

# City of Coral Gables

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



## Agenda

**Tuesday, October 27, 2009**

**9:00 AM**

**REVISED - INVOCATION, C-8 & C-9**

**City Hall, Commission Chambers**

### **City Commission**

*Mayor Donald D. Slesnick, II  
Vice Mayor William H. Kerdyk, Jr.  
Commissioner Maria Anderson  
Commissioner Rafael "Ralph" Cabrera, Jr.  
Commissioner Wayne "Chip" Withers*

*Patrick G. Salerno, City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

**INVOCATION**

*Reverend Mary Beth Conroy, St. Philip's Episcopal Church*

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

- A.-1. [09-0736](#) Presentation of a Proclamation declaring October 27, 2009 as Sharon Greaux Day in Coral Gables
- A.-2. [09-0731](#) Presentation of a Proclamation declaring October 2009 as Americans with Disabilities Month in Coral Gables
- A.-3. [09-0732](#) Presentation of a Proclamation declaring October 2009 as Firefighter Appreciation Month in Coral Gables
- A.-4. [09-0733](#) Presentation of a Proclamation declaring October 28, 2009 as Coral Gables: Playful City USA Day
- A.-5. [09-0734](#) Presentation of a Proclamation declaring November 14, 2009 as Alzheimer's Day in Coral Gables
- A.-6. [09-0735](#) Presentation/Update by Bill Johnson, Port of Miami Director

**B. APPROVAL OF MINUTES**

- B.-1. [09-0755](#) Regular City Commission Meeting of October 13, 2009.

**C. CONSENT AGENDA**

*All items listed within this section entitled "Consent Agenda" are considered to be self-explanatory and are not expected to require additional review or discussion, unless a member of the City Commission or a citizen so requests, in which case, the item will be removed from the Consent Agenda and considered along with the regular order of business. Hearing no objections to the items listed under the "Consent Agenda", a vote on the adoption of the Consent Agenda will be taken.*

- C.-1. [09-0697](#) Resolution approving a Memorandum of Understanding between the City of Coral Gables and the Miami Dade Broadband Coalition for the City to participate as a member to implement a broadband network initiative for South Florida.
- C.-2. [09-0713](#) Resolution appointing Sergio Artigues (nominated by Board-As-A-Whole), to serve as a member of the Coral Gables Board of Adjustment, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.
- C.-3. [09-0716](#) Resolution confirming the reappointment of Dr. Manuel Seage (Board-As-A-Whole) by the Parks and Recreation Advisory Board, to serve as a member of said Advisory Board, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.
- C.-4. [09-0745](#) Resolution appointing Marilyn Bruno (nominated by Commissioner Anderson) to serve as a member of the Senior Citizens Advisory Board, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.
- C.-5. [09-0692](#) Resolution accepting the recommendation of the Cultural Development Board to approve appointments to the Arts Advisory Panel for a term to run concurrently with the Cultural Development Board appointments to therefore expire in May 2011.
- C.-6. [09-0725](#) Resolution accepting the recommendation of the Chief Procurement Officer to award the Old Cutler Road Force Main Replacement-Phase IV Project to R&G Engineering, Inc. pursuant to Section 2-828 of the Procurement Code and Invitation for Bid (IFB) 2009.09.10, in the amount of \$368,908.75 (three hundred sixty-eight thousand nine hundred eight dollars and seventy-five cents); further authorizing an appropriation of funds for this project.
- C.-7. [09-0718](#) Resolution authorizing granting an easement to Florida Power and Light Company for overhead and underground electrical facilities for the Coral Gables Museum at 285 Aragon Avenue, Coral Gables, Florida.
- C.-8. [09-0751](#) Resolution accepting the recommendation of the Chief Procurement Officer pursuant to Section 2-583 to waive the requirements of the Procurement Code, authorizing the purchase of two (2) trolleys; and further authorizing an appropriation of funds for said purchase.

- C.-9. [09-0747](#) Resolution accepting the recommendation of the Chief Procurement Officer pursuant to Section 2-583 to waive the requirements of the Procurement Code, for the purpose of authorizing extending an existing agreement with First Transit, Inc., for a one-year period with an additional one-year option, beginning November 1, 2009; and further authorizing an appropriation of funds for said Agreement.
- C.-10. [09-0721](#) Resolution authorizing the execution of a Joint Participation Agreement between Miami-Dade County and the City of Coral Gables for disbursement of Road Impact Fee funds in the amount of \$1,490,000.00 to the City, for the construction of roadway capacity improvements and a raised landscaped median on Ponce de Leon Boulevard from Alcazar Avenue to Salamanca Avenue.
- C.-11. [09-0707](#) Resolution rescinding Resolution No. 2008-08 regarding trolley fleet maintenance services.
- C.-12. [09-0737](#) Resolution granting permission to the Coral Gables Firefighter's Benevolent Association to sell Christmas trees, install a temporary chain link fence, and use an inflatable Santa Claus as a display at 5501 Granada Boulevard, the Coral Gables Baptist Church property, from November 22 through December 24, 2009.

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

- C.-13. [09-0712](#) International Affairs Coordinating Council Meeting of September 15, 2009
- C.-14. [09-0714](#) Parks and Recreation Youth Advisory Board Meeting of October 6, 2009
- C.-15. [09-0715](#) Senior Citizens Advisory Board Meeting of October 5, 2009
- C.-16. [09-0717](#) Parks and Recreation Advisory Board Meeting of September 18, 2009
- C.-17. [09-0722](#) Property Advisory Board Meeting of September 16, 2009
- C.-18. [09-0723](#) Coral Gables Advisory Board on Disability Affairs Meeting of September 2, 2009
- C.-19. [09-0724](#) Library Advisory Board Meeting of October 14, 2009
- C.-20. [09-0727](#) Pinewood Cemetery Advisory Board Meeting of September 21, 2009
- C.-21. [09-0729](#) Historic Preservation Board Meeting of September 15, 2009
- C.-22. [09-0730](#) Coral Gables Merrick House Governing Board Meeting of September 14, 2009

- C.-23. [09-0739](#) Retirement Board Meeting of September 10, 2009
- C.-24. [09-0742](#) Parking Advisory Board Meeting of August 27, 2009
- C.-25. [09-0744](#) Code Enforcement Board Meeting of October 19, 2009

**D. PERSONAL APPEARANCES**

None

**E. PUBLIC HEARINGS**

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

**ORDINANCES ON FIRST READING**

- E.-1. [09-0753](#)** Ordinance amending the City Code, Chapter 2, entitled "Administration," Article XIII. entitled "Procurement Code" by correcting scrivener's errors; by amending the following sections of the Procurement Code: 2-578 Definitions, 2-583 Application of this Code, 2-630 Centralization of procurement authority, 2-650 Authority, 2-678 Exemptions, 2-765 Methods of Source Selection, 2-766 Competitive sealed bidding (formal bids), 2-768 Competitive sealed proposals, 2-772 Special procurements/bid waiver, 2-773 Revenue generating and concession contracts, 2-833 Request for authority to enter in an agreement, 2-834 Contract Administration, 2-845 Right to conduct inspections and audits, 2-869 Determinations, 2-891 Relationship with user department, 2-950 Resolution of protested solicitations, 2-1004 Bid Security, 2-1007 Insurance requirement and 2-1059 Code of Silence; further adding new Sections to the Procurement Code as follows: Sections 2-774 Sole Brand Procurement, 2-775 Standardization and 2-776 Bid Documents; Providing For Severability, Repealer and Effective Date.
- E.-2. [09-0740](#)** Ordinance amending Chapter 74 of the City Code entitled "Traffic and Vehicles", in particular, Section 74-360 entitled "Appeal to hearing officer", regarding the appointment of hearing officers to hear appeals of citations, for the purpose of allowing attorneys with appropriate experience to serve as hearing officers and excluding the requirement for residency; providing for a repealer provision, a savings clause and a severability clause; and providing for an effective date.

**F. CITY COMMISSION ITEMS**

None

**G. BOARDS/COMMITTEES ITEMS**

None

**H. CITY MANAGER ITEMS**

- H.-1. [09-0678](#) Resolution authorizing the following Release of Unity of Title Agreements for the property located at 1029-1037 Valencia Avenue: Release of Unity of Title Agreement for Lots 20-23, Block 12, Coral Gables Section A; Release of Unity of Title Agreement for Lots 18-19, Block 12, Coral Gables Section A; and further relasing the Restrictive Covenant for special approaches on Lots 20-23, Block 12, Coral Gables Section A, according to the Plat thereof; further providing a new Unity of Title to be executed for Lots 18-20, Block 12, Coral Gables Section A, and Unity of Title for Lots 21-23, Block 12, Coral Gables Section A, according to the Plat thereof, recorded in Plat Book 5, Page 102 of the Public Records of Miami-Dade County, Florida, and further authorize the executed respectively, an a form as approved by the City Attorney. (Deferred from the October 13, 2009 City Commission Meeting)
- H.-2. [09-0741](#) Resolution authorizing the waiving of the cost of parking meter rentals for the 2009-2010 Giralda Street Festival, "Giralda Under The Stars".
- H.-3. [09-0726](#) Discussion concerning an amendment to the Zoning Code text to clarify the City's current nightclub provisions.
- H.-4. [09-0743](#) Resolution requesting that "enclaves" be exempted from the provisions of a proposed Miami-Dade County Ordinance relating to municipal boundary change requests; suspending the processing and consideration of municipal boundary requests, thereby suspending and placing a moratorium on municipal government annexations.

**I. CITY ATTORNEY ITEMS**

- I.-1. [09-0738](#) Pending Litigation Report

**J. CITY CLERK ITEMS**

None

**K. DISCUSSION ITEMS**

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

**ADJOURNMENT****NOTE**

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

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

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

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

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