCPS) for the purpose of installing an informational web service kiosk at the City of Coral Gables War Memorial Youth Center.

Attachments: Kiosk_coversheet.pdf, Resolution_Final.pdf, Kiosk MOU.pdf

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2008-09. The motion carried by the following vote:

Yea: 4 - Commissioner Anderson, Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick

Absent: 1 - Commissioner Cabrera, Jr.

A. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CORAL GABLES AND THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (M-DCPS) FOR THE PURPOSE OF INSTALLING AN INFORMATIONAL WEB SERVICE KIOSK AT THE CITY OF CORAL GABLES WAR MEMORIAL YOUTH CENTER.

[Note for the Record: Pursuant to **request by Mayor Slesnick**, Agenda Item C-5 was pulled off of the Consent Agenda; whereupon on a motion duly made by Commissioner Anderson and seconded by Vice Mayor Kerdyk, a vote on said matter was taken, which passed by a majority vote of those present.

Mayor Slesnick further thanked the Fire Department, particularly **Chief Richard Cook, incoming Chief Walter Cook; IAFF President Eugene Chickaloo** in furtherance of the **Kapow Program**; further inquiring of the Manager by the Mayor, as to how the City can gain an understanding as to the feasibility of integrating and working in a diligent manner to make said program one of our own; further instructing the City Manager to review the proposal brought forth by John Casbarro, Kapow District Coordinator, (School Board), and come back to the Commission with a recommendation regarding same].

City Clerk Item No. 4

D. PERSONAL APPEARANCES

Item D-1 and Item C-5 are related

D.-1. Presentation by Mr. Alberto M. Carvalho, Associate Superintendent, Office of Intergovernmental Affairs, Grants, Marketing, and Community Services on the Education Compact between Miami-Dade County Public Schools and the City of Coral Gables.

Attachments: CG Education Compact Matrix -January 2008.doc, Education Compact Update Cover Memo.doc

Presented and Filed

[Note for the Record: **Jessica Wotherspoon, Business Development Specialist, in the city's Department of Development introduced Mr. Alberto Carvalho, from Miami-Dade County Public School's Intergovernmental Affairs, Grants, Marketing and Community Services Department**, who addressed the Commission and provided an update on the Education Compact between our City and Miami-Dade County Public Schools.

Mr. Carvalho recalled appearing previously before the City to forge this compact between the City and the School System; further acknowledging the strong leadership shown by the Mayor and Commission in furtherance of what has taken place in our public schools; further thanking the Commission for recognizing those affected principals of the schools, the Regional Superintendent and Directors, in short, the educational team in Coral Gables. Mr. Carvalho also recognized those individuals whom were instrumental in connection with said Educational Compact initiative, including but not limited to Department of Development Director and liaison to the Economic Development Board Cathy Swanson Rivenback, Richard Dewitt, Chairman Economic Development Board; Ray Zommerfield, Vice Chairman, Economic Development Board; Debbie Korge, Chairperson, School and Community Relations Committee; Ana Garcia, liaison to the School and Community Relations Committee; Carolina Rendeiro, Chairperson, Coral Gables Chamber of Commerce; Sherry Giordano, Coral Gables Chamber of Commerce; also Gee Ming Chow, Chief Information Officer of the City, Kevin Kinney, Director of the City's Off-Street Parking Department for their quick responses regarding those projects aimed at elevating our City, along with the Coral Gables Chamber of Commerce Executive Director Mark Trowbridge.

Mr. Carvalho also pointed out the three primary areas of focus for the compact,

were (1) **Individual Enhancement and Academic Programs** (i.e. with a pledge to become no less than a Grade "B" School; (2) **Shared Facilities and Programming for an Enhancement and Vegetation component**; and (3) **Expansion of Involvement Community** -further reiterating that the School Board is embracing the difficult and upcoming challenge, with a recognition that they have a partner in the City of Coral Gables). Further indicating that the City has on today's agenda an item involving the installation of an **informational kiosk** for the parents and kids, for the purpose of accessing information, job opportunities, learning about academic progress and programs, collaborative electronic linkage, etc. to ensure that we speak as one cohesive voice; further recognizing the fact that globalization has to pass into the educational domain to explore more globalization programs in our new flattened world, which has to pass into the area of education; further stressing the need for more programs that reflect the real work necessities existing in our global environment; further pointing out certain local level initiatives, such as Coral Gables Senior High School being selected amongst 13 other schools taking and passing the AT, ID - Cambridge Tests that placed the number of our students taking and passing said exams in the top 5 percent of students nationally who scored highest on said standardized tests.

Mr. Carvalho pointed out that the first brochure has been co-developed between our City and the School District.

Coral Gables Parent Day: Will be held at the Coral Gables Library in furtherance of addressing the challenge regarding how can parents gain access from the supply side to the demand side into the entry gateway of the educational process; further stressing the need to increase the level of involvement from our business community to our parent community.

Mr. Carvalho also thanked our City in playing a role in passage of its legislative advocacy plan; further recognizing the show of strength from our municipal leaders, along with its lobbying initiatives for its strides in the legislative domain. Mr. Carvalho concluded by acknowledging the value of said collaborative initiatives in building a world class school system; further pointing out the importance of relations such as the one between the School Board and the City of Coral Gables in achieving said goal.

Mayor Slesnick on behalf of the Commission requested of Mr. Carvalho to take back our best regards to Superintendent Dr. Rudy Crew, along with the rest of the School Board; further stressing the need to ensure that we are prepared for the 21st Century; further acknowledging the City's delight in being included as part of the educational family through the Education Compact. Mr. Carvalho also introduced **Dr. Eric Pace whom he described as educator extraordinaire and also as the gateway to the superintendent, as it pertains to Coral Gables education related issues, and Dr. Linda Brown** to the Commission, the latter

whom has been involved with community programs].

City Clerk Item No. 3

RESOLUTION NO. 2008-14

D.-2.

Appearance of Estrella Manso, Assistant Project Manager of Land Planning and Entitlements for Flagler Development Group, on behalf of Sevilla Bldg. LLC., owner, for permission to encroach into the right-of-way with a cornice encroaching a maximum of four feet, two inches (4'2") at an elevation of one hundred ninety feet, six inches (190'6") above the right-of-way (alley), adjacent to 2701 Le Jeune Road, Coral Gables, Florida.

Attachments: 2701lejeunecover.doc, 2701lejeune Resol.doc, Le Jeune Exhibit A.doc

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this matter be adopted by Resolution Number 2008-14. The motion carried by the following vote:

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

A. RESOLUTION APPROVING ENCROACHMENTS INTO THE RIGHT-OF-WAY CONSISTING OF A BALCONY ADJACENT TO 2701 LEJEUNE ROAD, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT.

[Note for the Record: Following public announcement of Agenda Item D-2, there being no discussion nor comment regarding said matter, nor any comments or questions being proffered by the Commission, a motion was made to approve this item as presented].

City Clerk Item No. 4

E. PUBLIC HEARINGS**ORDINANCE NO. 2008-03****E.-1.**

Ordinance on Second Reading. An Ordinance of the City of Coral Gables, Florida, amending Ordinance No. 2007-04 which approved a change of land use from "Commercial, Low-Rise Intensity" to "Commercial, Mid-Rise Intensity", and mixed-use site plan review pursuant to Zoning Code Section 3-5 for the proposed mixed-use project referred to as "Giralda Complex", on the property legally described as Lots 25-48, Block 28, Section "K" (2222 Ponce de Leon Boulevard), Coral Gables, Florida, and included required conditions; providing for a repealer provision, a savings clause and severability clause, and providing an effective date. (Passed on First Reading January 8, 2008)

Attachments: 01 08 08 Exhibit B - 12 03 07 Letter re cost estimate for proposed improvements.pdf, 01 08 08 Exhibit C - 09 11 06 Letter from applicant to BZD re proffer.pdf, 01 08 08 Exhibit D (Part 1 of 2) 11 15 06 City Commission Minutes Agenda Item E 6.pdf, 01 08 08 Exhibit D (Part 2) 01 23 07 City Commission Minutes Agenda Item E 1.pdf, 01 08 08 Cover Memo re: Giralda Complex condition of approval amendment - 1st Reading.pdf, 01 08 08 Exhibit A: Ordinance re Giralda Complex condition of approval amendment 1st reading.doc, 01 22 08 Cover Memo: Giralda Complex condition of approval amendment - 2nd Reading.pdf, 01 22 08 Exhibit A: Giralda Complex condition of approval amendment 2nd reading.pdf

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this matter be adopted by Ordinance Number 2008-03. The motion carried by the following vote:

Yea: 3 - Commissioner Withers, Commissioner Anderson and Mayor Slesnick

Nay: 1 - Commissioner Cabrera, Jr.

Absent: 1 - Vice Mayor Kerdyk, Jr.

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ORDINANCE NO. 2007-04 WHICH APPROVED A CHANGE OF LAND USE FROM "COMMERCIAL, LOW-RISE INTENSITY" TO "COMMERCIAL, MID-RISE INTENSITY", AND MIXED-USE SITE PLAN REVIEW PURSUANT TO ZONING CODE SECTION 3-5 FOR THE PROPOSED MIXED-USE PROJECT REFERRED TO AS "GIRALDA COMPLEX", ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 25-48, BLOCK 28, SECTION "K" (2222 PONCE DE LEON BOULEVARD), CORAL GABLES, FLORIDA, AND INCLUDED REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE AND SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

[Note for the Record: Prior to a roll call vote being taken on this issue, **Commissioner Anderson** requested a clarification on the public record from the

City Manager, stating that this is not a zoning issue, wherein **City Manager David Brown** stated that this is not a zoning change, but instead, it is a housekeeping matter dealing with the number of dollars required to build a park as a requirement of the project, as donated by the developer.

Commissioner Withers further inquired as to a technical issue of **City Attorney Hernandez**, namely what if one year after building a building, the City still does not have a building permit, whether or not the City has to proffer affordable housing language, whereupon our City Attorney stated that said matter would have to be brought back to the City Commission for further extension of the deadline; further pointing out to the Commission that here, in this instance the developers wanted to move forward with certain drop-dead deadlines].

City Clerk Item No. 25

ORDINANCE NO. NO NUMBER ASSIGNED

E.-2.

Ordinance on First Reading. An Ordinance of the City of Coral Gables, Florida, providing for text amendments to the Zoning Code, Article 3, Division 13, entitled "Concurrency Review," providing for updates to concurrency review provisions and procedures, including the addition of public school concurrency review procedures necessary to meet State of Florida mandated public school concurrency requirements; providing for severability, repealer, codification, and an effective date. (PZB Vote: 5-0)

Attachments: 01 22 08 Cover Memo re: Zoning Code amendment _Concurrency Review 1st Reading.pdf, 01 22 08 Exhibit A: Ordinance - Zoning Code amendment_Concurrency Review 1st Reading.pdf, 01 22 08 Exhibit B PZB Staff Report of 01 09 08 Zoning Code amendment_Concurrency Review.pdf, 01 22 08 Exhibit C: Excerpts of 01 09 08 PZB Verbatim Minutes.pdf

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

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

[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].

City Clerk Item No. 26

F. CITY COMMISSION ITEMS

F.-1. Discussion regarding the Public Safety Committee

Mayor Donald D. Slesnick, II

Discussed/No Action Taken

[Note for the Record: **Admiral Jay Carmichael and Keith Sacks** appeared before the Commission in connection with a discussion regarding the Public Safety Committee. Admiral Carmichael, the committee's chairman, speaking on behalf of the other six members presently sitting on said committee, thanked the Commission for allowing the board members to serve the community; further acknowledging Fire and Police as being two of the premier departments; further pointing out that the charter focus of said committee is to facilitate involvement in public safety, increase citizen awareness further assisting the City of Coral Gables citizenry in communicating their concerns regarding community safety and security; provide assistance in the area of community relations; participate in neighborhood safety programs; conduct monthly meetings of the Public Safety Committee in order that our citizenry can bring forth their concerns; further noting that attendance at said committee meetings by the public has been sparse; further noting that there may be a need for an increased publicity campaign to increase meeting awareness.

Admiral Carmichael further stressed the importance of having one meeting location wherein the time and place of said event is always the same; further informing the Commission that he is aware of the budgetary constraints regarding same; however, he does not feel that it will impact his City Board; further pointing out that the Public Safety Committee has done a good job in communicating with all of the affected agencies, as well as in responding to their concerns; further querying whether the Commission has any issues that they are desirous of the committees' review.

Keith Sacks, Vice Chairman of the Public Safety Committee, stated that there has been a good turn out from our fellow members, along with those representatives from the Police and Fire Departments; further stating that he is happy to give of his time in furtherance of those initiatives that will improve and enhance our City; further reiterating the point that unless the City can get the word out to the public regarding the Public Safety Committee's meetings through other channels, said committee will serve as a "toothless tiger." Vice Chairman Keith also recognized the fact that the committee cannot do what it is charged to do unless it becomes known to our citizenry and businesses, people at-large, etc. -through mass communications, said board cannot effectively serve its function.

Chairman Carmichael further pointed out the value of publishing small articles as part of our City's quarterly announcement mailings, wherein something is mentioned about the Public Safety Committee's existence; further stressing the value of having our citizenry communicate with the Public Safety Committee through a central apparatus (i.e. civilian division of the Police Department); further noting that said committee can communicate directly to the top to ensure that said citizens' concerns are being met.

Commissioner Cabrera in response to **Admiral Carmichael**'s request to have reoccurring meetings at the same location and same time, further stated that other boards and committees might want the same outreach; further stating to the City Manager that he is desirous of having said initiative, if it were to be done, to be done on a more macro level. **City Manager Brown** further added that there would be some cost associated with doing same on a macro level.

Commissioner Cabrera acknowledged having read the minutes from the **Public Safety Committee Meeting**; further stating that if he had his way, he would sunset said board; however, he would be willing to support an outreach program on a short term basis; further adding that upon completion of said outreach program, having failed to achieve the results desired, then he would make a recommendation to sunset said board.; further noting that in his opinion he feels that the Public Safety Committee is in competition with the Crime Watch Program; further pointing out the beauracratic manner a citizen has to follow in requesting disposition of a public issue.

Commissioner Withers queried whether a majority of those issues confronting the Public Safety Committee derive from the business or residential sector, whereupon Admiral Carmichael responded that there a lot more issues from the business sector; further suggesting to Admiral Carmichael that maybe there is a possibility for the Public Safety Committee to re-launch itself, because the residential sector already has in existence a pretty good pipeline to the Commission; further noting that in response to Commissioner Withers's suggestion that said initiative might have an effect on the Public Safety's Committee's business hours, Admiral Carmichael stated that the meetings are normally set for 6 p.m.; further suggesting the need for input from both the Fire and Police Department's regarding said matter.

Mayor Slesnick suggested that maybe there should be some consideration for a joint board meeting with the BID Board to further discuss those Public Safety Committee issues that are affecting the downtown area, and to further promote outreach to this area].

City Clerk Item No. 23

F.-2. Discussion regarding special events adjacent to 10 Aragon Avenue

Mayor Donald D. Slesnick, II

Discussed/No Action Taken

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

City Clerk Item No. 27

G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 28

H. CITY MANAGER ITEMS

RESOLUTION NO. 2008-15

H.-1. Resolution authorizing the City Manager to transfer \$75,000.00 from the Capital Improvement Program, originally allocated for Police Department structural repairs of the Police facility's BLOSA (Basement Large Objects Storage Area) to the Youth Center Security Plan Phase I for close-circuit surveillance and card access system.

Attachments: Youth Center cover.doc, Youth Center Resol..doc

A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this matter be adopted by Resolution Number 2008-15. The motion carried by the following vote:

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

A. RESOLUTION AUTHORIZING THE CITY MANAGER TO TRANSFER \$75,000.00 FROM THE CAPITAL IMPROVEMENT PROGRAM, ORIGINALLY ALLOCATED FOR POLICE DEPARTMENT STRUCTURAL REPAIRS FOR THE RESTORATION OF THE POLICE FACILITY'S BLOSA (BASEMENT LARGE OBJECTS STORAGE AREA) TO THE YOUTH CENTER SECURITY PLAN, PHASE I FOR CLOSE-CIRCUIT SURVEILLANCE AND CARD ACCESS SYSTEM.

[Note for the Record: **Following City Manager Browns'** reading of the title to said resolution into the public record, there being no request for public input registered, however, there being one clarification requested by Commissioner Anderson, specifically whether the issue of structural repairs of the Police facility's BLOSA (Basement Large Storage Area) will be addressed; whereupon the City Manager responded by stating that the administration will not forsake the structural repairs issue; further pointing out that the \$75,000 for the Police facility's BLOSA will be picked up in the Homeland Security Grant].

City Clerk Item No. 29

RESOLUTION NO. 2008-16**H.-2.**

Resolution authorizing Public Works Department to increase the contract limit with Metro Express, Inc., by \$800,000.00 for a total amount of \$2,000,000.00 to be funded by the Gasoline Tax Road Improvement Fund, for the remainder of the current contract year for further street improvement projects.

Attachments: Metro Cover.doc, Metro Increase Resol.doc

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this matter be adopted by Resolution Number 2008-16. The motion carried by the following vote:

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

A. RESOLUTION OF THE CITY COMMISSION AUTHORIZING THE CITY MANAGER TO ALLOW THE PUBLIC WORKS DEPARTMENT TO INCREASE THE CONTRACT LIMIT WITH METRO EXPRESS, INC., FOR FURTHER STREET IMPROVEMENT PROJECTS BY \$800,000.00 FOR A TOTAL AMOUNT OF \$2,000,000.00 FOR THE REMAINDER OF THE CURRENT CONTRACT YEAR.

[Note for the Record: Following **City Manager Browns'** reading of the title to said resolution into the public record, there being no request for public input registered, City Manager Brown informed the Commission that the Administration had to go through a secondary process to get a contractor that was satisfactory; further noting that the City needed to use said contractor, however, there was also a need to extend the limitation in order that we would not go over the \$1.2 million that currently exist, which is the funding allocation that is usually expended for paving and street improvements].

City Clerk Item No. 30

I. CITY ATTORNEY ITEMS**I.-1.**

[Note for the Record: The Coral Gables City Commission tabled conduct of the City Commission meeting, and as a consequence thereof convened as the Board of Directors for 250 Aragon Condominium Association, Inc].

[Note for the Record: The Coral Gables City Commission adjourned the meeting as Board of Directors of 250 Aragon Condominium Association, Inc].

I.-2.

[Note for the Record: The Coral Gables City Commission tabled conduct of the City Commission meeting, and as a consequence thereof convened as the Board of Directors for 427 Biltmore Way Condominium Association, Inc].

[Note for the Record: The Coral Gables City Commission adjourned the meeting as Board of Directors of 427 Biltmore Way Condominium Association, Inc].

I.-3.

Pending Litigation Report

Attachments: PENLIT.1_22_08.doc

Discussed/No Action Taken

[Note for the Record: At approximately 10:57 a.m., following the adjournment of the Board of Directors Meeting of the 427 Biltmore Way Condominium Association, Inc., the City Commission reconvenes the meeting being held on this same date as Commissioners of the Coral Gables City Commission].

[Note for the Record: **City Attorney Elizabeth Hernandez** informed the Commissioners on the **Allococo and Arwood case**, since the University of Miami has brought said matter to a conclusion; further commenting that said case started as a lawsuit against the University and the City, wherein the university successfully defended against former and present University of Miami Police Officers who wanted to become Coral Gables Police Officers and obtain benefits commensurate with same.

Vice Mayor Kerdyk queried the City Attorney about the **Bert J. Harris Lawsuit** involving a private property rights matter; further stating that said property was during the moratorium period that the City had imposed, behind the David Williams and surrounding areas; further stating her belief that said claim was invalid, pointing out that the plaintiff had participated fully in said proceedings; further noting in her opinion that there was no showing of undue economic burden, since a property owner has to show a little more than what has been shown in this instance therefore further stating that said case does not make a strong showing for purposes of a taking.

Vice Mayor Kerdyk further questioned the City Attorney regarding the number of parties to the Bert J. Harris Lawsuit, noting that there are five groups shown, and pondering whether there were five owners that comprise this or just one, since it appears that a lot of property owners have joined in on said matter; whereupon the City Attorney stated that she has requested all of the corporate documents, all of the files (i.e. moratorium documents, etc.) to more accurately address said issue.

Commissioner Withers requested of the City Attorney if she could provide him with an accounting of the total money spent in connection with the Paine Weber Lawsuit. In response to Commissioner Withers request, the City Attorney stated that she believed that it was a contingency arrangement, however she would ask for a confirmation regarding same].

City Clerk Item No. 31

J. CITY CLERK ITEMS

None

City Clerk Item No. 32

K. DISCUSSION ITEMS

[Note for the Record: The following issues were presented for input, discussion and/or general comment:

Repavement of Street on Tivoli: **Commissioner Anderson**, in response to a residents request regarding the timetable for repavement of the street, requested information from the City Manager regarding the schedule for same, in order that she may pass it on to the requesting resident; secondly, she further requested for a future Commission Meeting if the City Manager could provide the Commission with an update regarding County monies for the Miracle Mile project, more specifically, what type of improvements will be made, what monies are available, etc.

Update on the Eden System: **Commissioner Anderson** instructed the City Manager to provide her with an update on the Eden project-more specifically, what is the intent, and the original budget for same; further providing her with an update regarding what has been implemented, broken out by department; what is working and not working; what is left to do; further querying of the City Manager if there are things that need remedying, and if any additional monies are needed, then she would like to be provided with what additional budgetary issues that we need to include if we are going to successfully complete said project; further clarifying, that if said matters are included on the record, then when it comes to budget time, the Commission has something to review.

Information Brochure re Special Referendum Election of January 29th, 2008: **Commissioner Cabrera** referenced the informational brochure that was developed by our City to inform the electorate about our upcoming vote on January 29th; further stating to his colleagues that he had received twenty-one (21) phone calls from residents who were all interested in knowing more about the vote, as well as what was his position regarding same; further pointing out that he would not abdicate his responsibility of sharing his views on any referendum issue; further stating that he supports the referendum, and in his view, the time has come for the Trial Board to be removed because the mechanism exists today for any employee to defend themselves if they are wrongfully terminated or suspended, or whatever the cause may be; further

expressing hope that his colleagues will share their own views as to whether they support said measure or not; further noting that nineteen of the twenty-one callers had indicated that they supported the deletion of said Charter Section, once he had explained the matter to them.

On-Street Parking: **Commissioner Cabrera** acknowledged his very productive meeting with the City Manager, the City's parking consultant, Public Service Director, as well as our Parking Director regarding the matter of off-street parking; further recalling those good points that were mentioned by Commissioner Withers regarding same, and that it was the right thing in terms of providing not only the loss of on-street parking, but the addition of off-street parking, said matter which will be forthcoming in a report that is being prepared by the City Manager.

Landscape Protection Safety Barrier off of Ponce de Leon Boulevard to keep Pedestrians from using the median as a walk through: **Commissioner Cabrera** congratulated the City Manager regarding said initiative, further stating that he felt that said effort will go a long way towards helping the vegetation grow.

Trolley Advertising Game Plan: **Commissioner Cabrera** reminded the City Manager that at some point during Calendar Year 2008, that he would like to see some sort of advertising game plan for the trolley; further noting that the last update for same was done on May 31, 2007, according to his records; further requesting a call to action for said program, detailing internal advertising inside of the trolleys.

City Commission Directives: **Commissioner Cabrera** expressed his desire to receive the document regarding City Commission Directives on a more frequent basis; whereupon City Manager Brown responded that he will start to increase the frequency wherein the Commission will see more status updates and fewer completions.

Opening of the Farmers Market (Saturday, January 26, 2008): **Commissioner Cabrera** thanked the Development Department, Public Services Department, Public Works Department and public safety people both staff and department directors; further pointing out that said events have been both nice and well attended, which allows one to see all of the residents, including those passers-by who do not reside in Coral Gables, but frequent the area; further stating that he is glad said event is back.

Update: Plan for Baptist Church Across from Youth Center: **Vice Mayor Kerdyk** requested of the City Manager an update with regards to the Baptist Church that is located across the street from the Youth Center; further pointing out that since it is anticipated that in the foreseeable future that said site will be

sold, it is important that the Commission and City Administration have a discussion regarding said matter to ascertain whether or not the City is desirous of purchasing same; further instructing the City Manager to prepare a memoranda in connection with said matter; further urging the City Manager to proceed with making a decision regarding same on an aggressive basis.

Article Appearing in Business Monday re Miami as a Red Hot Center for Architecture: Commissioner Withers commented on said article, which stated the following: "Rodriguez and Quiroga and other local firms help make Miami a red hot center for architecture with a global cache...."

Commissioner Withers further suggested that since most of the firms referenced in the article are located in Coral Gables, that the writer of said article could have substituted the word Coral Gables for Miami.

Mayor Slesnick agreed, stating that since our City has such a tremendous architectural/artistic community in our midst, it adds to the luster of our City.

Multinationals and the multinational impact on our community: **Mayor Slesnick** also referenced an article appearing in the World Cup Magazine, specifically about the multinationals and the multinational impact on our community; further noting that we proudly proclaim that Coral Gables is the home of two hundred plus multinational corporations, which so aptly fits into our ascendancy as a "Global City", as well as the international impact that said representation has made on our City.

City of Pinecrest Ballot Language: **City Manager David Brown** informed the City Commission that the City of Pinecrest recently held a meeting wherein they voted to change the language; further stating that he wanted to provide to the Commission the revised language deleting the name City of Coral Gables, thus leaving everybody's option open on both sides of the table.

Announcement on behalf of Sally Jude re First Tropical Green Festival (January 26th, 2008): **Mayor Slesnick** announced that on behalf of Mrs. Jude and the Coral Gables Garden Club, the first festival will be held in conjunction with the the Farmer's Market and the Youth Center with a trolley between the two; further stating that the sponsors for said event are Florida Power and Light and Kendall Lexus; further stating that as part of said celebration, there will be environmental posters by students at Sunset Elementary School, awards to be awarded for the winners; activities for the children to be provided by the Biscayne Center and Fairchild Tropical Gardens; vendors will dialogue about conservation and water, solar hot water for homes and pools; lecture series include the owner of Green House that he built himself; landscaping for the best cooling effects, cleaning air, etc. Said event begins from 8 a.m. until 4 p.m.

Commendation to the Historic Preservation Department re work on Historic Districts: Mayor Slesnick complimented said department and board for their work on historic district; further complimenting Kendall and Tony Turner for their article that appeared in the Herald's Neighbors Section, and was reprinted last Sunday, concerning Alhambra Circle in the district.

Commendation to the Community Foundation: Mayor Slesnick complimented the Community Foundation, which this week celebrates its Green in the Gables Second Annual Major Fund Raising Event at the Biltmore: Mayor Slesnick noted that most of the Commissioners are Honorary Chairpersons to said event; further pointing out that there have been ornamental palms planted out in Alhambra Circle to beautify the medians.

Miami-Dade League of Cities hosts Referendum on Proposition One: Mayor Slesnick announced said event; further stating that Richard Steinberg, President of the Miami-Dade League of Cities will host said event; further announcing that speakers for said event will include Tony Villamil and Andy Betancourt, representing the Miami-Dade County League of Women Voters].

City Clerk Item No. 33

ADJOURNMENT

[Note for the Record: There being no further business on the Regular Commission Meeting agenda, the Commission of the City of Coral Gables adjourned its meeting at 11:16 a.m. on January 22, 2008. The next regular meeting of the City Commission has been scheduled for February 12, 2008, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK