

# **City of Coral Gables**

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



## **Meeting Minutes**

**Tuesday, March 9, 2010**

**9:00 AM**

**City Hall, Commission Chambers**

### **City Commission**

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

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

**ROLL CALL**

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

**INVOCATION**

Dr. Lawrence Boudon from St. James Lutheran Church gave the Invocation.

**PLEDGE OF ALLEGIANCE**

Commissioner Ralph Cabrera 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. 2010-03 through Ordinance No. 2010-04); (b) Resolution(s) adopted (Resolution No. 2010-44 through Resolution No. 2010-51); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

**A. PRESENTATIONS AND PROCLAMATIONS****A.-1. [10-0235](#)**

Presentation of a Certificate of Appreciation to Marjorie Adler, Human Resources Director, on the occasion of her retirement.

[Note for the Record: Mayor Slesnick requested of retiring Human Resources Director Marj Adler to join him on the dais; further acknowledging that Mrs. Adler has been with the City during some of our most difficult challenging times, serving in the capacity of Human Resources Director; further stating that she has responsibility for personnel matters, including but not limited to maintaining personnel records; making sure that we have the appropriate job classifications, as well as pay scales; very actively involved with collective bargaining negotiations between our three employee unions; further thanking Mrs. Adler for her service rendered to our city and to our employees during these difficult trials and tribulations over the past six years, thereby reading a prepared Certificate of Appreciation into the public record.

In accepting the aforementioned protocol document, Mrs. Adler stated that it has been a privilege and a pleasure to have served the citizens and the residents of Coral Gables; further wishing them all the best; further reminding them as the city endures tough financial times, to be mindful of the fact that they have the best employees.

Mayor Slesnick further reminded the public that the three unions took Marj Adler out for lunch, recently].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 1

**A.-2. [10-0209](#)**

Welcome and introduction of Nelson Lazo, CEO of Doctors Hospital.

[Note for the Record: Mayor Slesnick invited Nelson Lazo, new CEO of Doctors Hospital and Dr. Omar Pasalodos to join him on the dais, thereby welcoming and introducing Mr. Lazo in his new position.

Mr. Lazo stated that he was honored to be here; further adding that he was previously with Mariners Hospital in Tavernier, Florida Keys; further stating that being in Coral Gables is a homecoming for him, noting that heretofore, he and his wife were residents of Coral Gables for 10 years; further adding that Doctors Hospital here in Coral Gables represents a real gem, a fabulous facility, with several centers of excellence in orthopedics, sports medicine, gynecology, etc.- a host of other services; further stating that he is ecstatic to be back here, noting that his wife can again enjoy shopping in Coral Gables, adding that he expects to be here for a long time.

Mayor Slesnick stated that he wishes CEO Nelson Lazo the best; further stating that our citizenry here in Coral Gables treasure our Doctors Hospital].

**This Resolution was Presented and Filed**

City Clerk Item No. 2

**A.-3. [10-0220](#)**

Presentation of a Proclamation declaring March 9, 2010 as U.S. Census Bureau Day in Coral Gables.

[Note for the Record: Mayor Slesnick prefaced his remarks by acknowledging that the census count here in Coral Gables is very important to our local government; further adding that he had failed to appreciate the importance of an exact census count; further noting that it has a lot to do with revenue sharing, both state and federal dollars, which also puts into a specific place for potential receipt of different grant applications, etc.; further pointing out that here in our city, that we have our own Census Committee, which works directly with the U.S. Census through our Communications Committee; further acknowledging the presence of certain Census Committee members in attendance on this same date: Mat Bokor; David Stiefel; Maria Garcia; Sam Joseph and Maria Higgins-Fallon; further requesting the public to cooperate with our mail-in census information policy, noting that census data provides a valuable public purpose (i.e. key in amassing crime statistics, grantsmanship initiatives, etc.); further proclaiming “U.S. Census Bureau Day” in Coral Gables.

Mayor Slesnick thanked the members of the Census Complete Count Committee for their hard work. Communications Committee Chairman Matt Bokor stated that the main focus of said committee is to get the word out about filling out census forms and sending said information back; further adding that the Census Count Committee has distributed information during the Farmers Market event; further urging our citizenry to fill out said information, as well as encouraging those members in each respective household in Coral Gables to fill out said forms].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 3

**A.-4. [10-0159](#)**

Presentation of a Proclamation declaring March 13, 2010 as St. Patrick's Day Festival Day in Coral Gables.

[Note for the Record: Mayor Slesnick presented a proclamation to the representatives of the Emerald Society of South Florida, thereby proclaiming Saturday March 13th, 2010, as "St. Patrick's Day Festival Day" here in Coral Gables, on the occasion of the 32nd Annual St. Patrick's Day Festival in Coral Gables (from noon until 6 p.m.) in Fred B. Hartnett Ponce Circle Park (2800 Ponce de Leon Boulevard, Coral Gables); further adding that there will be a census booth on location during said festival.

Mayor Slesnick further acknowledged the presence of Oliver Kerr, First President; Charlie Davis, First Vice President, and Janice McKay, Second Vice President. Mr. Kerr stated that he appreciates the hospitality given by the city of Coral Gables, further urging all to "keep that green shining bright;" further acknowledging that Mayor Slesnick has been the recipient of a whisky cake for the past four years.

Ms. McKay also acknowledged the array of diverse cultures represented, entertainment (i.e. Miss Colleen Pageant; Tipsy Laird, balladeer; Celtic Cross with Paddy Kelligan; St. Andrews Pipe Band; Avalon with Singer and Harpist; Tricianne Garrihy, etc.); culinary delights (i.e. ethnic foods; Whiskey Cake, etc.); fun for kids (i.e. Giant Slide, Rock Climbing, Leprechaun Craft Corner, etc.)).

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 4

- A.-5. [10-0211](#) Presentation of the "Robert DeKorte Memorial Award" to Officer Dale Owens.

**Attachments:** [2009 ROBERT DEKORTE NOMINATION](#)  
[COMMISSION COVER MEMO - DEKORTE AWARD](#)  
[A-5 Signed Cover Memo](#)

[Note for the Record: Mayor Slesnick requested through City Manager Salerno of Interim Police Chief Richard Naue, to join him on the dais on the occasion of the presentation of the Robert De Korte Memorial Award to Officer Dale Owens, as well as the presentation of the 2009 Kiwanis Club Coral Gables Officer of the Year Award; further stating that this is a chance to honor both the men/women in blue.

Interim Chief Naue further stated that the Robert De Korte Memorial Award is presented annually in memory of Robert De Korte, a 19-year veteran of the Coral Gables Police Department who was killed in the line of duty on January 21, 1972 while attempting to apprehend two subjects as they were committing an armed robbery at a local liquor store; further noting that the nominee for this award must best exemplify courage, dedication and devotion to duty, exhibit courtesy and a positive police image to the public and help promote brotherhood and morale on the department.

Chief Naue asked for former Chief Harley (who served with Robert De Korte) and members of the De Korte family (i.e. wife, Ruth, daughter and granddaughter Sandy), as well as those past recipients of the Robert De Korte Award, to join him on the dais; whereby Chief Harley gave an emotional account of the fatal day, recalling having lunch with De Korte on that same day, a day that he will never forget; further describing Robert De Korte as being a great man, a great family man; further mentioning that it is a great honor to acknowledge every officer who can stand up to the accomplishments of the late Bob De Korte.

Aaron Glaser, President, FOP, Lodge 7, saluted Dale Owens, as this year's recipient, not only for his positive image represented to the public, but also for his promotion of brotherhood and morale on behalf of his fellow officers.

Chief Naue also acknowledged that Officer Dale Owens used to be a canine officer for many years, unfortunately this year the department had to retire his dog; further adding that the significant thing in his estimation now, is the mentoring that he provides some of the younger officers; finally noting that he is deserving of said award].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 5

**A.-6. [10-0212](#)**

Presentation of the 2009 Kiwanis Club of Coral Gables "Officer of the Year Award" to Officer Dean Wellinghoff.

**Attachments:** [2009 Officer of the Year Nominations](#)  
[COMMISSION COVER MEMO - OFFICER OF THE YEAR 2009](#)  
[A-6 Signed Cover Memo](#)

[Note for the Record: Interim Police Chief Richard Naue requested of Officer Dean Wellinghoff, this year's recipient of the 2009 Kiwanis Club of Coral Gables "Officer of the Year Award," to join him on the dais; further stating that Officer Wellinghoff is a 19-year veteran of the Coral Gables Police Department, who is currently assigned to the Uniform Patrol Division (midnight shift); further noting that he was this year's recipient of said award because of his hard work and meticulous investigation for the Officer of the Month recognition for the months of July and November 2009; more particularly, for the month of July 2009, as a result of his keen observational and criminal investigational skills, led to the apprehension of an armed robbery suspect who was involved in several tri-county Subway Restaurant robberies; further noting that on November of 2009, that his skills were again put to the test during the apprehension of three armed robbery suspects in the vicinity of the University of Miami campus, said suspects whom were later arrested; further citing that the aforementioned examples displayed excellent police work and persistence on the part of Officer Wellinghoff; also pointing out that Officer Wellinghoff continues to exhibit a strong work ethic, courage, dedication and devotion to duty, never hesitating to respond to any situation regardless of the circumstances, or those whom may be involved; aptly describing him as a proactive officer that sets an example for others, and who also represents all the uniformed police officers and the city through his actions.

Mayor Slesnick described said occasion as a double award recognition, thus displaying to our citizenry of Coral Gables the quality of the workforce that we have here in Coral Gables. In accepting said recognition, Officer Wellinghoff stated that although he is not very big on public speaking, God put him at the right place at the right time; further acknowledging his fellow officers, stating that anyone of his fellow officers who work with him, could have done the same thing, and they are just as deserving as he is].

**This Presentation/Protocol Document was Presented and Filed**

City Clerk Item No. 6



**B. APPROVAL OF MINUTES**

- B.-1.**    [10-0229](#)        Regular City Commission Meeting of February 23, 2010.

**Attachments:**    [Meeting Minutes.pdf](#)  
[Verbatim Transcript - Agenda Item F-1 - Discussion regarding minimum housing s](#)  
[Verbatim Transcript - Agenda Item E-2 - Ordinance Amending Lease Agreement v](#)  
[Verbatim Transcript - Agenda Item H-1 - Presentation of Quarterly Report Three M](#)

**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 Cabrera, Jr., 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. 2010-44****C.-1. [10-0196](#)**

Resolution amending Resolution No. 2009-335 by changing one of the approved dates for the "Art in the Park Event" and granting a request made by the Kiwanis Club of Little Havana to sell alcoholic beverages at Ponce Circle Park subject to Florida Department of Professional Regulation requirements; more specifically changing the date from April 2, 2010 to April 16, 2010.

**Attachments:** [Amended Resolution for Art in the Park from April 2 to April 16 2010.pdf](#)  
[Resolution No. 2009-335 for Kiwanis Club of Little Havana Art in the Park.pdf](#)  
[Resolution No. 2009-225 for Kiwanis Club of Little Havana Art in the Park.pdf](#)  
[Special Events Application for Amendment 2009-335.pdf](#)  
[Cover Memo Amending Resolution No 2009-335.pdf](#)  
[C-1 Signed Cover Memo](#)  
[Signed Resolution 2010-44.pdf](#)

RESOLUTION AMENDING RESOLUTION NO. 2009-335 BY CHANGING ONE OF THE APPROVED DATES FOR THE "ART IN THE PARK EVENT" GRANTING A REQUEST MADE BY THE KIWANIS CLUB OF LITTLE HAVANA TO SELL ALCOHOLIC BEVERAGES AT PONCE CIRCLE PARK SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS; MORE SPECIFICALLY CHANGING THE DATE FROM APRIL 2, 2010 TO APRIL 16, 2010.

**This Matter was adopted by Resolution Number 2010-44 on the Consent Agenda.**

City Clerk Item No. 8

**RESOLUTION NO. 2010-45****C.-2. [10-0214](#)**

Resolution granting a one-day permit to the American Lung Association in Florida - South Area - to sell alcoholic beverages on Saturday, April 10, 2010, from 6:00 p.m. to 10:00 p.m. on the 100 Block of Giralda Avenue between Ponce De Leon Boulevard and Galiano Street during the 7th Annual Coral Gables Wine and Food Festival, subject to Florida Department of Professional Regulation requirements.

**Attachments:** [Special Events Application for American Lung Association in Florida.pdf](#)  
[Cover Memo for American Lung Association.pdf](#)  
[American Lung Association in Florida Draft Resolution.pdf](#)  
[C-2 Signed Cover Memo](#)  
[Signed Resolution 2010-45.pdf](#)

RESOLUTION GRANTING A ONE-DAY PERMIT TO THE AMERICAN LUNG ASSOCIATION IN FLORIDA - SOUTH AREA TO SELL ALCOHOLIC BEVERAGES ON SATURDAY, APRIL 10, 2010, FROM 6:00 P.M. TO 10:00 P.M. ON THE 100 BLOCK OF GIRALDA AVENUE BETWEEN PONCE DE LEON AND GALIANO STREET DURING THE 7TH ANNUAL CORAL GABLES WINE AND FOOD FESTIVAL, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**This Matter was adopted by Resolution Number 2010-45 on the Consent Agenda.**

City Clerk Item No. 9

**RESOLUTION NO. 2010-46****C.-3. [10-0216](#)**

Resolution appointing Devang Desai (nominated by City Manager Salerno) to the School and Community Relations Committee, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.

**Attachments:** [Devang Desai Resume](#)  
[C-3 Signed Cover Memo](#)  
[Devang Resolution](#)  
[Signed Resolution 2010-46.pdf](#)

RESOLUTION APPOINTING DEVANG DESAI (NOMINATED BY CITY MANAGER SALERNO) TO THE SCHOOL AND COMMUNITY RELATIONS COMMITTEE, TWO SERVE THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, FROM MARCH 9, 2010 THROUGH MAY 31, 2011.

**This Matter was adopted by Resolution Number 2010-46 on the Consent Agenda.**

City Clerk Item No. 10

**RESOLUTION NO. 2010-47****C.-4. 10-0219**

Resolution appointing Deborah J. Tackett (nominated by City Manager Salerno), to serve as a member of the Historic Preservation Board, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.

**Attachments:** [Deborah J Tackett - Historic Preservation Board resume\\_debtackett](#)  
[R-2010- Resolution - Deborah J C-4 Signed Cover Memo](#)  
[Signed Resolution 2010-47.pdf](#)

A RESOLUTION APPOINTING DEBORAH J. TACKETT (NOMINATED BY CITY MANAGER SALERNO), TO SERVE AS A MEMBER OF THE HISTORIC PRESERVATION BOARD, TWO SERVE THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, FROM MARCH 9, 2010 THROUGH MAY 31, 2011.

**This Matter was adopted by Resolution Number 2010-47 on the Consent Agenda.**

City Clerk Item No. 11

**RESOLUTION NO. 2010-48****C.-5. 10-0217**

Resolution authorizing the execution of an Agreement renewing a Combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement for law enforcement services between the City of Coral Gables and Miami Shores Village.

**Attachments:** [COMMISSION COVER MEMO - MIAMI SHORES MOU](#)  
[RESOLUTION - MIAMI SHORES MOU](#)  
[MUTUAL AID AGREEMENT - MIAMI SHORES](#)  
[C-5 Signed Cover Memo](#)  
[Signed Resolution 2010-48.pdf](#)

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT RENEWING A COMBINED VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE CITY OF CORAL GABLES AND MIAMI SHORES VILLAGE.

**This Matter was adopted by Resolution Number 2010-48 on the Consent Agenda.**

City Clerk Item No. 12

**RESOLUTION NO. 2010-49****C.-6. 10-0218**

Resolution authorizing the execution of a Memorandum of Understanding between the City of Coral Gables and Miami-Dade County stipulating the enforcement of the County-Wide Ordinance pertaining to multi-family and commercial recycling within the City of Coral Gables, Florida.

**Attachments:** [county recycling memo of understanding - RESOLUTION- 3 9 10 \(3\)](#)  
[Exhibit A](#)  
[RECYCLING MEMO OF UNDERSTANDING - COVER SHEET \(3\)](#)  
[MOU Resolution](#)  
[MOU-CA](#)  
[C-6 Signed Cover Memo](#)  
[Signed Resolution 2010-49.pdf](#)

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CORAL GABLES AND MIAMI-DADE COUNTY STIPULATING THE ENFORCEMENT OF THE COUNTY-WIDE ORDINANCE PERTAINING TO MULTI-FAMILY AND COMMERCIAL RECYCLING WITHIN THE CITY OF CORAL GABLES, FLORIDA.

**This Matter was adopted by Resolution Number 2010-49 on the Consent Agenda.**

City Clerk Item No. 13

**RESOLUTION NO. 2010-50****C.-7. 10-0226**

Resolution establishing a Red Light Camera infraction hearing officer account entitled "Red Light Camera Hearing" to administer the program and approving the appropriation of funds in the amount of two thousand, six hundred twenty-five dollars (\$2,625.00) in the 2009-2010 Annual Budget.

**Attachments:** [Agenda Item - Red Light Program](#)  
[Red Light Camera Hearing Officer Revenue Fund](#)  
[C-7 Signed Cover Memo](#)  
[Signed Resolution 2010-50.pdf](#)

RESOLUTION ESTABLISHING A RED LIGHT CAMERA INFRACTION HEARING OFFICER ACCOUNT ENTITLED "RED LIGHT CAMERA HEARING" TO ADMINISTER THE PROGRAM AND APPROVING THE APPROPRIATION FUNDS IN THE AMOUNT OF TWO THOUSAND SIX HUNDRED TWENTY FIVE DOLLARS (\$2,625.00) IN THE 2009-2010 ANNUAL BUDGET.

**This Matter was adopted by Resolution Number 2010-50 on the Consent Agenda.**

City Clerk Item No. 14

**RESOLUTION NO. 2010-51****C.-8. 10-0227**

Resolution authorizing up to a ninety-day extension (under the same terms and conditions) to the Lease Agreement between the City of Coral Gables and the United States Government for the use of a City-owned property located at 3501 Granada Boulevard, Coral Gables, Florida.

**Attachments:** [3501 Granada Resolution](#)  
[3501 Granada Lease](#)  
[Letter from Department of the Army](#)  
[Resolution 29839](#)  
[C-8 Signed Cover Memo](#)  
[Signed Resolution 2010-51.pdf](#)

A RESOLUTION AUTHORIZING UP TO A NINETY DAY EXTENSION (WITH THE SAME TERMS AND CONDITIONS) OF A LEASE AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND THE UNITED STATES GOVERNMENT FOR THE USE OF A CITY OWNED PROPERTY LOCATED AT 3501 GRANADA BOULEVARD, CORAL GABLES, FLORIDA.

[Note for the Record: Commissioner Cabrera prefaced his remarks by reminding his colleagues that during the last City Commission Meeting, that he had requested from the City Manager to provide the members of the City Commission with a copy of the e-mail analysis/review of the lease agreement between the City of Coral Gables and the U.S. Government for the use of city owned property located at 3501 Granada Boulevard, which was written by said analysis which was written by Property Advisory Board Chairman Ed Mazzei; further thanking Assistant City Manager Maria Menendez for forwarding to him a copy of same; further stating that he will be interested in witnessing how Mr. Mazzei's analysis compares with the manner in which the administration will address Agenda Item C-8; further adding that his reason for bringing said matter before the City Commission is to ascertain how this is consistent with the true market conditions in the real estate market place.

Questions, Comments, Inquiries and Concerns from the City Commission: Vice Mayor Kerdyk stated that one of the items that Mr. Mazzei uses in his analysis, as an expense item is real estate taxes on the structure; further inquiring as to whether the City is paying real estate taxes?-whereby Commissioner Cabrera responded that he cannot imagine that the city would be paying same; further indicating that the reason he wanted to bring said matter to light, was that the Property Advisory Board had taken a very Strong position on said matter based on Mr. Mazzei's analytical review, to allow the City to review the documentation and analytical presentation, Mr. Mazzei made to the Secretary of the Board, in order that the Board can have better information to make decisions].

Mayor Slesnick further stated that he appreciates said analytical analysis of the lease

agreement at 3501 Granada Boulevard by the Property Advisory Board; further stating that he will appear before the Property Advisory Board to talk to them about the importance of said matter to the importance of our troops; further noting that notwithstanding the fact even though we sign a lot of protocol documents, this is the only thing that we really do to support our men and women in uniform, our lease agreement with the U.S. Government for use of city owned property for rental use by the Commander and Chief of the Southern Command; further stating that he would support said matter, even if the city were to provide the lease agreement between the City of Coral Gables and the U.S. Government at no cost, to keep South COM here; further stating that the City purchased a house that has appreciated in value, and that he was quite stunned and did not know whether the Property Advisory Board had a full understanding as to why the city had purchased the property in the first place, and why the city had offered to rent same to the federal government for the Commander and Chief of the Southern Command; further noting that the Southern Command is the principal agency responsible for the support in Haiti right now, as well as other matters; further stating that he is personally committed as long as the city is trying to do something to maintain the Southern Command in South Florida, and show City of Coral Gables support for same; further stating that maybe the city will want to evaluate its way and take credit from our citizens for what we are doing; further complimenting Vice Mayor Kerdyk and Commissioner Kerdyk for making that decision to purchase the 3501 Granada Boulevard property.

Questions, Comments, Inquiries and Concerns from the City Commission: Vice Mayor Kerdyk stated that one of the items that Mr. Mazzei uses in his analysis, as an expense item is real estate taxes on the structure; further inquiring as to whether the City is paying real estate taxes? - whereby Commissioner Cabrera responded that he cannot imagine that the city would be paying same; further indicating that the reason he wanted to bring said matter to light, was that the board had taken a very strong position on said matter based on Mr. Mazzei's analysis to allow the City to review the documentation and analytical presentation, Mr. Mazzei made to the Secretary of the Board, in order that the Board can have better information to make decisions.

Commissioner Cabrera further stated he was not a member of the City Commission when said property was purchased; further stating that if the City Commission is to make a decision on what Mayor Slesnick had outlined, then that is fine; however, it becomes necessary to get information disseminated and have the most accurate data present; further adding that he would assume that the reason the Property Advisory Board had deferred said item for an additional 90 days, was attributable to the fact that the board had taken a strong position on this issue].

**This Matter was adopted by Resolution Number 2010-51 on the Consent Agenda.**

City Clerk Item No. 15

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

- C.-9.     [10-0213](#)**         Senior Citizens Advisory Board Meeting of February 1, 2010

**Attachments:**   [Min 02-01-2010 draft.pdf](#)  
                          [Cover Sheet.Minutes 02-01-10.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 16

- C.-10.   [10-0215](#)**         Parks and Recreation Advisory Board Meeting of February 19, 2010

**Attachments:**   [Cover Sheet.Minutes 02-19-10.pdf](#)  
                          [Min 02-19-10.draft.pdf](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 17

- C.-11.   [10-0221](#)**         Insurance Advisory Committee Meeting of February 22, 2010

**Attachments:**   [CoverMemo\\_IACMtg\\_030910](#)  
                          [IAC\\_Minutes\\_022210](#)

**This Matter was approved on the Consent Agenda.**

City Clerk Item No. 18



**D. PERSONAL APPEARANCES**

None

City Clerk Item No. 19

**E. PUBLIC HEARINGS****ORDINANCES ON SECOND READING****ORDINANCE NO. 2010-03****E.-1. 10-0210**

An Ordinance of the City Commission of Coral Gables amending the Lease Agreement between Coral Grand, LLC and the City of Coral Gables, Florida, for the long-term management and operations of a City-owned facility known as "The Country Club of Coral Gables," located at 997 North Greenway Drive, Coral Gables, Florida, and providing for future amendments be adopted by resolution, for a severability clause, a repealer provision, a savings clause, and an effective date. (Passed on First Reading February 23, 2010)

**Attachments:** [Country Club Amendment Ordinance](#)  
[E-2 Signed Cover Memo](#)  
[Ordinance 2009-29 Part 1](#)  
[Ordinance 2009-29 Part 2](#)  
[First Amendment to Country Club Lease](#)  
[First Amendment - Red Line Version](#)  
[E-1 Signed Cover Memo](#)  
[Signed Resolution 2010-03.pdf](#)

AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO A LEASE AGREEMENT DATED AUGUST 6, 2009, BETWEEN CORAL GRAND, LLC AND THE CITY OF CORAL GABLES FOR THE LONG-TERM MANAGEMENT AND OPERATIONS OF A CITY-OWNED FACILITY KNOWN AS "THE COUNTRY CLUB OF CORAL GABLES," LOCATED AT 997 NORTH GREENWAY DRIVEWAY, CORAL GABLES, FLORIDA, AND PROVIDING FOR FUTURE AMENDMENTS BE ADOPTED BY RESOLUTION, PROVIDING FOR REPEALER PROVISION, A SAVINGS CLAUSE, A SEVER-ABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Questions, Comments, Inquiries and Concerns by the City Commission: Commissioner Cabrera stated that he was voting for the item, with the utmost reservation, pointing out that deadlines have not been outlined in this decision making process; further reiterating that notwithstanding said omission, he will still be supportive of the efforts of the operator.

Mayor Slesnick mentioned to his colleagues that he was not here for this item on First Reading, however, he did watch the comments being made, having watched the videotape].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2010-03. 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. 20

**ORDINANCES ON FIRST READING****E.-2. [10-0228](#)**

An Ordinance of the City Commission of Coral Gables authorizing the City Manager to approve activities at the Ryder Convocation Center on the Campus of the University of Miami, notwithstanding limitations imposed by prior UMCAD approvals, in certain limited circumstances, setting forth the conditions; providing for repealer provision, savings clause, and a severability clause; and establishing an effective date. (Passed on First Reading March 9, 2010.)

**Attachments:** [Bank United Ordinance](#)  
[University of Miami Letter](#)  
[E-2 Signed Cover Memo](#)  
[UM ORD 2nd Reading](#)  
[E-1 Signed Cover Memo](#)

[Note for the Record: Immediately following said item being moved by Commissioner Anderson and seconded by Commissioner Withers, Mayor Slesnick acknowledged the presence of Sheldon Berg, Dean of the Frost School of Music (University of Miami). Mayor Slesnick further stated that Dean Berg is dean of the one of the premier musical programs among colleges and universities. Dean Berg stated that an estimated 6,000 second graders (including those second graders from the city of Coral Gables) will witness a presentation of "Peter and the Wolf."

Ms. Doreen Marks ("Sunday After Music with Children") thanked the City Commission for enabling her to enrich the lives of these youngsters].

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be approved as an Ordinance on First Reading. 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. 21

**E.-3. [10-0232](#)**

An Ordinance of the City Commission of Coral Gables amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," providing for certain changes in order to comply with amendments in Chapter 2009-97, Laws of Florida, to Chapters 175 and 185, Florida Statutes; and providing an additional clarification; providing for an effective date; and repealing all ordinances inconsistent herewith. (Passed on First Reading March 9, 2010.)

**Attachments:** [Agenda Item - Ordinance amending Chapter 50- Pensions 3-9-10](#)  
[CG Ord amending Pension Plan \(state law compliance etc \) 2 19 10 \(3\)](#)  
[E-3 Signed Cover Memo](#)  
[Agenda Item - Ordinance amending Chapter 50- Pensions 3-23-10 Second Reading](#)  
[Correspondence from Actuary](#)  
[CG Ord amending Pension Plan \(state law compliance etc \) 2 19 10 \(3\)](#)  
[GRS Letter](#)  
[E-2 Signed Cover Memo](#)

[Note for the Record: Following the reading of the title to Agenda Item E-3 into the public record by our City Manager, Mayor Slesnick requested of Alan Greenfield, Attorney for the Retirement System, to approach the dais regarding the proposed legislation. Mr. Greenberg stated that the ordinance that was being considered was crafted by David Miller, Esquire; further stating that he had reviewed it with him, and that he is supportive of same; it does set forth the changes that are required by state statute; further stating that he is requesting that the City Commission adopt said legislation, as far as the Retirement System is concerned; further stating that he cannot speak for the 175 (Board of Trustees of the Firefighters Pension Trust) and 185 (Board of Trustees of the Police Officers Pension Trust) Boards.

Mayor Slesnick also requested of the City Attorney to provide input regarding said matter, wherein City Attorney Hernandez stated that Mr. Greenberg correctly conveyed to the City Commission that the changes provided here for the purpose of bringing the plan into conformance with legislation that was adopted in Calendar Year 2009; further stating that it provides for changes in the beneficiary, allows board members to sign drafts, technical changes, etc. Mayor Slesnick also stated that his query with the City Manager was focused on whether said changes were technical or substantive?-whereby City Manager Salerno stated that said changes, as more particularly found in the proposed ordinance, were technical, as well as provide conformance to some past practices].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, 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. 22

**ORDINANCE NO. 2010-04****E.-4. [10-0231](#)**

An Ordinance of the City Commission of Coral Gables authorizing the negotiation and execution of a Lease Agreement with Wine & Fashion Florence Café Corp., at 220 Aragon Avenue, Coral Gables, Florida; authorizing pursuant to Division 12, Section 2-2011 of the City Code to waive the application of the provisions of Division 12 to this transaction; and further providing for waiver of requirement that said Ordinance be read on two separate days pursuant to Section 13 of the City of Coral Gables Charter; providing for severability; providing for codification and providing for an effective date.

**Attachments:** [220 Aragon Ordinance](#)  
[220 Aragon Lease](#)  
[E-4 Signed Cover Memo](#)  
[Signed Resolution 2010-04.pdf](#)

[Note for the Record: Economic Sustainability Department Director Cyndi Birdsill introduced Ana Gonzalez, Vice President, Coral Gables Chamber of Commerce, and Pamela Furtez, Vice President, International Economic Development for Beacon Council. Ms. Gonzalez informed the City Commission of her recent visit to Washington D.C., wherein she met with Congresswoman Ileana Ros-Lehtinen regarding “Streetscape” funding and other projects for the city of Coral Gables; further expressing delight by the Congresswoman that they were able to speak on behalf of the Wine and Fashion Florence Café and the relationship that we have been able to establish with their representatives and the Beacon Council.

Ms. Fuertez representing Frank Nero who was recovering from the flu, also shared her happiness regarding said project; adding that the Coral Gables Chamber and the Beacon Council conducted a mission to Italy in May of 2008, wherein they launched a “Fashion Lifestyle Initiative” to promote Miami Dade County as a fashion destination; further stating that Coral Gables is well suited to welcome said project; further noting that the organizers of said project will be a consortium of 17 different municipalities within the region of Tuscany; further stating that other cities considered prior to Coral Gables included New York City and Beaver Creek, Colorado; further pointing out that none of this would have been possible without the support of the city, the Chamber of Commerce, active support of the fashion companies and institutions (i.e. Rene Rescutter, Biltmore Hotel) that so warmly welcomed the delegation during their visit.

City Manager Salerno thanked Economic Sustainability Director Cindy Birdsill for her efforts in spearheading the negotiations; further noting that as a prospective tenant that they have a very ambitious schedule, citing that they would like to be operational by August of this year; further stating that it is great to be able to work with the Beacon Council, the Coral Gables Chamber and others; further noting that he is looking forward to finalizing this agreement as soon as possible.

Questions, Inquiries, Concerns by the City Commission: Vice Mayor Kerdyk queried as to how much money were they expecting to spend in the space to be leased?—whereby Ms. Birdsill responded \$500,000 Euros. Vice Mayor Kerdyk stated that this represents a big win for the city of Coral Gables; pointing out that the synergy along the Aragon corridor will be great adding that the rent schedule is more than fair; further thanking the representative on behalf of the Beacon Council for her good work, and the Vice President of the Chamber for her time and assistance in this matter, and in bringing this excellent tenant to our city. Commissioner Withers also expressed delight in bringing this tenant in, the prospects of establishing some connectivity to the Coral Gables Museum, expressing optimism as to how the whole area may benefit from said initiative.

Mayor Slesnick added that maybe the city may have a window of opportunity to bring the “Italian Film Festival” to the Aragon Corridor within the city as well].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be approved as an Ordinance on First Reading. The motion passed by the following vote:**

**Yeas :** 4 - Vice Mayor Kerdyk, Jr., Commissioner Withers, Commissioner Anderson and Mayor Slesnick II

**Absent :** 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 23

#### **ORDINANCE NO. 2010-04**

**Non 10-0231  
Agenda**

An Ordinance of the City Commission of Coral Gables authorizing the negotiation and execution of a Lease Agreement with Wine & Fashion Florence Café Corp., at 220 Aragon Avenue, Coral Gables, Florida; authorizing pursuant to Division 12, Section 2-2011 of the City Code to waive the application of the provisions of Division 12 to this transaction; and further providing for waiver of requirement that said Ordinance be read on two separate days pursuant to Section 13 of the City of Coral Gables Charter; providing for severability; providing for codification and providing for an effective date.

**Attachments:** [220 Aragon Ordinance](#)  
[220 Aragon Lease](#)  
[E-4 Signed Cover Memo](#)  
[Signed Resolution 2010-04.pdf](#)

AN EMERGENCY ORDINANCE OF THE CITY COMMISSION AUTHORIZING THE NEGOTIATION AND EXECUTION OF LEASE AGREEMENT WITH WINE & FASHION FLORENCE CAFÉ, CORP., AT 220 ARAGON AVENUE, CORAL GABLES, FLORIDA; AUTHORIZING PURSUANT TO ARTICLE III, DIVISION 12 (PURCHASE, SALE OR LEASE OF PUBLIC PROPERTY), SECTION 2-2011 OF THE CITY CODE, TO WAIVE THE APPLICATION OF THE PROVISIONS OF DIVISION 12 TO THIS TRANSACTION; FURTHER PROVIDING FOR WAIVER OF REQUIREMENT THAT SAID ORDINANCE BE READ ON TWO SEPARATE DAYS PURSUANT TO SECTION 13 OF THE CITY OF CORAL GABLES CHARTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR

CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2010-04. The motion passed by the following vote:**

**Yeas :** 4 - Commissioner Withers, Commissioner Anderson, Vice Mayor Kerdyk, Jr.  
and Mayor Slesnick II

**Absent :** 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 24

**F. CITY COMMISSION ITEMS**

None

City Clerk Item No. 25

**G. BOARDS/COMMITTEES ITEMS**

None

City Clerk Item No. 26

**H. CITY MANAGER ITEMS****RESOLUTION NO. 2010-52****H.-1. 10-0222**

Resolution approving the medical/dental/life insurance renewal proposals. The Humana group medical plan is for a one (1) year term, effective July 1, 2010; the renewal of the Blue Cross/Blue Shield dental plan and the Standard Insurance Company life insurance plan, both with no premium increase guaranteed through June 30, 2012, are also effective July 1, 2010 for a one (1) year term.

**Attachments:** [Resolution Medical, Dental, Life](#)  
[Resolution CM Medical, Dental, and Life](#)  
[Shafer Letter](#)  
[2010 Medical, Dental and Life Insurance Renewal Proposals](#)  
[H-1 Signed Cover Memo](#)  
[Signed Resolution 2010-52.pdf](#)

RESOLUTION APPROVING THE MEDICAL/DENTAL/LIFE INSURANCE RENEWAL PROPOSALS. THE HUMANA GROUP MEDICAL PLAN IS FOR A ONE (1) YEAR TERM, EFFECTIVE JULY 1, 2010; THE RENEWAL OF THE BLUE CROSS/BLUE SHIELD DENTAL PLAN AND THE STANDARD INSURANCE COMPANY LIFE INSURANCE PLAN, BOTH WITH NO PREMIUM INCREASE GUARANTEED THROUGH JUNE 30, 2012, ARE ALSO EFFECTIVE JULY 1, 2010 FOR A ONE (1) YEAR TERM.

[Note for the Record: The verbatim transcript for Agenda Item H-1 is available for public inspection in the Office of the City Clerk and in Legistar].

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2010-52. 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



**I. CITY ATTORNEY ITEMS**

None

City Clerk Item No. 28

**J. CITY CLERK ITEMS**

None

City Clerk Item No. 29

**K. DISCUSSION ITEMS**

Mayor Slesnick: I think we are at discussion; we'll let you go first Pat.

City Manager Salerno: The only thing Mayor I'd like to let folks know about is tomorrow at 9:00 a.m. at the University of Miami Wellness Center, which is located at 1241 Dickinson Drive, in the second floor conference room, there will be a meeting of the City Commission, a Special City Commission meeting, at which time we will present remarks regarding the current status of city affairs, like to let anybody that is listening to this meeting today know that they are certainly welcome and invited to attend that meeting. That's all I have Mayor.

Mayor Slesnick: Thank you. Ms. Anderson.

Commissioner Anderson: Just two quick items. First of all I want to thank city staff and all involved in putting together a really fine community gathering yesterday for the honoring of the William Cooper Park. I think that the family and that community well deserved it, and in the process we honored our own city's civic values, which is to remember our history, and they are an integral part of our history, and so thank you very much for staff and everybody involved, and I think it was a fine moment for us as a Commission. The second item we are all pretty aware of, and what I'd like is some clarity beyond what I received in a memo from you, Liz, it was about the University Baptist and the Charter Schools, what in the future - when would it be appropriate to get more information beyond what you have now? A lot of the neighbors are very concerned over a potential situation where there could be up to seven hundred students in that neighborhood.

City Attorney Hernandez: Right. We became aware of this issue, actually it started last Thursday or Friday, and so we've been trying to get as much information as we can from the School Board, and we checked with all the departments. There has been no formal application filed; under State law they are exempt from certain zoning provisions, but they still have to comply with our Comp Plan, they still have to comply with our City Codes, our Fire Codes, pull any necessary occupational licenses, we've

checked with the appropriate departments, none of that has occurred to date. So we are in the process of gathering as much information so that we can put them on notice, they do not have city approvals to move forward.

Commissioner Anderson: And maybe this is too preliminary, but one of the questions I have, wouldn't any of those particular approval processes, let's say through Fire or through our Comp Plan, would there be an ability to look at the size and the number of students?

City Attorney Hernandez: Definitely, as to any Fire Marshall approvals, but that is an administrative process. I think what we are trying to do is reach out to the applicant because we believe that they are going to have to have some sort of traffic flow plan submitted to the city. You know, we are going from a Sunday School facility in a purely residential area to a five day school day with drop off, pick up, and all the normal activities that a school would have. So we are obviously concerned about the noise issues, the issues of traffic flow, right now we are just in the preliminary stages of getting as much information as we can, and I reached out to the School Board yesterday after we had gotten some preliminary, and the School Board attorney is trying to expedite getting us the information so that we can report back to you.

Commissioner Anderson: Super. Thank you very much Liz, appreciate it.

Vice Mayor Kerdyk: Can I ask a question about that? I never heard that the legislature enacted this law allowing charter schools to be put in special designations? Did you know that?

Mayor Slesnick: Yes.

Vice Mayor Kerdyk: Wow! Missed it - did you know that Commissioner? I had no idea; and I guess where this is going, and not to be critical by any means, but certainly some place in staff we should be updated when substantial items like that could impact our quality of life, our residents, at least we should know. We might not have anything to do with them or we might be able to opine and give our feeling to our legislative bodies. I knew nothing about that until I heard about two weeks ago, it just really shocked me.

Mayor Slesnick:...Some years ago - about five years ago.

Vice Mayor Kerdyk: Yes apparently so, but it's been within the last five years I'm sure. Wow! Wow!

Commissioner Cabrera: You know, if you think about it, even if we had been advised, I don't know if any of us would all of a sudden had a light bulb go off over our heads

and said, wow University Baptist Church could then fill that void and potentially be used for that purpose.

Vice Mayor Kerdyk: I don't know, because I've always thought that, that would be a good location for a charter school. I thought the residents might object and I don't know if it would ever go in there, but I thought there might be an opportunity especially that we knew that facility was up for sale, or up for lease, I knew it was in play. I might have thought about it, I might have said, hey this might be where they end up going, but it just caught me flat footed, really.

Commissioner Cabrera: I got yah - all of us.

Commissioner Anderson: And the amount of students is what concerns me, it's not that the school is there, it's the amount of students on a regular basis.

Vice Mayor Kerdyk: And I'm not critiquing anything, well I guess I am critiquing, I would like to have known from this perspective that this was a possibility, and if there is anything else in the pipeline that we at least find out, and I don't know who would be the proper person, I don't know if it's our people up in the State that should give us something or some information, I don't know what it is, but keep us informed.

Mayor Slesnick: We talked early on in this Commission's life together, six-seven years ago, about the need for other school options in our city, and I think that some groups had come to us and some of us had expressed support for possible charter options in our city. So this is - and we also, I think, had expressed a desire to keep UBC here and not lose them completely because as Commissioner Kerdyk says, Vice Mayor says, if we lose UBC completely, then we've probably have that open to a major institutional change there that would impact the neighborhood more than keeping the church and a day school there. So I think there - and I agree Maria, I think that every time we've ever approved a school here we've probably approved the maximum number of students.

Commissioner Anderson: I have nothing against the charter school being there, I really don't, I think actually even some of the neighbors are supportive of education that I think the concern...

Mayor Slesnick: The size and congestion.

Commissioner Anderson: Yes - there is the traffic and the queuing on an everyday basis plus activities that go on, I guess we'll be posted.

Commissioner Cabrera: I'm glad you brought it up, I was not going to, but I'm glad you did because I think what it does, it provides the ability for us to discuss it and

hopefully show the people that may or may not be watching today's meeting that we were unaware of this, because unfortunately there is still so much dissemination of misinformation. I know that's a rarity in this city, but unfortunately a few people have decided to rile up everybody and basically have made us to be the ones that are doing these decisions, or these decisions are being made without the proper communication, notification, and process, and it's a little disheartening, but it is what it is.

Mayor Slesnick: Anything else Maria?

Commissioner Anderson: No, that's it for me, thank you.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: No sir.

Mayor Slesnick: OK. Mr. Kerdyk.

Vice Mayor Kerdyk: Just a couple quick questions for the City Manager. First of all, Mr. City Manager, how are we doing as far as negotiations of the piece of land that the City Commission approved to pursue over there on Alhambra Circle?-has that been brought to fruition yet?- or where do we stand on that process?

City Manager Salerno: The item is still in negotiations, it's moving forward but we have not made a deal yet.

Vice Mayor Kerdyk: Alright, I thought you may be completed. The second thing is, thank you very much for the property list that you provided us; there are several questions I have and I'm not going to address them right now, but there is one that I would like to bring to your attention, because this is something that is going to affect us at a later date, or at least we can utilize it at a later date. What is the plan for utilization of the building just to the west of us?- the 427 Biltmore Way Building? I understand that those leases are finally coming to expiration, it's hard to believe it's been - how long has it been since we purchased that?- five years?- four years? I think we gave them five year leases or three year leases, I can't remember, but whatever they are, they are coming up on 7-7-10, and I'm sure you probably have an idea of what you want to do with that, but maybe at some point you can update us on a memo as far as how we plan on moving forward on that building.

City Manager Salerno: Be glad to Commissioner, Mayor.

Vice Mayor Kerdyk: And the only other issue that I do have that I'd like to bring up today, is the Coral Way pistol range, remember we talked about that on numerous occasions?

Commissioner Anderson: Coral Way?

Vice Mayor Kerdyk: Pistol range - remember we were going to build something out there...

Commissioner Withers: Thrift shopping center...

City Attorney Hernandez: 72nd Avenue.

Vice Mayor Kerdyk: Maybe if we can get a memo as far as the pistol range goes that would be appreciative, I guess that's on hold or gone.

City Manager Salerno: Be glad to.

Vice Mayor Kerdyk: And the final thing is, I had the opportunity I was riding down the street, the 400 and 500 block of Aragon, if you could have Mr. Keys go by there and see what they can do as far as landscaping in the swale areas, I think it's an area that needs some attention. That's it, thank you very much.

Mayor Slesnick: Mr. Withers.

Commissioner Withers: Just two items - and I've spoken with the City Attorney. In our city ordinance, we have no tobacco use in our public parks and public areas, unless designated in specified areas. We really don't have designated and specified areas for tobacco use, so I propose to the City Attorney, I don't know how you feel, that if we just made all of our public parks and public plazas, obviously not sidewalks and streets, I would love to go that far if the Commission would feel that, but I don't know if they would, that they would be tobacco free and that would be both spit and smoke tobacco, and again I don't know what the Commission's feeling would be to make our public streets downtown smoke-free on the sidewalks, if we want to be that bold, I would certainly encourage that.

Commissioner Anderson: You know me personally, I don't because I don't smoke, I used to, I wonder how that would impact cafes and stuff like that in the future if that were to happen because people are going to smoke.

Commissioner Withers: I don't know how many actual bars we have downtown where smoking is allowed.

Commissioner Anderson: No, no, I'm saying outside or something like that.

Commissioner Withers: I don't know, maybe we can discuss it, maybe...

Commissioner Anderson: Sure - per say I don't have any problems, just wondering what the implications might be.

Commissioner Withers: The implications are that the State of Florida spends about three and-a-half billion (\$3.5B) a year in COPD health care.

Commissioner Anderson: On the health care issues, I don't question you at all, and I believe you, and I will support you in any way shape and form.

Commissioner Withers: So we can at least start with the plazas, the parks as far as making it tobacco-free.

Commissioner Anderson: Whatever you all want, I'm behind it.

Commissioner Withers: And the second thing is, it really hasn't hit Coral Gables, but it might eventually and that is the hookah bars, and I don't know what we have on the books, but it's something that if it does hit Coral Gables, I don't know that it needs to end up at the Commission, but I know that we had an issue with a tattoo parlor here not too long ago because we didn't have clear definition. So Liz, if you don't mind looking at the whole hookah bar and the requirements, the CDC has some enacting legislation for area, and I know the State of Florida Division of Tobacco Control has it also.

City Attorney Hernandez: You want...

Commissioner Withers: We should at least define it as a use and talk about - I mean it has similar restrictions obviously on 18-21, you know the age use of tobacco. Where there is a little bit of a gray area is since it can be sold as a retail item you can serve food as a restaurant and still have hookah served at the same time. So it is a way to - it's funny you can't smoke in a hookah bar and eat food, but you can smoke hookah in a bar and eat. So we might just want to clean that up a little. That's all I have Mr. Mayor.

Mayor Slesnick: OK - thank you. Just to give you some feedback, I'm supportive of all that, OK.

Commissioner Withers: It would be a bold step for the city if we wanted to proceed with that.

Mayor Slesnick: Well I'm supportive, there is my position. Just to give you all a little update on all of my activities. I may have left this for you last time, I'm not sure, but I had extra copies. So this is the Florida League of Mayors, we are doing a campaign,

I'm helping lead that, I'm trying to stop the legislature from "passing the buck" down to us and giving us unfunded mandates that cost our citizens and not the things that we may believe are the priority items for our citizens that they are asking us to consider. So that's one thing. Since we are finishing early and I have two short film clips, they are about two and-a-half minutes each, and if you would give me the courtesy, I'd like to show you one of Haiti, this is just a quick overview of my trip to Haiti, it does not get into the details. Let's show that, just to give you an idea, and I have to tell you that I was very proud to be there representing the city and representing this Commission. **[Note for the Record: At this point in the meeting Mayor Slesnick presented Video Clip No. 1, an overview on his trip to Haiti].** This is the orphanage that we were working in and with the children, and there are now lots of T-shirts down there from Coral Gables and the Junior Orange Bowl and other Orange Bowl T-shirts, and Doctors Hospital T-shirts. We took down medical equipment and prosthesis and chairs for the children and we distributed them to about ten different orphanages that we were working at. I got a chance to go to the University of Miami hospital and thank the nurses and doctors down there on behalf of our South Florida community who are working with those who have been crippled and injured because of the earthquake, and actually because of the conditions of the country long before the earthquake. So it's a heartbreaking experience in many ways and it's also a very uplifting experience seeing the spirit of the children and their families. Port-au-Prince is - there is some of the military that's down there. Port-au-Prince is tragically and mostly a slum for three million people - that used to be a university there, but it's a large slum that has very little running water, very little sanitation, no sewers, the way ahead for Haitians is something else, and I have to tell you that if anything ever made me prouder to live in the United States and in Coral Gables, and know that we have a great life here despite the irritations on a day-to-day basis, and seeing what people do live in and the conditions they live in. I guess it's one proud thing for Coral Gables that this delegation was lead by - that's where we stayed in our tents by the way, was lead by some young people that graduated from the University of Miami, and they have lead a mission, about five years ago you may remember the...that help after Katrina, they help put this together. This is the University of Miami hospital on the grounds of the airport, and they have doctors and nurses there from not only Jackson, Miami Children's Hospital, and University of Miami, but from all over the country, they come in groups to volunteer to help out. That's one of the young ladies, a University of Miami graduate who came back from New York to do this. This is the Cathedral; you've seen pictures of that. The big buildings that were hurt in the earthquake have gotten all the pictures, but the poorness of the country, just the lack of nutrition, the lack of health care. That's part of the latrine ditch that was dug by the volunteers on the mission. That's where the some of the Rotary sponsored tents, the tents that are going up. And if there is an encouraging thing is that people are out, they are moving about, they are buying fruit and food at their stands, so there is some street commerce that's coming back and people continue to trudge forward, they just keep on charging. It was quite an experience...

Commissioner Anderson: Bet it was - life changing.

Vice Mayor Kerdyk: Very commendable.

Mayor Slesnick: It was exhilarating, depressing, uplifting and sad, so it was everything. Then I had one more adventure that I wanted to show you.

Commissioner Withers: Can I ask you about that in a second, Don?

Mayor Slesnick: Sure.

Commissioner Withers: Obviously, there are a lot of people, and energy, and resources that are being dedicated to Haiti, is there a command set up to really logistically handle it and distribute it and adequately control the process?

Mayor Slesnick: Well right now the United States Army through South Com is in control of the military mission down there of the United States of all the services and that is a very well run, very well regulated effort, but on top of that you have the United Nations which is working cooperatively with the United States, but not necessarily under the same guidelines and so forth, but they seem to be working well together. One of the problems is you've got all of these agencies and all these groups that come in independently and they just fly in, they bring in stuff, and I have to admit that's kind of what I was doing, we brought in all this stuff, it kind of goes out willy-nilly...

Commissioner Withers: That's what I mean.

Mayor Slesnick:...to the thing, and there is no Haitian government coordination whatsoever, I mean little there is very little government there now, and one of the things that the U.S. military is trying to do is get the government involved in making these decisions, and get the government involved in deciding how things will happen, and what things will go on. One of the experiences I had was the U.S. Marines is giving out 25 pound bags of rice and the Haiti government, the local government, the local mayors and commissions give out the tickets for the rice, it's not the U.S., the U.S. brings the rice, but the local government give out the tickets, and they made the decision to give it only to women, not to men because they felt it would get to the right place better with women; and they have to have two women come in to get a ticket. The reason that they have to pair up as two women, it's a 25 pound bag and they carry it. So we went out to the distribution point and we watched the women walk into the compound and get their rice, they would walk out the gate, they would walk 25 feet up the street and a pick-up truck with five guys in it would come by and throw the rice in the pick-up truck, and it was about 20 bags of rice; and I asked the General, I said, isn't that discouraging, you are giving this through the system and now it looks



like it's just going to the black market or whatever, and he said, well we just can't do much about it once it leave the compounds. So there is a lot of loose ends to be tied up and I think what we are also seeing is that the main thrust of the aid is going to dry up soon and leave, and we'll see what the residual aid is and who is going to control that, but I think the U.S. military as a major military mission will be out of there in several months. The U.S.S. Comfort, the hospital ship is probably going to steam out of there in a couple months, and I don't know how long the United Nations is committed for or Israel is there in pretty good force, and people will start losing interest if you will, but I got to tell you they need an effective government and they need to get infrastructure. If you think about our infrastructure needs, just think about having no sewers, no running water, very little electricity distribution, most of the lean tooth's that people live in have no toilets, it's just incredible; and yet everyday they wake up and trudge forward.

Vice Mayor Kerdyk: You know it's very commendable that you went down there; the other entity that's done such a great job and this is repetitive because everybody seen it on the news is University of Miami and the medical facility they put up there, it's been a tremendous job.

Mayor Slesnick: Dr. Nicknameus was the chief of the hospital when I was down there, and he was very kind to give me a tour. I ran into people we actually know from here that were working down there, I didn't know they were there, and I have to tell you, I thanked the University of Miami because they gave me a ride home when I was stuck. The reason I couldn't get back here by the way, is because we actually stayed on the tarmac of the airport for a twenty hour period. You couldn't go in the building because it was condemned, and we didn't have any shelter, we had three port-a-toilets and we were actually stuck on the tarmac waiting for our chartered flight, which never showed up over night because the runway lights went out, and then the next morning I was determined to get back, like to get back, and the University of Miami gave me a lift on their plane, and my partner Jim Casey was with me, so the whole firm was there and we had to get back, not only for the city but for the firm, so we got back by the University of Miami. **[At this point in the meeting Mayor Slesnick proffered his remarks regarding Video Clip No. 2, a show of Mayoral support for our military, by teaming with the Golden Knights, in Homestead, Florida Jump Team of the U.S. Army, and jumping from planes].** So I had one more adventure, let me just preface it by saying in order to try to get public officials to show some support for the military and what they are doing, we had this idea about having the Golden Knights, which is the jump team from the U.S. Army, used to go to Yuma, Arizona to train in the winter, so this year they decided to come to Homestead, Florida as an option and something they thought was a good idea, and so we put together a group of mayors that would go down together, sign a thing of support for the military and jump in tandem out of planes, something I've never considered I would do, something I've never done, probably won't do again, because I came up with the idea

I got roped into doing this. So here we go, this is quick.

#### Video Presentation

Mayor Slesnick: The person behind me there is Mayor Gary Bruhn of the City of Windermere up in Orlando area. Let me say this, I'm issuing this invitation right now, if they come back next year the entire Commission is invited to... (Laughter). As you know we have a Shade Session and City Manager, I know that I had originally thought it was going to be noon, but the Manager said if we wanted to get started at 11:30 a.m. We can get started at 11:30 a.m., he's got some food there for us - 11:30 over to Alhambra.

City Clerk Item No. 30

### **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 10:45 am on March 9, 2010. The next regular meeting of the City Commission has been scheduled for March 23, 2010, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK