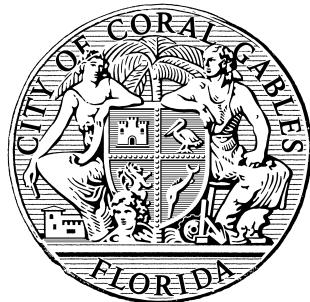


City of Coral Gables

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



Meeting Minutes

Tuesday, February 24, 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*

*Maria Alberro Jimenez, Interim City Manager
Elizabeth M. Hernandez, City Attorney
Walter J. Foeman, City Clerk*

ROLLCALL

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

INVOCATION

Commissioner Wayne "Chip" Withers gave the Invocation.

PLEDGE OF ALLEGIANCE

Vice Mayor William H. Kerdyk, Jr. 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) Ordinance(s) adopted (Ordinance No. 2009-14 through Ordinance No. 2009-21); (b) Resolution(s) adopted (Resolution No. 2009-40 through Resolution No. 2009-49); (c) Video; (d) Audio Recording; (d) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

[Note for the Record: Immediately following the Invocation, Mayor Slesnick stated into the public record, the following agenda items that had been deferred: Agenda Item A-3; Agenda Item D-2 and Agenda Item H-3].

A. PRESENTATIONS AND PROCLAMATIONS**A.-1. 09-0125**

Presentation of a Proclamation declaring February 24, 2009 as William A. Cooper Day in Coral Gables.

[Note for the Record: Commissioner Anderson stated that like clockwork, the late William A. Cooper would always appear during the month of January of each year to apprise her as to what event he would suggest doing for Black History Month; further stating that notwithstanding the fact that she missed his call this year, she nevertheless, initiated the call with the request this time, to honor Mr. Cooper on the occasion of Black History Month; whereupon she read a proclamation into the public record proclaiming Tuesday February 24th, 2009 as "William A. Cooper Day."]

Mrs. Leona A. Cooper in accepting said accolade, thanked the Mayor and members of the City Commission, pointing out that each member of the Commission knew Mr. Cooper quite well; further stating that it was strange for her to appear before the Commission without Mr. Cooper, especially since he was such a lover of the City of Coral Gables; further noting that ironically he was born on 201 Washington Drive and passed away, some seventy-nine years later at 200 Washington Drive; further thanking the City of Coral Gables for all of the accolades, and the honor bestowed upon Mr. Cooper today; noting that although he was a low key person who did not like attention, that she would be happy to accept said protocol document on his behalf.

Ms. Leona Cooper (sister) also thanked the City Commission for the honor bestowed upon her brother, on behalf of the Cooper family. Commissioner Anderson added that the City would move forward with co-designation efforts to rename Washington Park to include the name of William A. Cooper].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

A.-2. 09-0120

Presentation of a Proclamation declaring March 14, 2009 as St. Patrick's Festival Day in Coral Gables.

[Note for the Record: Mayor Slesnick informed the viewing public that traditionally, this time of year, one of the great things in our community that we have celebrated has been the St. Patrick's Day; further stating that the Emerald Society Festival Committee had previously received a proclamation in connection with said event; further inviting members of said Committee to join him and the Commission on the dais, along with other members of the public who were of Irish descent; further declaring the date of Saturday, February 28th as the date of the Date of St. Patrick's Day Festival, which will be celebrated in Fred B. Hartnett Park; further acknowledging that our City is so proud of its street culture, and that our City also tries to bring families together through the hosting of such events; further thanking the Emerald Society and the St. Patrick's Day Committee for their initiative shown in furtherance of said event; further acknowledging those small girls who perform instructional dances; also noting those number of former Mayors in this City whom were of Irish descent; further acknowledging the presence of Marj Hartnett, who was in attendance and a member of the Emerald Society, the wife of the late Fred Hartnett, who served as Mayor from 1955-1957].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 5

A.-3. 09-0096

Presentation of the 2008 Kiwanis Club of Coral Gables "Officer of the Year Award" to Police Officer Antonio Aleman.

Attachments: [Aleman Officer of The Year 2008](#)
[COMMISSION COVER MEMO - OFFICER OF THE YEAR 2008](#)

This Agenda Item was Deferred

City Clerk Item No. 1

A.-4. 09-0109

Congratulations to Alina Suarez-Garcia, Police Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of March 2009.

Attachments: [Cover Memo](#) [EOM_March2009](#)
[EOM March2009](#)

[Note for the Record: Alina Suarez-Garcia was recognized as the Employee of the Month for the month of March; further described by her nominator and superior Major Mike Frevola as being an individual who has worked her way up to the current position of Communications Training Supervisor, a position she currently holds today; further stating that also serves in the capacity of teletype coordinator, being in charge of every aspect of the teletype (a position where all of the subjects are run, stolen property is entered and recovered, and bolos-be on the look out, are sent out/received) operation, striving to maintain errors at a minimum; possessing detailed knowledge of the Computer Aided Dispatch software, oftentimes offering assistance to those needed divisions within the department to achieve their respective goals within the CAD System; further acknowledging that she is very involved in the hiring process in a very timely manner; further noting that she shares her knowledge regarding being the hiring person, with others to get them involved, as well; being aptly described as the “go to” person, anytime someone needs help in solving/resolving an issue or problem; further so aptly describing Ms. Suarez-Garcia as the “friend of the friendless”; further describing her work ethic as being one of providing assistance to her co-workers, both professionally and personally, possessing an ability to look beyond any circumstance and reach for answers to questions that are not typically addressed; finally, being described as a modest person who would never put herself before someone else as it pertains to recognition. In accepting said recognition Ms. Suarez-Garcia stated that she is “blessed that that she still has as much enthusiasm as she had twenty-five years ago”].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 6

B. APPROVAL OF MINUTES

B.-1. 09-0127 Regular City Commission Meeting of February 10, 2009.

Attachments: [Meeting Minutes](#)

[Verbatim Transcript - Agenda Item E-10, Ord. Amending Zoning Code, air cond. u](#)

[Verbatim Transcript - Agenda Item F-4 - Discussion narrowing list of City Manager](#)

[Verbatim Transcript - Agenda Item H-2 - Discussion regarding existing roving patr](#)

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., 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. 7

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 Anderson, seconded by Vice Mayor Kerdyk, 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

RESOLUTION NO. 2009-40**C.-2. 09-0101**

A Resolution of the City of Coral Gables amending Resolution No. 2008-210 thereby allowing for signage to accompany the artwork created by students of Coral Gables Elementary School to be placed on the vinyl mesh attached to the construction fence of the Coral Gables Museum.

Attachments: [Resolution 2007-247](#)
[R-2008-210](#)
[Museum Signage Cover Sheet](#)
[Museum Signage Resolution](#)
[Correspondence from Coral Gables Museum](#)
[Signed Resolution 2009-40](#)

A RESOLUTION OF THE CORAL GABLES CITY COMMISSION AMENDING RESOLUTION NO. 2008-210, THEREBY ALLOWING FOR SIGNAGE TO ACCOMPANY THE ARTWORK CREATED BY STUDENTS OF CORAL GABLES ELEMENTARY SCHOOL TO BE PLACED ON THE VINYL MESH ATTACHED TO THE CONSTRUCTION FENCE OF THE CORAL GABLES MUSEUM.

This Matter was adopted by Resolution Number 2009-40 on the Consent Agenda.

City Clerk Item No. 8

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

C.-4. [09-0075](#) School and Community Relations Committee Meeting of January 13, 2009

Attachments: [jan 09](#)
[summary of jan 09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 9

C.-5. [09-0097](#) Historic Preservation Board Meeting of January 15, 2009

Attachments: [HPB 01-15-09](#)
[NoAction01.15.09-MinutesforCC02.24.09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 10

C.-6. [09-0098](#) Coral Gables Merrick House Governing Board Meeting of January 26, 2009

Attachments: [Merrick House January 26, 2009](#)
[CGMNoAction-01.26.09MinutesforCC02.24.09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 11

C.-7. [09-0099](#) Pinewood Cemetery Advisory Board Meeting of January 12, 2009

Attachments: [Pinewood Minutes January 12, 2009](#)
[NoAction01.12.09CCMtgNoAction01.24.09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 12

C.-8. [09-0106](#) Senior Citizens Advisory Board Meeting of February 2, 2009

Attachments: [Min 02-02-2009 draft.pdf](#)
[Cover Sheet Minutes 02-02-09.pdf](#)
[Jumpstart the Conversation Proposal](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 13

C.-9. [09-0107](#) Library Advisory Board Meeting of February 11, 2009

Attachments: [LB Cover Sheet 2-11-09 na](#)
[Library Minutes 2-11-09](#)
[Library Minutes signed 2-11-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 14

C.-10. [09-0108](#) Landscape Beautification Advisory Board Meeting of February 5, 2009

Attachments: [BC Cover Sheet 2-5-09 na](#)
[Minutes BC 2-5-09](#)
[The Paladin landscape plan 2009](#)
[Ordinance 2006-13 The Plaza at Coral Gables](#)
[Final LBAB Minutes](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

C.-11. [09-0111](#) Board of Adjustment Meeting of February 2, 2009

Attachments: [Cover Memo BOADJ 2-2-09](#)
[Notice 2-2-09](#)
[BOADJ Meeting Minutes 2-2-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

C.-12. [09-0113](#) Retirement Board Meeting of January 15, 2009

Attachments: [CC.02-24-09.January 15, 2009](#)
[Minutes.01-15-09](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

C.-13. [09-0121](#) City of Coral Gables/University of Miami Community Relations Committee Meeting of February 2, 2009

Attachments: [City Commission Agenda Cover Feb. 24, 2009](#)
[Community Relations Comm-Feb 2 2009](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

Pulled from Consent Agenda**RESOLUTION NO. 2009-41 (As Amended)****C.-1. 09-0100**

A Resolution of the City of Coral Gables granting a one-day permit to John Martin's Restaurant to sell alcoholic beverages from 5:00 p.m. until midnight on Tuesday, March 17, 2009, on Salzedo Street from Aragon Avenue to Miracle Mile, and to the entrance of the Museum Garage, as part of the annual St. Patrick's Day Festival to benefit the Marian Center for mentally and developmentally disabled children, subject to Florida Department of Professional Regulation requirements.

Attachments:

[John Martin's Cover Memo 020609](#)
[John Martin's Draft Resolution 020609](#)
[John Martins Special Events Application 020609](#)
[Signed Resolution 2009-41](#)

A RESOLUTION GRANTING A ONE-DAY PERMIT TO JOHN MARTIN'S RESTAURANT TO SELL ALCOHOLIC BEVERAGES FROM 5:00 P.M. UNTIL MIDNIGHT ON TUESDAY MARCH 17, 2009, ON SALZEDO STREET FROM ARAGON AVENUE TO MIRACLE MILE, AND TO THE ENTRANCE OF MUSEUM GARAGE AS PART OF THE ANNUAL ST. PATRICK'S DAY FESTIVAL TO BENEFIT THE ROTARY CLUB, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

[Note for the Record: Interim City Manager Maria Jimenez stated that she would like the public record to reflect that the annual St. Patrick's Day Festival is to benefit the Rotary Club, and not the reference to the Marian Center for mentally and developmentally disabled children, as mentioned in the support documentation to said agenda item].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted as amended by Resolution Number 2009-41. 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. 19

RESOLUTION NO. 2009-42C.-3. [09-0124](#)

A Resolution of the City of Coral Gables accepting a grant for financial assistance in the amount of \$250,000.00 from the Florida Department of Environmental Protection (DEP) for the construction of new City 2 Sanitary Sewer Pump Station and authorizing the City Manager to execute an agreement between the City and the Department of Environmental Protection for said financial assistance under DEP Agreement No. LP8909.

Attachments: [Cover Memo](#)
[RESOAcceptingGrantCity2PS](#)
[State Financial Assistant Agreement](#)
[Signed Resolution 2009-42](#)

A RESOLUTION ACCEPTING A GRANT FOR FINANCIAL ASSISTANCE IN THE AMOUNT OF \$250,000.00 FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) FOR THE CONSTRUCTION OF NEW CITY 2 SANITARY SEWER PUMP STATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY AND THE DEP FOR SAID FINANCIAL ASSISTANCE UNDER DEP AGREEMENT NO. LP8909.

[Note for the Record: **Questions, Inquiries, and Concerns, from the City Commission:** Vice Mayor Kerdyk stated for the record, that since it appears that the City is considering the establishment of a Special Taxing District. Then how will the City reconcile the difference between the remaining cost for the new pumping station (estimated amount of \$1.2 million) and the grant for financial assistance from the Florida Department of Environmental Protection?-whereupon Public Works Director Alberto Delgado stated that the City's consultant is going to bring back an evaluation of the design, and will include recommendations, considering two options:

- (1) Abandoning the station and relocating it in the same median to the east; and
- (2) Retrofitting the existing station-removing the slab and lowering same to the ground in order that it may be flush; right now it is currently protruding.

Mr. Delgado responded that it will be the City's intention to do a combination of initiatives, including usage of the \$250,000 grant from the Florida Department of Environmental Protection, along with a \$250,000 match in the same amount from the City's Capital Improvement Project Fund for construction of new City 2 Sanitary Sewer Pump Station; further stating that the City will conduct an assessment of all of the people whom are within this particular basin.

Vice Mayor Kerdyk inquired as to whether the City is going to assess based on the square footage of the building?-whereupon Mr. Delgado stated that it will be based on the flow that is produced by each of the affected buildings.

Vice Mayor Kerdyk further inquired as to the timetable for construction for said

project, whereupon Mr. Delgado stated that by the beginning of next year, the City would like to have this project up and running].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2009-42. 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. 20

D. PERSONAL APPEARANCES

Items D.-1. and H.-4 are related

D.-1. [09-0102](#) Willy A. Bermello, President of BAP Development, to discuss the development of the parking garage located at 245 Andalusia Avenue.

Attachments: [BAP Development Letter](#)
[245 Andalusia PowerPoint](#)

[Note for the Record (Agenda Item D-1 and H-4): A copy of the verbatim transcript of Agenda Item D-1 and H-4, is available for public inspection in the City Clerk's Office and in Legistar].

City Clerk Item No. 21

City Clerk Item No. 23

RESOLUTION NO. 2009-44

N.A.D. [09-0130](#) A Resolution of intent to authorize and direct the City Manager to negotiate with Bermello Ajamil and Partners, Inc.

Attachments: [Signed Resolution 2009-44](#)

A RESOLUTION OF INTENT TO AUTHORIZE THE CITY MANAGER TO NEGOTIATE A FULL AND COMPLETE DEVELOPMENT PROPOSAL FOR A PUBLIC/PRIVATE PARTNERSHIP ON THE 200 BLOCK OF ANDALUSIA AVENUE WITH WILLY A. BERMELLO'S FIRM (BAP DEVELOPMENT) TO INCLUDE A PARKING GARAGE, OFFICE BUILDING AND GROUND FLOOR RETAIL TO BE CONSIDERED AND REVIEWED AT A LATER SCHEDULED CITY COMMISSION MEETING.

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-44. The motion passed by the following vote:

Yeas : 3 - Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

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

City Clerk Item No. 24

D.-2. 09-0103

Brendaly Rodriguez, University of Miami Recruitment and Outreach Manager, to present the Hispanic Community Health Study. (Deferred from the February 24, 2009 City Commission Meeting)

Attachments: [UM Health Study Presentation](#)
[UM Request for Personal Appearance](#)

This Agenda Item was Deferred

City Clerk Item No. 2

E. PUBLIC HEARINGS**RESOLUTION NO. 2009-43**

E.-1. 09-0116 Board of Architects Appeal - Application AB 08-10-0808

Mr. Manny Perez, Applicant, has filed an appeal to the Coral Gables City Commission, from a decision of the Board of Architects at its regular meeting of January 22, 2009, wherein the Board denied Application AB 08-10-0808, in connection with increased signage on the property, Steinway Piano Gallery, located at 4104 Ponce de Leon Boulevard, Coral Gables, Florida. (Property also known as "The Collection Building".)

Summary of Appeal:

Steinway Piano Gallery, located at 4104 Ponce de Leon Boulevard (The Collection Building) has an existing sign located on the facade of the building, directly over the space occupied by the tenant. The Board of Architects denied a request for the installation of two additional signs to be mounted on the existing canvas awnings of the building.

Attachments:

[BOA Appeal Cover Sheet](#)
[BOA Appeal Public Notice](#)
[Zoning Code Section 5-601](#)
[Zoning Code Section 5-1904](#)
[Board of Architects Diagrams](#)
[Application for Appeal](#)
[Signed Resolution 2009-43](#)

A RESOLUTION OF THE CITY COMMISSION GRANTING THE APPEAL FILED BY MANNY PEREZ, APPLICANT, APPLICATION NO. AB 08-10-0808; THEREBY REVERSING THE DECISION OF THE BOARD OF ARCHITECTS, THUS ALLOWING THE REQUEST FOR THE INSTALLATION OF TWO ADDITIONAL SIGNS TO BE MOUNTED ON THE EXISTING CANVASS AWNINGS OF THE BUILDING SUBJECT PROPERTY LOCATED AT 4104 PONCE DE LEON BOULEVARD.

[Note for the Record: A copy of the verbatim transcript of Agenda Item E-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 Commissioner Anderson, that this motion be adopted by Resolution Number 2009-43. 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. 22

ORDINANCES ON SECOND READING

ORDINANCE NO. 2009-14E.-2. [09-0061](#)

An Ordinance of the City of Coral Gables amending Zoning Code Article 5, Section 5-1406, "Visibility Triangles", updating triangle visibility requirements in order to be consistent with Miami-Dade County standards; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with a 7-0 vote.) (CC approved on First Reading with a 4-0 vote on February 10, 2009)

Attachments:

[02 10 09 CC Cover Memo re: Visibility Triangles ZC text amendment 1st reading](#)
[02 10 09 CC Exhibit A - Visibility Triangle Ordinance](#)
[02 10 09 CC Exhibit B PZB Staff Report and Attachments](#)
[02 10 09 CC Exhibit C Verbatim Excerpts of PZB Meeting Minutes](#)
[02 24 09 CC Cover Memo re: Visibility Triangles ZC text amendment 2nd reading](#)
[02 24 09 CC Exhibit A - Visibility Triangle Ordinance - 2nd Reading](#)
[Signed Ordinance 2009-14](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-1406, "VISIBILITY TRIANGLES", UPDATING TRIANGLE VISIBILITY REQUIREMENTS IN ORDER TO BE CONSISTENT WITH MIAMI-DADE COUNTY STANDARDS; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-2 into the public record, there being no public testimony proffered by any member(s) of the public, nor there being any deliberation by any member(s) of the City Commission, said matter passed unanimously].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Ordinance Number 2009-14. 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

ORDINANCE NO. 2009-15**E.-3. 09-0062**

An Ordinance of the City of Coral Gables amending Zoning Code Article 2, Section 2-709, "Zoning Administrator", amending title to "Zoning Official", consistent with other Building and Zoning Department titles; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with a 7-0 vote.) (CC approved on First Reading with a 4-0 vote on February 10, 2009)

Attachments: [02 10 09 CC Cover Memo re: Zoning Official ZC text amendment 1st reading](#)
[02 10 09 CC Exhibit A - Zoning Official Ordinance](#)
[02 10 09 CC Exhibit B PZB Staff Report and Attachments](#)
[02 10 09 CC Exhibit C Verbatim Excerpts of PZB Meeting Minutes](#)
[02 24 09 CC Cover Memo re: Zoning Official ZC text amendment 2nd reading](#)
[02 24 09 CC Exhibit A - Zoning Official Ordinance - 2nd Reading](#)
Signed Ordinance 2009-15

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 2, SECTION 2-709, "ZONING ADMINISTRATOR", AMENDING TITLE TO "ZONING OFFICIAL", CONSISTENT WITH OTHER BUILDING AND ZONING DEPARTMENT TITLES; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Public Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-3 into the public record, there being no public testimony proffered by any member(s) of the public, nor there being any deliberation by any member(s) of the City Commission, said matter passed unanimously].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Ordinance Number 2009-15. 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. 27

Items E.-4. through E.-9 are related**ORDINANCE NO. 2009-16****E.-4. [09-0063](#)**

An Ordinance of the City of Coral Gables amending Zoning Code Article 4, Section 4-201, Table 1, Design regulations, #17, "Rooftop screening", updating screening requirements for mechanical equipment; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with a 7-0 vote.) (CC approved on First Reading with a 3-0 vote on February 10, 2009)

Attachments:

[02 10 09 CC Cover Memo re: Screening ZC text amendment 1st Reading](#)
[02 10 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance](#)
[02 10 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance](#)
[02 10 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance](#)
[02 10 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance](#)
[02 10 09 CC Exhibit E - Screening Sec 5-1802 Ordinance](#)
[02 10 09 CC Exhibit F - Screening Sec 5-1804 Ordinance](#)
[02 10 09 CC Exhibit G 01 14 09 PZB Staff Report and Attachments](#)
[02 10 09 CC Exhibit H 01 14 09 Verbatim Excerpts of PZB Meeting Minutes](#)
[02 24 09 CC Cover Memo re: Screening ZC text amendment 2nd Reading](#)
[02 24 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit E - Screening Sec 5-1802 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit F - Screening Sec 5-1804 Ordinance - 2nd Reading](#)
[Signed Ordinance 2009-16](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 4, SECTION 4-201, TABLE 1, F, DESIGN REGULATIONS, #17, "ROOFTOP SCREENING", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-4 into the public record, there being no public testimony proffered by any member(s) of the public, nor there being any deliberation by any member(s) of the City Commission, said matter passed unanimously].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2009-16. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 28

ORDINANCE NO. 2009-17**E.-5. 09-0064**

An Ordinance of the City of Coral Gables amending Zoning Code Article 5, Section 5-603-H-6, "Specific standards", correcting referenced code section from Division 17 to Division 18; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with a 7-0 vote.) (CC approved on First Reading with a 3-0 vote on February 10, 2009)

Attachments: [02 10 09 CC Cover Memo re: Screening ZC text amendment 1st Reading](#)
[02 10 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance](#)
[02 10 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance](#)
[02 10 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance](#)
[02 10 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance](#)
[02 10 09 CC Exhibit E - Screening Sec 5-1802 Ordinance](#)
[02 10 09 CC Exhibit F - Screening Sec 5-1804 Ordinance](#)
[02 10 09 CC Exhibit G 01 14 09 PZB Staff Report and Attachments](#)
[02 10 09 CC Exhibit H 01 14 09 Verbatim Excerpts of PZB Meeting Minutes](#)
[02 24 09 CC Cover Memo re: Screening ZC text amendment 2nd Reading](#)
[02 10 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance](#)
[02 24 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit E - Screening Sec 5-1802 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit F - Screening Sec 5-1804 Ordinance - 2nd Reading](#)
[Signed Ordinance 2009-17](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-603-H-6, "SPECIFIC STANDARDS", CORRECTING REFERENCED CODE SECTION FROM DIVISION 17 TO DIVISION 18; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-5 into the public record, there being no public testimony proffered by any members(s) of the public, nor there being any deliberation by any member(s) of the City Commission, said matter passed unanimously].

A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Ordinance Number 2009-17. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 29

ORDINANCE NO. 2009-18**E.-6. 09-0065**

An Ordinance of the City of Coral Gables amending Zoning Code Article 5, Section 5-603-H-7, "Specific standards", updating screening requirements for mechanical equipment; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with a 7-0 vote.) (CC approved on First Reading with a 3-0 vote on February 10, 2009)

Attachments: [02 10 09 CC Cover Memo re: Screening ZC text amendment 1st Reading](#)
[02 10 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance](#)
[02 10 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance](#)
[02 10 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance](#)
[02 10 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance](#)
[02 10 09 CC Exhibit E - Screening Sec 5-1802 Ordinance](#)
[02 10 09 CC Exhibit F - Screening Sec 5-1804 Ordinance](#)
[02 10 09 CC Exhibit G 01 14 09 PZB Staff Report and Attachments](#)
[02 10 09 CC Exhibit H 01 14 09 Verbatim Excerpts of PZB Meeting Minutes](#)
[02 24 09 CC Cover Memo re: Screening ZC text amendment 2nd Reading](#)
[02 24 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit E - Screening Sec 5-1802 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit F - Screening Sec 5-1804 Ordinance - 2nd Reading](#)
[Signed Ordinance 2009-18](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-603-H-7, "SPECIFIC STANDARDS", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-6 into the public record, there being no public testimony proffered by any member(s) of the public, nor there being any deliberation by any member(s) of the City Commission, said matter passed unanimously].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2009-18. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 30

ORDINANCE NO. 2009-19**E-7. 09-0066**

An Ordinance of the City of Coral Gables amending Zoning Code Article 5, Section 5-1801-D, "Solar water heaters and equipment", updating screening requirements for mechanical equipment; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with a 7-0 vote.) (CC approved on First Reading with a 3-0 vote on February 10, 2009)

Attachments: [02 10 09 CC Cover Memo re: Screening ZC text amendment 1st Reading](#)
[02 10 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance](#)
[02 10 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance](#)
[02 10 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance](#)
[02 10 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance](#)
[02 10 09 CC Exhibit E - Screening Sec 5-1802 Ordinance](#)
[02 10 09 CC Exhibit F - Screening Sec 5-1804 Ordinance](#)
[02 10 09 CC Exhibit G 01 14 09 PZB Staff Report and Attachments](#)
[02 10 09 CC Exhibit H 01 14 09 Verbatim Excerpts of PZB Meeting Minutes](#)
[02 24 09 CC Cover Memo re: Screening ZC text amendment 2nd Reading](#)
[02 24 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit E - Screening Sec 5-1802 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit F - Screening Sec 5-1804 Ordinance - 2nd Reading](#)
[Signed Ordinance 2009-19](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-1801-D, "SOLAR WATER HEATERS AND EQUIPMENT", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-7 into the public record, there being no public testimony proffered by any member(s) of the public, nor there being no public deliberation by any member(s) of the City Commission, said matter passed unanimously].

A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Ordinance Number 2009-19. The motion passed by the following vote:

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

Absent: 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 31

ORDINANCE NO. 2009-20**E.-8. 09-0067**

An Ordinance of the City of Coral Gables amending Zoning Code Article 5, Section 5-1802, "Screening of rooftop equipment", updating screening requirements for mechanical equipment; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with a 7-0 vote.) (CC approved on First Reading with a 3-0 vote on February 10, 2009)

Attachments: [02 10 09 CC Cover Memo re: Screening ZC text amendment 1st Reading](#)
[02 10 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance](#)
[02 10 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance](#)
[02 10 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance](#)
[02 10 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance](#)
[02 10 09 CC Exhibit E - Screening Sec 5-1802 Ordinance](#)
[02 10 09 CC Exhibit F - Screening Sec 5-1804 Ordinance](#)
[02 10 09 CC Exhibit G 01 14 09 PZB Staff Report and Attachments](#)
[02 10 09 CC Exhibit H 01 14 09 Verbatim Excerpts of PZB Meeting Minutes](#)
[02 24 09 CC Cover Memo re: Screening ZC text amendment 2nd Reading](#)
[02 24 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit E - Screening Sec 5-1802 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit F - Screening Sec 5-1804 Ordinance - 2nd Reading](#)
[Signed Ordinance.pdf](#)
[Signed Ordinance 2009-20](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARCTICLE 5, SECTION 5-1802, "SCREENING OF ROOFTOP EQUIPMENT", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-8 into the public record, there being no public testimony proffered by any member(s) of the public, nor there being any deliberation by members of the City Commission, said matter passed unanimously].

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Ordinance Number 2009-20. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 32

ORDINANCE NO. 2009-21**E.-9. 09-0068**

An Ordinance of the City of Coral Gables amending Zoning Code Article 5, Section 5-1804, "Air-conditioning units and equipment, and other types of mechanical equipment or apparatus installed on or attached to premises", updating screening requirements for mechanical equipment; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval with a 4-3 vote.) (CC approved on First Reading with a 4-0 vote on February 10, 2009)

Attachments: [02 10 09 CC Cover Memo re: Screening ZC text amendment 1st Reading](#)
[02 10 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance](#)
[02 10 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance](#)
[02 10 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance](#)
[02 10 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance](#)
[02 10 09 CC Exhibit E - Screening Sec 5-1802 Ordinance](#)
[02 10 09 CC Exhibit F - Screening Sec 5-1804 Ordinance](#)
[02 10 09 CC Exhibit G 01 14 09 PZB Staff Report and Attachments](#)
[02 10 09 CC Exhibit H 01 14 09 Verbatim Excerpts of PZB Meeting Minutes](#)
[02 24 09 CC Cover Memo re: Screening ZC text amendment 2nd Reading](#)
[02 24 09 CC Exhibit A - Screening Sec 4-201\(F\)17 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit B - Screening Sec 5-603\(H\)6 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit C - Screening Sec 5-603\(H\)7 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit D - Screening Sec 5-1801\(D\) Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit E - Screening Sec 5-1802 Ordinance - 2nd Reading](#)
[02 24 09 CC Exhibit F - Screening Sec 5-1804 Ordinance - 2nd Reading](#)
[Signed Ordinance 2009-21](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, SECTION 5-1804, "AIR-CONDITIONING UNITS AND EQUIPMENT, AND OTHER TYPES OF MECHANICAL EQUIPMENT OR APPARATUS INSTALLED ON OR ATTACHED TO PREMISES", UPDATING SCREENING REQUIREMENTS FOR MECHANICAL EQUIPMENT; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-9 into the public record, there being no public testimony proffered by any member(s) of the public, nor there being any deliberation by any member(s) of the City Commission, said matter passed unanimously].

A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Ordinance Number 2009-21. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 33

ORDINANCES ON FIRST READING**E.-10. 09-0104**

Ordinance authorizing the Interim City Manager to execute a Lease Agreement with Liberty Events, LLC, for the long-term management and operations of a City-owned facility at 997 North Greenway Drive also known as "The Country Club of Coral Gables" with the legal description of lots 1-9 and 37-39, block 32, section "B" including the tennis courts with the legal description of that portion of the Granada Golf Course that is approximately 130 feet North of the north right-of-way line of South Greenway Drive and 336 feet West of the west right-of-way line of Granada Boulevard, which is now occupied and used as six (6) tennis courts and a Tennis Club House.

Attachments:[Ordinance country club 2-24-09](#)[Liberty Entertainment Lease - 2-10-09](#)[Comm Cov - 2-24-09 ordinance](#)[Document entered into the Public Record by Richard Namon](#)

[Note for the Record: A Copy of the verbatim transcript of Agenda Item E-10 is pending, and upon completion of the transcription in connection with said item, it will be 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 Cabrera, Jr., that this motion be approved as an Ordinance on First Reading. 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. 34

City Clerk Item No. 36

ORDINANCE NO. 2009-22**E.-11. 09-0110**

An Ordinance of the City of Coral Gables amending Zoning Code Article 5, Division 19, entitled "Signs", Section 5-1909, "Campaign", by providing for the allowance of campaign and political signs within specified zoning districts, providing the size of campaign and political signs within specified zoning districts, providing for the length of time campaign and political signs are allowed in the City of Coral Gables following elections and other miscellaneous provisions; and, Article 8, "Definitions", by providing for definitions; and providing for severability, repealer, codification, and an effective date. (CC approved on First Reading with a 5-0 vote on February 24, 2009)

Attachments:[02 24 2009 CC Exhibit A re political signs ordinance](#)[02 24 09 CC Exhibit B 02 11 09 PZB staff report](#)[02 24 09 CC Exhibit C 02 11 09 Verbatim Excerpts of PZB Meeting Minutes](#)[02 24 2009 CC Cover Memo re: political signs 1st reading](#)[Microsoft Word - 03 10 2009 2nd reading CC political signs ordinance final](#)[03 10 2009 CC memo political signs 2nd reading \(2\)](#)[Signed Ordinance 2009-22](#)

[Note for the Record: Questions, Concerns, Inquiries by the City Commission: Commissioner Anderson stated that she had several concerns, (1) Political Signs, when there is no private property. We should allow something so long as it's within the property line; (2) Disposition of the signs, when they are on the swale; maybe they

can put them somewhere at a designated location, and not discard the signs right off].

Commissioner Cabrera: Commissioner Cabrera suggested that before the Election, maybe the Administration would consider preparation of a flyer regarding the proper placement of Political Campaign Signs before an election; further stating consideration by staff must be given to reviewing those residents who own property with a perimeter wall; further inquiring of Mr. Weller as to whether he has had a chance to look at the Florida Election Code, in particular, those statutes dealing with Election Campaign Signs; further suggesting that between now and Seconding Reading of the Ordinance, that he would have an opportunity to review said sections of the state statutes and consider proposed legislation to either adopt, modify or amend certain sections of the proposed item that is before the Commission; further stating that it is legally permissible to maintain two political campaign signs on private property in Coral Gables, as long as they are for two separate candidate races, whereupon Building and Zoning Director Ed Weller indicated that he would, and further stated that City staff had reviewed said matter, has concerns regarding how the signs are attached, which opened up a whole new set of issues (i.e. similar to what the City did during the November 4th, 2008 Presidential Election; further suggesting that staff had recommended allowing political campaign signs to be a maximum of 8 feet high; however, it is not suggested that the Political Campaign Signs be placed on the wall.

Mayor Slesnick added that having signs 8 feet high is not aesthetically pleasing; further noting that private homes would like to put up signs that are flopped up along the side of the buildings in Miami; further stating that this is not the appearance that the City of Coral Gables wants to adopt].

Interim City Manager Maria Jimenez stated that consideration will be given to a notice to the property owners outlining the requirements of our Code; further removing the signs when they are no longer needed, similar to what the City did during the November 4th, 2008 Presidential Election].

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:

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

City Clerk Item No. 35

F. CITY COMMISSION ITEMS**RESOLUTION NO. 2009-47****F.-1. 09-0117**

Discussion regarding SB 630 and similar legislation that would impose a moratorium on the collection of impact fees by local governments; urging the Florida Legislature not to pass such legislation.

Mayor Donald D. Slesnick, II

Attachments: [SB630](#)
[Signed Resolution 2009-47](#)

A RESOLUTION URGING THE FLORIDA LEGISLATURE TO VOTE AGAINST THE PASSAGE OF SENATE BILL 630 (ENTITLED "AN ACT RELATING TO IMPACT FEES"; FURTHER PROVIDING FOR A 3-YEAR MORATORIUM ON THE IMPOSITION OR COLLECTION OF IMPACT FEES BY A COUNTY OR MUNICIPALITY AND PROVIDING FOR FUTURE EXPIRATION OF SAID COUNTY MORATORIUM); FURTHER FORWARDING COPIES OF SAID LEGISLATION TO THE MIAMI-DADE LEGISLATIVE DELEGATION, ALONG WITH COPIES TO ALL OTHER AFFECTED PARTIES IN CONNECTION WITH SAME.

[Note for the Record: **Mayor Slesnick** informed his colleagues that the City Commission has been asked to consider the adoption of legislation opposing Senate Bill 630 which provides for a 3-year moratorium on the imposition or collection of impact fees by a County or municipality; further providing for the future expiration of the moratorium; further pointing out that our City had adopted our own Impact Fee Ordinance, and that said Senate legislation calls for a moratorium on the collection of fees from same; further referencing **Mr. M. Cuevas** memorandum to Miami-Dade County Commissioner Dennis Moss in connection with said matter, the latter who is opposed to this legislation.

Questions, Comments, Comments, Inquiries and Concerns from the City Commission: **Commissioner Anderson** stated that in her opinion said legislation represents the long arm of the state sticking itself into the way we make and raise our revenue; further stating that the state is attempting to tell us what to do.

Commissioner Withers noted that this bill has incredible authorship and support on the Senate side (citing former **Senator Bill Bennett**); further pointing out that one of the reasons that the State is against this bill is because of the way municipalities and Counties have oftentimes unfairly assigned said impact fees; further suggesting that with our legislative initiative, there should also be certain amendatory language stating that a genuine effort will be made to ensure that the assignment of impact fees should be done fairly; further noting that said state legislation has been initiated by legislators in the Hillsborough County area who have allegedly encountered some inequity resulting from the assignment of impact fees.

Mayor Slesnick added that our City knows what it has done and that we also know what we are doing; further stating that our City is elected by the citizens of Coral Gables to ensure that we are in fact fair and equitable; further suggesting to the maker of the motion to oppose said legislation, that our City include in the preamble certain language which states that our City supports the citizens of Coral Gables, to be fair to people, yet ensure that all citizens pay their fair share of fees; further including support for a local option (home rule)].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2009-47. 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. 38

[Note for the Record: Update regarding the Metropolitan Planning Organization: Vice Mayor Kerdyk informed the City Commission of the Herculean task undertaken by the Metropolitan Planning Council, in trying to apportion and allocate \$56.2 million dollars in funding to a proposed estimated \$2 billion in projects; further explaining the methodology deployed in allocating said amount, through utilization of a population standard; further stating that our City of Coral Gables with three projects (i.e. Miracle Mile; Ponce de Leon and the Trolley Project) received \$1,036,000; further pointing out Miami-Dade Transit received \$76 million for their transit system, and as a consequence thereof, an amendment was proffered by County Commissioner Carlos Gimenez, more particularly, which stated that 20 percent of all of the transit dollars (\$15.2 million) shall be given to municipalities, which translates into potentially another \$300,000 to \$600,000 to our City of Coral Gables, subject to the Miami-Dade County Commissions' approval of same].

G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 39

H. CITY MANAGER ITEMS**RESOLUTION NO. 2009-46****H.-1. 09-0105**

A Resolution of the City of Coral Gables authorizing the Interim City Manager to execute a 7-year, 4-month lease agreement (beginning March 1, 2009) plus one 3-year option for Rumi Mediterranean Corp., d/b/a/Rumi Mediterranean Kitchen & Bar for approximately 3,905 square feet of space located at 2325 Galiano Street located on the ground floor of the Coral Gables Garage #6.

Attachments: [Cover Memo](#)[RUMI Lease Agreement - with 4 Mo. Abate.pdf](#)[Rumi resolution - 2-24-09 - with 4 Mo. Abate.pdf](#)[REVISED Cover Memo.pdf](#)[Signed Resolution 2009-46](#)

A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A 7-YEAR, 4-MONTH LEASE AGREEMENT, (BEGINNING ON MARCH 1, 2009) PLUS ONE 3-YEAR OPTION FOR RUMI MEDITERRANEAN CORP., D/B/A RUMI MEDITERRANEAN KITCHEN & BAR FOR APPROXIMATELY 3,905 SQUARE FEET OF SPACE LOCATED AT 2325 GALIANO STREET LOCATED ON THE GROUND FLOOR OF THE CORAL GABLES PARKING GARAGE NO. 6.

[Note for the Record: Following Interim City Manager Maria Jimenez' reading of the title to Agenda Item H-1 into the public record, Assistant City Manager Cathy Swanson informed the City Commission that this is a new lease from an old property (ZBA, LLC d/b/a Flow Dining and Ultra Lounge, is a sublease of Grillfish of Coral Gables, LLC, Leaseee, who entered into a lease agreement with the City for the tenant space at 2325 Galiano Street, Parking Garage No. 6); further authorizing Interim City Manager Maria Jimenez to execute a seven (7) Year, four (4) month lease agreement (beginning March 1, 2009), plus one three-year option for Rumi Mediterranean Corporation,D/B/A Rumi Mediterranean Kitchen and Bar for approximately 3,905 square feet of space at the aforementioned location; further recommending that a four month rent abatement period be provided to the above referenced new tenant, along with discount permit parking; further providing that three months back rent be waived from the prior tenant (December 2008, January 2009 and February 2009, provided that back taxes (2008) are paid and mutual releases are signed]; further stating that the rent stream will be the same as the prior lease (i.e. regarding the base rent,which begins June 1, 2009, tenant agrees to pay the landlord a total base rent of \$89,814.96, payable in monthly installments [\$7,484.58], along with the commencement of 1.05% base rent increase in Years 3 [\$7,858.81] and 5 [\$78,251.75], during the Lease Period, and in Years 8 [\$8,664.34] and 10 [\$9,097.55] during the Option Period; further noting the inclusion of new condiditions in connection with the insurance requirement.

Mayor Slesnick at the request of Mrs. Swanson, invited owners Mar and Amad Barazi to address the dais, whereupon Mar Barazi informed the City Commission that his restaurant is one that specializes in Mediterranean food, to be opened 6 days a week; it is a family styled restaurant; he has six family members present between his locations in Ohio, Ft. Lauderdale (Fergo's) and his soon to be location in Coral Gables.

Mayor Slesnick welcomed the Barazi family, stating that he looks forward to their success, because their success is our success].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-46. 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. 37

RESOLUTION NO. 2009-45

H-2. 09-0112

A Resolution of the City of Coral Gables ratifying the Collective Bargaining Agreement between the City of Coral Gables and the International Association of Firefighters, Local 1210 for the contract period from October 1, 2008 through September 30, 2011.

Attachments: [Resolution to Ratify the Contract IAFF 2008-2011](#)
[IAFF Contract 2008-2011](#)
[CM IAFF 08-11 Contract](#)
[Signed Resolution 2009-45](#)

A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA RATIFYING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1210 FOR THE CONTRACT PERIOD FROM OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2011.

[Note for the Record: Following Assistant City Manager Maria Jimenez reading of the title to Agenda Item H-2 into the public record, Human Resources Director Marj Adler approached the dais and informed the City Commission that following negotiations for the past eight months, that she is happy to bring before them a three year contract (i.e. contract period from October 1, 2008 through September 30, 2011); further stating that said contract includes an across the board wage increase of two percent (2%) effective with the pay period that includes July 1, 2007, a zero percent (0%) increase for October 1, 2008, a five percent (5 %) across the board increase effective with the period that includes October 1, 2009, along with a wage reopeners for October 1, 2010; further including small increases to four incentives, including Associate's Degree (initially introduced in 1989); Bachelor's Degree (initially introduced in 1989); Fire inspector (introduced in 1989; another increase in 1999, and

again in 2002).

Mayor Slesnick inquired as to whether the union (International Association of Firefighters, Local 1210) had ratified said contract?- whereupon Battalion Captain (C Shift) and Treasurer of the Local 1210 Chapter, IAFF Daniel Thornhill responded in the affirmative; further thanking the City Commission for ratifying same on behalf of the residents; further thanking Chief Reed for his vision, notwithstanding the fact that these are difficult times, economically; further thanking the Coral Gables firefighters who are here seven days, acknowledging the fact that the doors of the firefighters never close.

In closing, Mayor Slesnick on behalf of the City Commission stated that the Commission looks forward to working with the IAFF, Local 1210, to continue to top level of quality services received from the firefighters, and full recognition that the Commission on behalf of its citizens, have responded to the firefighters with a contract that is equally as productive].

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-45. 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

H.-3. 09-0115

Resolution of the City of Coral Gables authorizing the award of Parking Cashier Services contract to Impark pursuant to Section 2-828 of the Procurement Code for Parking Cashier Services Request for Proposal (RFP) 2008-12-01 in the amount \$297,286.58 (Two Hundred Ninety Seven Thousand Two Hundred Eighty Six Dollars and Fifty Eight Cents) per year. Further authorizing the City Manager to execute a three (3) year contract with an option to renew for two (2) additional one (1) year periods. (Deferred from the February 24, 2009, March 10, 2009 and March 24, 2009 City Commission Meetings) (Project to be funded by the Parking Department.)

Attachments: [Tabulations](#)
[Selection Committee Evaluation](#)
[Proposed Fee Schedule](#)
[Impark Response](#)
[References](#)
[Draft Reso \(1\)](#)

This Resolution was Deferred

City Clerk Item No. 3

Items H.-4. and D.-1. are related**RESOLUTION NO. 2009-48 (As Amended)****H.-4. [09-0128](#)**

A Resolution of the City of Coral Gables directing the Interim City Manager to negotiate a proposed lease, financing and operational agreement for development of a new public parking structure at 245 Andalusia Avenue (site of Garage No. 1) for the City Commission to consider and review at a later scheduled City Commission meeting.

Attachments: [245 ANDALUSIA RESOLUTION 2-24-09](#)
[Commission Cover - Willy Bermello - 2-24-09](#)
[Signed Resolution 2009-48](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE A FULL AND COMPLETE DEVELOPMENT PROPOSAL FOR A PUBLIC/PRIVATE PARTNERSHIP ON THE 200 BLOCK OF ANDALUSIA AVENUE WITH WILLY A. BERMELLO'S FIRM (BAP DEVELOPMENT) TO INCLUDE A PARKING GARAGE, OFFICE BUILDING AND GROUND FLOOR RETAIL TO BE CONSIDERED AND REVIEWED AT A LATER SCHEDULED CITY COMMISSION MEETING.

[Note for the Record: Mayor Slesnick acknowledged Agenda Items D-1 and H-4 were previously taken, however, since H-4 appears on the agenda, we should formally take action on same].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted as amended by Resolution Number 2009-48. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 40

I. CITY ATTORNEY ITEMS

I.-1. [09-0118](#) Pending Litigation Report

Attachments: [PENLIT 2 24 09](#)

[Note for the Record: City Attorney Liz Hernandez informed members of our City Commission, that this morning, Circuit Court Judge Alberto Jordan, in the matter of the Kearns Case, had set all pending motions for Thursday, February 26th, 2009, further stating that it will be determined whether or not said case will proceed to trial; further stating that on March 10th, 2009, the City Attorney's Office will be dedicating the Legal Department in the name of the late Robert Zahner, Esq., said department to be referred to as the Robert B. Zahner Legal Department, said event will begin at 5 p.m. in the City Hall Courtyard and proceed to the City Attorney's Office. Commissioner Anderson suggested that a videotaping of said event be presented to Mrs. Zahner, as a further tribute to Mr. Zahner].

This Agenda Item was Discussed and Filed

City Clerk Item No. 42

RESOLUTION NO. 2009-49

NA.I. [09-0131](#) A Resolution of the City Commission of Coral Gables denying the agreement between Margaret Pass and the City of Coral Gables.

Attachments: [Memorandum - James C. Crosland regarding M. Pass](#)
[Signed Resolution 2009-49](#)

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES REJECTING THE PROPOSAL FOR A SETTLEMENT AGREEMENT, THAT WAS PROFFERED BY COUNSEL REPRESENTING MARGARET PASS, IN THE MATTER INVOLVING HER TERMINATION OF EMPLOYMENT AS THE CITY'S DIRECTOR OF THE BUILDING AND ZONING DEPARTMENT.

[Note for the Record: A copy of the verbatim transcript of Agenda Item NA.I-1.1 is available for public inspection in the City Clerk's Office and in Legistar].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-49. 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. 41

J. CITY CLERK ITEMS**None**

City Clerk Item No. 43

K. DISCUSSION ITEMS

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: A couple of things I was with a family yesterday, and they have a disabled son, and she was informing me that our Youth Center allows them from a learning experience to practice on their field, and how truly please she was; and I didn't know that, so I wanted to congratulate Parks and Rec for doing that for allowing them to practice there, for our special community. I think that is really great. A couple of memos that I would like maybe to do. A couple of years back we asked about Comcast and Direct TV, wondered what the percentage is from Comcast to Direct TV and the question was asked to me about whether we could put our Cable on Direct TV and I was told, and I always new that it was a matter of cost because it is regional programming, but can you confirm the fact that the reason why we don't get our cable channel 77 or CGTV is because cost.

City Manager Jimenez: OK.

Commissioner Anderson: Because there are people who want to know why that happens, and just to follow up, I had a board member of the Public Safety Committee asked if we can help them put information on the web and on TV facilitate that. They have had some problems getting some programming or some information they wanted on, so maybe you can contact the committee because they just need some information up, and last but not least I had an interesting day last Monday it seemed it was a day where the people that contact me were talking about one issue and that was Building and Zoning issues. Questions of timing as far as time that plans spend up there. The issues of some type of customer services issues and just you know things that have not gotten better, and one person mentioned that they had an ADA bathtub that took eight (8) months to go through permitting for their mother. I don't know the facts on that, but the general complaint, and three people in a row that mentioned all those concerns, the length of time and the issues of customer service. So if we can address that cooperatively with the department itself and with staff and try to work cooperatively to see if we can resolve that, that would be extremely important, I mean how many years. It has been a long time, that is it for me.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: Well Ms. Anderson's commentary about Comcast and Direct TV kind of brings up another issue that I think it may have been Commissioner Withers who brought it up; I don't know a couple of weeks back, what is the status with what is happening throughout the City and AT&T?

Commissioner Withers: It is pretty amazing the blitz creek that is going on.

Commissioner Cabrera: Yeah.

Commissioner Anderson: Right, all over.

City Manager Jimenez: I can't answer that, but I will find out. And advise you all.

Commissioner Cabrera: Not only as Commissioner Withers said it is a blitz creek, but the other thing that is going on is as they build a microfiber network they are going on to private property and going on to public right-of-ways and you are seeing the fiber expose, it is not buried, and residents are not being asked to; the AT&T representatives or whomever is working on this project is not asking for permission to go onto private property; and I had even one example where the fiber optic cables are fully exposed from the very backyard through the perimeter of the site setback and then up to the light pole. So I don't know what is happening, and they are very aggressive by the way from a marketing standpoint, exceedingly aggressive, and exceedingly affordable I mean more so than Comcast.

City Manager Jimenez: If we were able to get a few addresses it would be helpful.

Commissioner Cabrera: I would do that for you. I will, I will get you that.

Mayor Slesnick: Does anyone want my latest Comcast complaint?

Commissioner Cabrera: Sure.

Commissioner Anderson: Oh, actually, I had a lot and I have passed them on to the City Manager as well.

Mayor Slesnick: I have recently tried to use my Comcast to better advantage my TV to see movies on demand, and so late Sunday night I just kind of gave out and said OK, I am going to go downstairs to watch a movie by myself. I got halfway through the movie went off, couldn't get it back, I called Comcast, they said "well our service is down now", and I said "well when is it coming back", "we don't know"; and of course it never did come back, it never came back even the next day I woke up early I

said before I go to my first meeting I am going to catch the last 20 minutes of this exciting movie, it still wasn't on.

Commissioner Withers: What movie was it; we'll tell you the ending.

[laughter]

Mayor Slesnick: Body of Lies.

Commissioner Withers: [inaudible] Where did you last leave it.

Commissioner Anderson: The butler did it.

Commissioner Withers: I saw it, what was the last thing that you saw?

Commissioner Cabrera: You could be ruining this.

Commissioner Anderson: Don't do this, there are people out there who may be watching.

Mayor Slesnick: [inaudible]

Commissioner Withers: I'll tell you how it all ends.

[Laughter]

Mayor Slesnick: Do I have to pay you or Comcast?

Commissioner Withers: Well I don't know I might hold off, it was \$4.95 wasn't it? Well, just give me a couple of bucks.

Commissioner Cabrera: Could we get the Comcast folks to come and visit with us?

City Manager Jimenez: Sure.

Commissioner Anderson: That is a good idea.

Commissioner Cabrera: I think it is time, it is time that we whipped them into shape. Have them come and visit royalty because that is all we are, we have no power over them.

Commissioner Withers: But Ralph, the bigger thing is if I understand, AT&T then goes and calls this an entertainment package.

Commissioner Cabrera: Right.

Commissioner Withers: And our franchise fees are at risk.

Commissioner Cabrera: OK.

Commissioner Withers: So it is a big issue.

Commissioner Cabrera: It is a big issue, and it is one that is sneaking up on us. The other item that I have this afternoon before we go ahead and discuss the City Manager search, and I think Mayor Slesnick is going to do that after everyone has an opportunity to discuss, to have their own informal discussion items discussed. Last week I attended an event where I had an interesting request made of me. Residential real estate professionals in Coral Gables put up Open House signs on the weekend, and typically they will place the sign on the public right-of-way to ensure that those that are interested in buying property or looking at the property, can find the actual property that they are advertising. And this one particular person approached me and said, did you know that in Pinecrest, there is new legislation that allows real estate professionals to not only place their signs out on Sundays, but it also gives them a time frame and a day of the week, and so I really didn't know anything about this, and I asked Ms. Lubin to research it for me, and we came back with The Village of Pinecrest Ordinance which in fact has been approved since November 13, 2002 where they adopted a regulation or special condition as it relates to signs; and that is why I asked Mr. Weller to stick around, but basically what it does is Open House signs in all of their districts are permitted only within the hours of 11 a.m. to 4 p.m. on Wednesdays and Sundays, provided however during daylight savings times the Sunday hours will be extended to 6 p.m.; and then it has another line it says other, the attachment of balloons, streamers, flags or other attention attracting devices is prohibited; and the reason I brought this to us, to our attention, I wanted to know from you all if there is an appetite to ask staff to come back with a similar Ordinance for consideration; and what I would suggest is that we have an Ordinance that limits signage for open house from 12 p.m. to 5 p.m. on Sundays only, not Wednesdays, but Sundays only; and this way the real estate professional would not lose their signage they may end up not having to pay a fine. I understand the fine can be as high as \$250.

City Manager Jimenez: That is my understanding.

Commissioner Cabrera: And we help out the community for those that are trying to sell their homes, because you know the worst thing that anybody could experience coming back after you know their house has been up for sale for the day, is to learn from the real estate professional that a City of Coral Gables Code Enforcement Officer picked

up the sign and drove away with it and it may have hurt their ability to sell the home. I really wanted to floated it I don't have; here I have to colleagues that have connections to real estate.

Mayor Slesnick: Dependency on real estate.

Commissioner Cabrera: OK, dependency.

Mayor Slesnick: I would be very much oppose, I am very much supportive of some of the restrictions, and I am also supportive and maybe doing something that would be good to help people in this City if we feel that bringing extra attention is needed. Therefore, larger signs, but the one thing that I think would be very bad for us to start is the agents who go out and place their signs like at an intersection two blocks from the house with arrows on it and use the public parkways on a big street near their house.

Commissioner Cabrera: I would be very definitive, and I would tell you that this signage would only be allowed in front of the property on the public right-of-way, I would not allow it to be, it would have to be within the confines of the property I would not be in favor of directional signage.

Mayor Slesnick: You are talking about the larger signs, allowing a larger open house sign during the hours.

Commissioner Cabrera: You know the tepee type signs.

Mayor Slesnick: The tepee signs.

Commissioner Cabrera: Yeah.

Mayor Slesnick: Which we don't allow now.

Commissioner Cabrera: Which we don't allow.

Vice Mayor Kerdyk: My feeling is first of all that I have to tell you, I don't think that we have ever lost a sale because the sign is not going to be there. I really have not ever seen a sale be lost because of that. If you want to do it on a temporary basis, based on the fact that the economy is suffering and you want to put it right in front of the house, just to give a little bit of relief to the realtor then that might be OK, but I think that we should revisited, maybe doing it on a temporary basis and then revisited later on. I think what is going to end up happening, first of all, most of these people do not live in the City of Coral Gables, most of my agents do not live in the City of Coral Gables, they better know what the laws are if they are in my office, but a lot of them

do not know, and once you say put a sign up outside you are going to see them all throughout the City of Coral Gables.

Commissioner Cabrera: Well you still have to enforce the Code.

Vice Mayor Kerdyk: You still have to enforce the Code, and you are going to get back to what you were having a problem with before, residents are going to get upset because you are picking up their open signs; yeah you have one in front of your house, but how about the three or four I just picked up in the leading into the house, because that's what they do as you know. I mean in particular the house I put one out in front of Riviera Drive, but I also put a directional sign on Hardee Road, on Le Jeune Road, I mean I would go around the thing to make sure everybody came to my house. I just think you might open up a Pandora's box.

Commissioner Cabrera: Listen, hey they only reason that I felt sensitive to the request, is you just said you never lost a sale because of signage.

Vice Mayor Kerdyk: I have never heard of a sale being lost because of signage

Commissioner Cabrera: Have you ever been in a market as bad as this?

Vice Mayor Kerdyk: Well, that is why I say maybe what we want to do is on a temporary basis allow some relief for it and leading into the house.

Commissioner Cabrera: Look either way I am not in the business, I don't care, personally, candidly speaking I was being polite, to someone that had a genuine request, but I don't really care one way or the other. It is not going to bother me, does it bother me to see all the directional signs, absolutely.

Vice Mayor Kerdyk: You know the other thing is I heard for years that a 40 square each sign, you know we should have it bigger...

Commissioner Cabrera: No I am not talking about.

Vice Mayor Kerdyk: That is another argument that could be made you should take the 40 square inch sign and we should make it like Pinecrest. Pinecrest has a larger sign doesn't it?

Commissioner Cabrera: They do, I have all of their signs here.

Vice Mayor Kerdyk: So I mean, I can tell you I don't think that a sale has ever been lost in Coral Gables based on that 40 square inch sign now listen I should be advocating bigger signs and when I get back to my office everybody is going to say

why didn't you support putting this open signs throughout the City. Again, if you want to put it in front of your thing leading in, in this time I think it might be a good idea.

Commissioner Cabrera: So you know what the Pinecrest sign size is for all residential districts is 1 ½ square feet max.

Vice Mayor Kerdyk: It is a big sign.

Commissioner Cabrera: It is big sign.

Vice Mayor Kerdyk: It is big.

Commissioner Cabrera: Alright, well I don't care, like I said I have done what I said I would do; anybody else have any interest in commenting on this? Do you want to let staff look into this or should we deal with bigger issues?-I mean I have heard from two real estate...

Mayor Slesnick: You know you speak to my wife at times and you could ask her, but I really think that Bill is right, that signage in the Gables is not the critical element is advertising in the papers and bringing customers to the house that know that they are coming to that house, it is not drive-bys.

Vice Mayor Kerdyk: People are terribly frustrated now from the standpoint that they are not selling their house, but again I don't know if that is based on the signage, or it is based on the economic conditions that are affecting.

Commissioner Cabrera: Combination, but I think it is the economic conditions. So what do we do?-I am not going to go forward with this if there is not an appetite. I don't want to take staff's time away from other priority issues.

Mayor Slesnick: [inaudible]

Commissioner Cabrera: OK. Do you, Ms. Anderson?

Commissioner Anderson: I don't have any problem.

Commissioner Cabrera: You go one way or the other on this?

Commissioner Anderson: Whatever the majority wants, works for me.

Commissioner Cabrera: Mr. Withers what do you want to do?

Commissioner Withers: It makes no difference to me Ralph. I think that the idea of

having an open sign in front of the home...

Vice Mayor Kerdyk: On a temporary basis.

Commissioner Withers: On a temporary basis, allowing the open sign on someone's own, in front of someone's own home.

Commissioner Cabrera: Now, I am oppose to having political signs on the public right-of-way. I'll tell you that.

Commissioner Anderson: Yes, of course.

Commissioner Cabrera: I just decided to through that out.

Commissioner Withers: Well if the houses doesn't have grass and it is eight feet high also.

Commissioner Cabrera: Eight foot high.

Commissioner Anderson: That is a bit tall.

Commissioner Cabrera: OK, so I am going to kill it. I am not going to move forward with this thing, I mean if staff feels differently I am fine with it, but I just like I said we did our research thanks to Ms. Lubin for making me look good, if she is still here, thank you ma'am, I appreciate it, and I have no other comments we touched on the liquor license on the Country Club and I appreciate staffs report.

Mayor Slesnick: Bill.

Vice Mayor Kerdyk: Thank you Mayor, I would like to ask staff through the City Manager to update a couple of things for me, not today but just a memo would be sufficient. First one, being the Palace where we stand on that situation, where the progress is going as far as the Palace. Also, when Salvadore is going to be done, I know Salvadore is being torn up; and furthermore, I would like you to address the children's areas on the west portion of Salvadore Park there has been some of the facilities that have been torn up for a while; and I have had a few of our residents that have talked to me about making sure that those items get back so their kids can play on them; and the final is the other tennis facility, the Biltmore Kerdyk Tennis Facility. Anyway I had the opportunity of going by the tennis facility have you had the opportunity of going by.

[inaudible]

Commissioner Withers: Just got the email.

Commissioner Cabrera: I got the email yesterday.

Vice Mayor Kerdyk: You have to go by there, I mean it is an eye opening experience I have never seen anything like it, I mean you have sprawling, cement falling of the second floor there, it is a beauty, you need to go by there, I know that staff is working on it.

Commissioner Withers: It sounds like it is time for a nice donation from the Kerdyk family.

[laughter]

Commissioner Cabrera: By the way, did any of you forward the message from Mr. Yoblick to the City Manager's office?

Commissioner Withers: I did, I sent it.

Commissioner Anderson: I also forwarded it.

Commissioner Cabrera: Is it OK when you do that, to copy the rest of us so that we don't repeat, we don't duplicate the effort, is that a Sunshine Violation?

Commissioner Anderson: You know, I respond anyways because at least it lets them know that...

Commissioner Cabrera: Yes, but if you copy, then I know who is working with it. OK, the rat lady, the lady that is upset about rats, a she is not related to me, she is a neighbor, and I did respond to her this morning and I did forward the emails to our City Manager. She is not the rat lady, I am sorry, that is a terrible thing to say. The lady that had concerns about the rats, I apologize and her last name is Cabrera, but she is not related, she is a neighbor.

Vice Mayor Kerdyk: I will tell you, just a follow up on the tennis facility, Dona did go out there and looked at it about two weeks ago and I think Al Delgado, I don't know if you got out there yet or not, but I would you to just send as a memo on where we stand on repairing that facility. I mean we have ADA problems, we have all sorts of possible issues over there; and I know that there is some movement, but I would like to get an update of where we stand on the process. Thank you.

Mayor Slesnick: Mr. Withers.

Commissioner Withers: Recently, I think our Historic Preservation Board slam dunked the Counties desire to build a Matheson Hammock Park, and I think it now goes to, does it go to the Planning and Zoning Board at this point? Do you know?

[inaudible]

Commissioner Withers: Well, I guess what I am saying is that it is probably going to rear its ugly head again, and I don't know if there is any appetite on this Commission's part to proceed, with maybe trying to take full control of Matheson Hammock Park.

Vice Mayor Kerdyk: How do we do that?

Commissioner Withers: I don't know, we manage the enterprise zone, we basically take the entire park under...

Commissioner Anderson: There are different parcels on it, do you mean the one that is near the neighborhood or the whole caboodle?

Commissioner Withers: The whole thing. From what I understand we have jurisdiction over it now as far as...

City Manager Jimenez: It is in our City.

Commissioner Withers: Planning and Zoning and we provide Fire and we provide, I don't know...

Commissioner Anderson: I would like us to control our destiny, especially as it relates to the neighborhood that it affects, because I mean there is a whole Matheson Area, but that is a wetland thing.

Commissioner Withers: I don't know if it dissolves the enterprise zone there, there are beaches there, I don't know if the City wants to do that we are always looking for additional ways to revenue we are always looking for additional ways to improve services to our own residents, it is just a thought. I don't know how you feel if you don't want to proceed with it then I have no problem. I don't even know if the County is even willing to do that.

Commissioner Anderson: Probably they wouldn't be able to.

Vice Mayor Kerdyk: I would be willing to explore it, but I think the County will have a lot of angst's.

Commissioner Anderson: I am sure they would.

Commissioner Withers: We annex neighborhoods, we annex residential neighborhoods, why not annex a park if there are mitigation fees we look at the revenue stream and...

Commissioner Anderson: It can't help to try but I just don't foresee the County being cooperative

City Attorney Hernandez: They are not, and they have an Ordinance in place, we can start with negotiations and discussions with them, but I don't want to seem negative but our chances are slim. They like to control their own parks, not just because of the monies they get and the Department of Community Affairs the requirements they have for parks and open lands but there is a whole host of things that they rely upon so it would be very difficult.

Commissioner Withers: What if we buy it from them?

Commissioner Anderson: Oh my god.

Commissioner Withers: I am just saying look I don't what marina spins off, and maybe it can support some kind...

Commissioner Anderson: I have no idea.

Vice Mayor Kerdyk: I am impressed that we control the zoning on it I thought it might be Home Rule.

City Attorney Hernandez: It is our Home Rule

Vice Mayor Kerdyk: Our Home Rule.

City Attorney Hernandez: And we would be very happy to litigate that issue.

Vice Mayor Kerdyk: I think is great that we control our destination there. That is super.

Mayor Slesnick: If it was zone by the School System.

Vice Mayor Kerdyk: That is what I was getting at, the Public School System; they can put what ever they want there.

City Attorney Hernandez: They have a specific statutory preemption in the School System and it is not just for municipalities, it is in regards to counties and so forth, you

know that is a whole different.

Vice Mayor Kerdyk: I don't think I am for it, I'll tell you what I am for I am for exploring it, but I am not for buying it because I rather go spend the money and buy some other lands that are right now not own for parks so, if they want to hand it over to us and let us run it on a day-to-day basis that is one thing but I am certainly not for...

Commissioner Anderson: I don't think we can afford that right now, but an interesting thought.

Mayor Slesnick: Just one note from me, again I was exposed to this endless vacation magazine which goes out to millions of homes because it is the RCI, the timeshare magazine that goes to all of those people that belong to the network of timeshares, and there is an article in here, "shopping the AIA Way", even though we are not in AIA, "Find a Wealth of Goodies on the Drive Up Florida's Eastern Coast from Coral Gables to Cocoa Beach"; and it goes step by steps about five different stops; and one of them of course, the first one is Coral Gables. It is a very nice piece with pictures of the Biltmore and pictures of the Food at Havana Harry's; and a little map with us designated as the where Coral Gables is; and I am not going to read the whole two paragraphs but it does start off with "get a cultural kickstart in Coral Gables, the architecture rich community, just south of Miami. Start by meandering down a few of the cities, oak shelter streets lined with handsome Mediterranean houses; and then it goes on to talk about Coral Gables. I just thought if there is any question on whether we have a niche in the tourist market, and the travelers market that we have a beautiful Mediterranean style Spanish style City, and it is a nice article.

City Clerk Item No. 44

[Note for the Record: Non Agenda Discussion - Executive Search for City Manager: Mayor Slesnick informed his colleagues that he had spoken to Interim City Manager Maria Jimenez regarding the interview schedule for the three candidates for the position of City Manager, for the City of Coral Gables; further stating that the Interim City Manager will be circulating some dates for said interviews to be conducted by the entire, City Commission.

Commissioner Cabrera stated that after next week would, be an appropriate time for the aforementioned interviews of those selected candidates; ; further stating that regarding the question format, that he is most comfortable with asking his own questions, in his own style; further pointing out that if one of his colleagues asked the same question(s), then he would have no problem listening to same; further reiterating that it is his desire to ask his own questions and formulate same in a way that he would get a response.; further emphasizing that he would ask questions for the benefit of promoting what his concerns were, however, that he would also invite them to

participate with the group; further mentioning that there was a candidate whom he was informed would have been in the final selection of candidates, that was from a City in Florida, that had his name withdrawn; further stating that the candidate did not feel that the City would seriously advance the matter of an employment contract; further stating that in his opinion, the definition of collegial means equal responsibility, and that he did not feel that we have the appropriate mix, as a Commission body to make a decision on said matter; further stating that he has a selection of names that he could have submitted to the executive search firm; however, there was never any communication that evolved between him and the executive search firm regarding same; further stating that he felt the process could have been better, judging by the rushed nature of the process and the number of complaints that he has received; further stating that in his opinion, he felt that the Commission received a list of those candidates whom Mr. Baenziger had worked with in the past, the remaining others were as a result of a tombstone ad; further reminding his colleagues that one pays for what they get, since we paid \$19,000 for said exercise, we only received that much in the way of service; further suggesting to Vice Mayor Kerdyk that one only needs to place an alternate name out there, just as Commissioner Anderson did.

Mayor Slesnick added that he would suggest limiting the personal questioning to approximately 10 to 15 minutes a piece, culminating in a follow up question by each member of the City Commission (approximately one hour and-a-half a piece); further requesting of the City Administration to explain to Colin Baenziger our time limitation; further stating that he would be happy to start beginning 7:30 a.m., thus allowing for candidates to be at City Hall downstairs in the Conference Room; further adding that the City Commission did receive from Mr. Baenziger three worthy candidates, namely one who had served in the capacity of City Manager for 18 years; a candidate who has served both as a Mayor and City Manager, and a third candidate who has served as a Deputy City Manager, Acting City Manager and as Finance Director of a municipality.

City Clerk Item No. 45

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 1:13 pm on February 24, 2009. The next regular meeting of the City Commission has been scheduled for March 10, 2009, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK