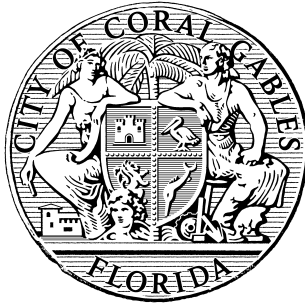


City of Coral Gables

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



Meeting Minutes

Tuesday, February 10, 2009

9:00 AM

****Perrin Plaza dedication 5:00 p.m. in front of the
Coral Gables Art Cinema, 260 Aragon Avenue**
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

Arch Deacon David Nimer of The Cathedral of St. George gave the Invocation.

PLEDGE OF ALLEGIANCE

Commissioner Rafael Cabrera, 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. 2009-13); (b) Resolution(s) adopted (Resolution No. 2009-30 through Resolution No. 2009-39); (c) Video; (d) Audio Recording; (d) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

A. PRESENTATIONS AND PROCLAMATIONS

- A.-1. [09-0052](#) Jeannett Slesnick, Chairman of the Coral Gables Community Foundation, joined by Ann Mumford, cousin of the Perrin Family, to present the \$250,000 check for the Coral Gables Art Cinema.

[Note for the Record: Mayor Slesnick called upon Assistant City Manager Cathy Swanson Rivenbark, to provide the background and introduction regarding those principals involved with the donation of \$250,000 for the Coral Gables Art Cinema, wherein Ms. Swanson Rivenbark acknowledged that this day was indeed a great day; and that we are indeed proud to present an important check for an important project; further pointing out that three years ago, the City Administration was challenged to seek sufficient monies to move the Art Cinema project forward; further stating that it had \$250,000 in Capital Improvement Project monies, but were unsuccessful in obtaining state funding approval from the Governor's Office, since there was a freeze on State of Florida Cultural Arts funding during this period; further stating that the donation from Mary and Harry Perrin, which is accompanied by a City match, is further justification for acknowledging both Mary and Harry Perrin, whom came from Richmond, Virginia, said couple who are known to have enjoyed dancing, golf, different churches that they were members of etc.

Mrs. Jeanett Slesnick, Chairperson of the Gables Community Foundation, in presenting said check, noted that her organization has more than 40 pass through funds for people who are interested in giving donations and receiving a tax credit; further acknowledging the presence of Ann Mumford, cousin of Harry and Mary Perrin, and the sole surviving relative, thereby presenting a check for \$250,000; further requesting two photo opportunities, one for the presentation of the check itself, and a second one with the members of the City Commission, along with the Cultural Advisory Board and members of the Coral Gables Cinemateque, to share in this moment as well.

Mayor Slesnick in expressing his gratitude on behalf of the City Commission thanked the Coral Gables Community Foundation, pointed out that this does not represent the first time that said organization has been a partner with the City, stating that they have collaborated with the City doing good works with parks; acquisition of lands; along with providing much needed help with the Coral Gables Museum Project; initiating "green projects" as well; further publicly acknowledging another participating member of said group, namely Mary Young, who was recently the recipient of an accolade ("In the Company of Women"); further acknowledging that this donation represents the first time that he and his wife have done something official since his reelection; further commending the efforts made by Ann Mumford to get here for said event; further thanking Jeanett Slesnick, the Coral Gables Community Foundation, as well as City staff for said donation; further presenting Ms. Mumford and representative of the Coral Gables Community Foundation with a commemorative City seal, as a token of the City's appreciation for all that the Foundation and the Perrin family have done in furtherance of the aforementioned project].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

A.-2. [09-0069](#)

Presentation of a \$5,875.00 grant from the Fireman's Fund Insurance Company Heritage Program awarded to the Coral Gables Fire Department.

Attachments: [Cover Memo - FIREMAN'S FUND GRANT PRESENTATION 2-10-09.doc.pdf](#)
[RESOLUTION 2008-189.pdf](#)
[NOTIFICATION LETTER.pdf](#)
[Heritage Fact Sheet \(11-5-08\).pdf](#)

[Note for the Record: Fire Chief Walter Reed acknowledged that in December of 2008, that the City of Coral Gables Fire Department received a grant in the amount of \$5,875 as part of the Heritage Program at Fireman's Fund Insurance Company. Said grant dollars will be used to purchase Ajax Rescue Tools air chisels that are utilized in extrication of victims entrapment; further introducing Susan Chambliss (representing the Fireman's Fund Insurance Company Heritage Program, which through its network of independent agents awards grants to fire departments and fire/burn prevention organizations across the country) and Bruce Baker (President of the Coral Gables Branch of the USI Insurance Services, a local insurance company that is the sponsoring company that helps facilitate the Fireman's Fund grant to local Fire Departments); further stating that the Fireman Fund Insurance Company, founded in 1886, also supports firefighters and their orphans and their widows; further stating that the Heritage Awards Program, which started in Calendar Year 2004, has awarded \$21 million to 1,100 fire departments around the country, and that \$600,000 of said grant amount was awarded in South Florida.

Mayor Slesnick thanked the representative from the Fireman's Fund Insurance Company for the grant award during these difficult economic times; further acknowledging that the City has a great Fire Department; further giving Ms. Chambliss a memento of the City of Coral Gables, to remind her of our City; further providing Mr. Baker with a couple of Coral Gables coasters for his office; further pointing out to our viewing public that not a day passes that his office doesn't receive an e-mail, a letter or some correspondence, praising our City's Fire Department regarding the good job that they have done, of which he always forwards over to our Fire Chief].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

- A.-3. [09-0059](#) Congratulations to Firefighter Gregg Webber, selected as the 2008 Firefighter of the Year.

Attachments: [Cover Memo - 2008 FIREFIGHTER OF THE YEAR.doc.pdf](#)
[CGFD FF OF YR NOMINATION FORM.pdf](#)
[LETTER OF ENDORSEMENT.pdf](#)

[Note for the Record: Fire Chief Walter Reed acknowledged Firefighter Gregg Webber as the 2008 Firefighter of the Year; further sharing with our viewing public, the following comments regarding what other firefighters have said about him:

“As a driver/engineer, Greg Webber is without a doubt, the best informal leader we have had on the Coral Gables Fire Department. With almost 24 years of service, Gregg comes to work as if he was a rookie, trying his absolute hardest to be noticed, trying to be involved in everything without being asked, and always working the longest and hardest at any given task. In short Gregg comes to work to work!”

Fire Chief Reed added that when he began his tenure in Coral Gables some 22 years ago, Gregg was an informal leader who showed him how to become a Coral Gables firefighter; further pointing out that he gives 110 percent every day.

In accepting this accolade, Gregg added that 25 years in the City has been a great run. “We have a great City and a wonderful Fire Department”].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

B. APPROVAL OF MINUTES

- B.-1. [09-0094](#) Regular City Commission Meeting of January 27, 2009

Attachments: [Verbatim Transcript F-1 - Discussion regarding establishing mediation procedures](#)
[Verbatim Transcript H-1 - Reso not to exceed \\$200,000 from MDC General Obliga](#)
[Verbatim Transcript E-1 and I-2 are related - Ordinance amending text of Official 2](#)
[Verbatim Transcript E-7 - Charter Amend. to provide term limits 8 for Mayor 12 for](#)
[Meeting Minutes](#)
[Meeting Minutes Correction Memo - Entered into Public Record](#)

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. 4

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 Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, 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. 2009-30**C.-1. [09-0030](#)**

A Resolution of the City of Coral Gables appointing Mike Sardinias (nominated by Interim City Manager Maria Alberro Jimenez) to serve as a Regular Member of the Board of Architects for a two-year term, beginning January 1, 2009 through December 31, 2010.

Attachments: [Sardinias Resolution](#)
[Sardinias Cover](#)
[Mike Sardinias Resume-March](#)
[Signed Resolution 2009-30](#)

A RESOLUTION OF THE CITY COMMISSION APPOINTING MIKE SARDINAS (NOMINATED BY INTERIM CITY MANAGER MARIA ALBERRO JIMENEZ) TO SERVE AS A MEMBER OF THE BOARD OF ARCHITECTS FOR A TWO-YEAR TERM, BEGINNING JANUARY 1, 2009 THROUGH DECEMBER 31, 2010.

This Matter was adopted by Resolution Number 2009-30 on the Consent Agenda.

City Clerk Item No. 5

RESOLUTION NO. 2009-31**C.-2. [09-0031](#)**

A Resolution of the City of Coral Gables appointing Donald Sackman (nominated by Interim City Manager Maria Alberro Jimenez) to serve as a Regular Member of the Board of Architects for a two-year term, beginning January 1, 2009 through January 31, 2010.

Attachments: [Sackman Cover](#)
[Sackman Resolution](#)
[Sackman Resume](#)
[Signed Resolution 2009-31](#)

A RESOLUTION OF THE CITY COMMISSION APPOINTING DONALD SACKMAN (NOMINATED BY INTERIM CITY MANAGER MARIA ALBERRO JIMENEZ) TO SERVE AS A MEMBER OF THE BOARD OF ARCHITECTS FOR A TWO-YEAR TERM, BEGINNING JANUARY 1, 2009 THROUGH DECEMBER 31, 2010.

This Matter was adopted by Resolution Number 2009-31 on the Consent Agenda.

City Clerk Item No. 6

RESOLUTION NO. 2009-32**C.-3. [09-0049](#)**

A Resolution of the City of Coral Gables granting a one-day permit to The St. Patrick's Day Committee, Inc. to sell alcoholic beverages from Noon until 6:00 p.m. on Saturday, March 14, 2009, at the Fred B. Hartnett/Ponce Circle Park as part of the St. Patrick's Day Festival, subject to Florida Department of Professional regulation requirements.

Attachments: [St Patrick's Day Committee 2009 Cover Memo.pdf](#)
[St Patrick's Day Committee 2009 Draft Resolution.pdf](#)
[St Patrick's Day Committee 2009 Special Events Application.pdf](#)
[St. Patrick's Day Festival Flyer - Entered into Public Record](#)
[Signed Resolution 2009-32](#)

A RESOLUTION GRANTING PERMISSION TO THE ST. PATRICK'S DAY COMMITTEE, INC., TO SELL ALCOHOLIC BEVERAGES FROM NOON UNTIL 6:00 P.M., ON SATURDAY, MARCH 14, 2009, IN FRED B. HARTNETT/PONCE CIRCLE PARK, AS PART OF ST. PATRICK'S DAY FESTIVAL, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2009-32 on the Consent Agenda.

City Clerk Item No. 7

RESOLUTION NO. 2009-33**C.-4. [09-0054](#)**

A Resolution of the City of Coral Gables authorizing the Cathedral of St. George to sell alcoholic beverages as part of the Coral Gables Middle Eastern Festival on Palermo Avenue on Friday, February 27, 2009 from 11:00 a.m. until midnight; Saturday, February 28, 2009 from 10:00 a.m. until 1:00 a.m.; and on Sunday, March 1, 2009 from 10:00 a.m. to 5:00 p.m.

Attachments: [Cathedral of St George 2009 Draft Resolution.pdf](#)
[Cover Sheet for Cathedral of St George Event 012809.pdf](#)
[Cathedral of St. George Special Events Application.pdf](#)
[Signed Resolution 2009-33](#)

A RESOLUTION GRANTING PERMISSION TO THE CATHEDRAL OF ST. GEORGE TO SELL ALCOHOLIC BEVERAGES AS PART OF THE CORAL GABLES MIDDLE EASTERN FESTIVAL 2009 FROM 11:00 A.M. TO MIDNIGHT, SATURDAY, FEBRUARY 28, 2009 FROM 10:00 A.M. UNTIL 1:00 A.M. AND ON SUNDAY, MARCH 01, 2009 FROM 10:00 A.M. TO 5:00 P.M., AS PART OF THE CORAL GABLES MIDDLE EASTERN FESTIVAL SUBJECT TO FLORIDA DEPARTMENT OF THE PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2009-33 on the Consent Agenda.

City Clerk Item No. 8

RESOLUTION NO. 2009-34**C.-5. [09-0089](#)**

A Resolution of the City of Coral Gables authorizing the proposed language of the Special Municipal Referendum Election Guide to be printed and distributed in order to inform and educate the voters of the City of Coral Gables on the Charter Amendment issues to appear on the upcoming Special Municipal Referendum Election of April 14, 2009.

Attachments: [Voters Guide Draft Resolution R-2009-0x .pdf](#)
[Voter's Guide 2009 v7.pdf](#)
[Cover Memo - ConsentResElectionGuide09.pdf](#)
[Signed Resolution 2009-34](#)

A RESOLUTION OF THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AUTHORIZING THE PROPOSED LANGUAGE OF THE SPECIAL MUNICIPAL REFERENDUM ELECTION GUIDE TO BE PRINTED AND DISTRIBUTED IN ORDER TO INFORM AND EDUCATE THE VOTERS OF THE CITY OF CORAL GABLES ON THE CHARTER AMENDMENT ISSUES TO APPEAR ON THE UPCOMING SPECIAL MUNICIPAL REFERENDUM ELECTION OF APRIL 14, 2009.

This Matter was adopted by Resolution Number 2009-34 on the Consent Agenda.

City Clerk Item No. 9

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

- C.-6. [09-0051](#) Youth Advisory Board Meeting of January 20, 2009

Attachments: [Cover Memo YAB 1-20-09.pdf](#)
[Min 1-20-2009.draft.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 10

- C.-7. [09-0053](#) Parks & Recreation Advisory Board Meeting of January 23, 2009

Attachments: [Cover Sheet.Minutes 01-23-2009.pdf](#)
[Min 01-23-09.draft.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 11

- C.-8. [09-0057](#) Public Safety Committee Meeting of November 18, 2008

Attachments: [PSC Minutes of 11-18-2008](#)
[summary Request minutes of 11-18-2008](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 12

- C.-9. [09-0058](#) Communications Committee Meeting of January 15, 2009

Attachments: [Cover Memo - Communications Minutes Agenda February09.pdf](#)
[Minutes January 2009.pdf](#)
[Microsoft Word - 2009 Strategic Communications.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 13

- C.-10. [09-0060](#) Economic Development Board Meeting of January 7, 2009

Attachments: [EDB. 1.7.09 Minutes.pdf](#)
[EDB. 2.10.09 Commission cover - no action.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 14

- C.-11. [09-0073](#) Cultural Development Board Meeting of January 12, 2009

Attachments: [Commission cover no action 02-10-09](#)
[CDB Minutes JANUARY 12 2009](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

D. PERSONAL APPEARANCES

None

City Clerk Item No. 16

E. PUBLIC HEARINGS

Time Certain: 2:00 p.m.

Items E.-1. and H.-3. are related

- E.-1. [09-0086](#) Presentation by the Business Improvement District Design Committee on changing existing angle parking to parallel parking along Miracle Mile, Coral Gables, Florida.

Attachments: [Gables Streetscape Project 2-10-09r](#)

[Note for the Record: A Copy of the verbatim transcript of Agenda Item E-1 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].

This Agenda Item was Discussed and Filed

City Clerk Item No. 38

ORDINANCES ON SECOND READING**ORDINANCE NO. 2009-13****E.-2. 09-0046**

An Ordinance of the City of Coral Gables, amending Chapter 2, Article III, Division 1, Section 2-60 of the City Code entitled "Terms of members", by providing that a board member shall serve until a successor has been selected and qualified; providing for a repealer provision, a severability clause, and providing for an effective date. (Passed on First Reading January 27, 2009 - City Commission Vote 5-0)

Attachments: [amendment to section 2-60 city code successor](#)
[agendacover board member term 2-60](#)
[comm 2-60 TERM OF MEMBERS mem](#)
[agendacover board member term 2-60](#)
[Signed Ordinance 2009-13](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 2, ARTICLE III, DIVISION 1, SECTION 2-60 OF THE CITY CODE ENTITLED "TERMS OF MEMBERS", BY PROVIDING THAT A BOARD MEMBER SHALL SERVE UNTIL A SUCCESSOR HAS BEEN SELECTED AND QUALIFIED; PROVIDING FOR A REPEALER PROVISION, A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following City Attorney Elizabeth Hernandez 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 Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2009-13. 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. 17

ORDINANCES ON FIRST READING**Items E.-3. through E.-10. are Zoning Code Text Amendments****ORDINANCE NO. 2009-14****E.-3. 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](#)

[Note for the 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 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 : 4 - Commissioner Anderson, Commissioner Cabrera, Jr., Commissioner Withers and Mayor Slesnick II

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 19

ORDINANCE NO. 2009-15**E.-4. [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](#)

[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 Withers, seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading. 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. 20

Items E.-5. through E.-10. are related

ORDINANCE NO. 2009-16**E.-5. [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](#)

[Note for the Record: Following Interim City Manager Maria Jimenez reading of the title to Agenda Item E-5 into the public record, the following questions, comments and inquiries were made by certain members of the City Commission:

Commissioner Withers: Whether or not there is any provision for landscape screening for rooftops?-whereupon Interim City Manager Maria Jimenez deferred to Ed Weller, who deferred said inquiry to Zoning Official Martha Salazar-Blanco, who responded that if it is landscape screening, that is fine, if it's another material, that is OK. Mayor Slesnick, continuing said line of inquiry, questioned Mrs. Salazar as to whether landscaped screening is an option?-whereupon Mrs. Salazar stated that through the Zoning Code applicants have an option to have landscape screening. City Attorney Hernandez further added that landscaped screening is one that is part of your greening efforts and LEED Certification; further stating that she will comparatively look at what other cities are doing, to ensure that this is something that we can get credit for. Mayor Slesnick expressed a word of caution, noting that in those screening initiatives on our two- and three-story buildings downtown in the City, etc., we want to ensure that the City is not lessening the screening requirements. Mrs. Salazar explained that the Building Department is not going to change those requirements, and that they are leaving the determination of materials up to the Board of Architects. Mayor Slesnick inquired as to what will be the role of the City's Architect in addressing the matter of landscaped screening?-whereupon Mrs. Salazar stated that he has the discretion to address said matter administratively. Mayor Slesnick concluded that he wants to ensure that we have City standards upheld].

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

ORDINANCE NO. 2009-17**E.-6. [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](#)

[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 Withers, seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading. 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. 22

ORDINANCE NO. 2009-18**E.-7. 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](#)

[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 any deliberation by any member(s) of the City Commission, said matter passed unanimously].

This Ordinance was approved as an Ordinance on First Reading

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

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

City Clerk Item No. 23

ORDINANCE NO. 2009-19**E.-8. 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](#)

[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 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 approved as an Ordinance on First Reading. 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

ORDINANCE NO. 2009-20**E.-9. 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](#)

[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].

This Ordinance was approved as an Ordinance on First Reading

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

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

City Clerk Item No. 25

ORDINANCE NO. 2009-21**E.-10. 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](#)

[Note for the Record: A copy of the verbatim transcript of Agenda Item E-10 is available for public inspection in the City Clerk's Office and in Legistar].

This Ordinance was approved as an Ordinance on First Reading

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 26

F. CITY COMMISSION ITEMS**RESOLUTION NO. 2009-35****F.-1. 09-0076**

Consideration of extending the permit granted to the Goodwill Attended Donation Trailer located on Parking Lot 43, along Ponce de Leon Boulevard, until March 22, 2009.
Commissioner Maria Anderson

Attachments: [Signed Resolution 2009-35](#)

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, GRANTING THE REQUEST TO EXTEND THE PERMIT PREVIOUSLY GRANTED TO GOODWILL INDUSTRIES OF SOUTH FLORIDA, INC.,

(RESOLUTION NO. 2008-213), TO LEASE SPACE FOR A GOODWILL ATTENDED DONATION CENTER TRAILER (ADC) ON PARKING LOT 43, ALONG 5900 PONCE DE LEON BOULEVARD, TO RECEIVE DONATIONS THROUGH MARCH 22, 2009.

[Note for the Record: Following Interim City Manager Jimenez reading the title of this Agenda Item into the Public Record, Commissioner Anderson stated that said matter addresses the extension of a permit to be granted to the Goodwill Attended Donation Trailer until March 22, 2009; further stating that it is her intent that this will be last time for said request; further stating that Goodwill has had great success in obtaining donations at said location; further stating that those residents who have had the opportunity to make donations at said location, found it to be convenient.

Ms. Matta, from Goodwill, acknowledged the presence of Mary Young, Treasurer, along with Steve Marshall; further thanking the City Commission, Parking Director Kevin Kinney, and the citizens of Coral Gables; further citing that said donations represented the City's own Stimulus Package; further pointing out that the funds collected are used to create jobs, job training for those people with disabilities; further stating that the donations have doubled those of last year, and that this represents a job well done, in helping those disabled citizens in our community; further thanking the Coral Gables citizenry for a warm welcome into their community.

Mayor Slesnick inquired of Police Chief Naue to confirm that there had not been any formal reports complaints filed regarding Goodwill Attended Donation Trailer, whereby he confirmed that there had been none.

Questions, Inquiries, Concerns by the City Commission: In supporting the request for an extension, Commissioner Withers stated that the Goodwill Attended Donation Trailer is clean, there has been no graffiti, and no formal complaints; further inquiring of the City Attorney as to whether any future request can be done by administrative review, or whether or not said matter has to come back before the City Commission for approval?-whereupon City Attorney Hernandez stated that the City Commission can grant a renewal of the extension, additionally it can request a report and recommendation by the City Manager to provide the Commission with recommendations regarding same].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-35. 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. 18

F.-2. [09-0091](#)

Discussion on getting more information on the City's unfunded liability on the retirement system.

Commissioner Maria Anderson

[Note for the Record: Commissioner Anderson stated that on January 22, 2009 that there was a memorandum from Vice Mayor Kerdyk, which talked about the current value of our Retirement System, how much it has gone down because of economic issues, etc. further stating that she would like to discuss the subject of our Unfunded Pension Liability, how it will impact the City of Coral Gables?-what will we be paying?-further urging the City Administration to schedule a workshop at some point, with some kind of preceding memo.

Questions, Inquiries and Concerns by the City Commission: Commissioner Withers inquired of Commissioner Anderson as to whether she wanted to bring in the entire Pension Board when said matter is discussed?-whereupon Commissioner Anderson stated she would like to do that].

This Agenda Item was Discussed and Filed

City Clerk Item No. 30

F.-3. [09-0092](#)

Discussion on setting forward streamlined/expedited procedures for "shovel-ready" projects (building permits, process to select work teams).

Commissioner Maria Anderson

Attachments: [Article Entered into the Public Record](#)

[Note for the Record: Commissioner Anderson stated that if our City receives monies from the Federal Economic Stimulus Package, she wants to make sure that our City is ready; further stipulating that in addressing the Federal Economic Process, the following four points of interest are paramount, in her opinion: transparency; bid competition; audit and oversight; further pointing out that when the City has large projects, we need an "extra layer of eyes"; further urging that said matter be brought back at some point, that we should consider discussing same.

Mayor Slesnick further inquired of his colleagues as to whether they had seen the article by Rick Weiss that appeared in Business Monday, noting that in proud defense of local government, that we do not spend enough time proclaiming ourselves].

This Agenda Item was Discussed and Filed

City Clerk Item No. 31

- F.-4. [09-0083](#) Discussion concerning narrowing the list of City Manager candidates and setting forth the interview process.
Commission As-a-Whole

Attachments: [Colin Baenziger - City Manager Interview Handbook](#)

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

This Agenda Item was Discussed and Filed

City Clerk Item No. 29

RESOLUTION NO. 2009-38

- F.-5. [09-0093](#) Appointment of a member to the Trial Board by the City Commission
Commission-As-a-Whole

Attachments: [Nan Markowitz Resignation](#)
[Signed Resolution 2009-38](#)

A RESOLUTION APPOINTING JAVIER ALBERTO SOTO (REPLACING NAN MARKOWITZ WHO RESIGNED) TO SERVE THE UNEXPIRED TERM (TERM BEGINNING DECEMBER 1, 2007 THROUGH NOVEMBER 30, 2009), AS A MEMBER OF THE CITY OF CORAL GABLES TRIAL BOARD.

[Note for the Record: Commissioner Cabrera stated that he will attempt one more time to proffer the name of Javier Soto, for the vacant Commission seat on the Trial Board; further pointing out that he did not have an opportunity to previously discuss said matter with Mr. Soto; further expressing the desire that someone from the City Administration would call Mr. Soto regarding said appointment].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-38. 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. 32

G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 33

H. CITY MANAGER ITEMS**RESOLUTION NO. 2009-39**

H.-1. 08-0874

A Resolution of the City Commission of Coral Gables endorsing the National League of Cities Prescription Discount Program.

Attachments: [NLC Email Brochure 11 10 08](#)
[NLCPDPDraftReso](#)
[NLCPrescriptionDiscountCover](#)
[Pharmacies](#)
[Signed Resolution 2009-39](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES ENDORSING THE NATIONAL LEAGUE OF CITIES PRESCRIPTION CARD PROGRAM.

[Note for the Record: Following Interim City Manager Jimenez reading of the title to the Agenda Item into the public record, Assistant City Manager Dona Lubin noted that this matter represented a wonderful program that has been offered by the National League of Cities to its participating members; further explaining that given the high cost of prescription drugs, and the that some residents are without medical insurance for prescription drugs the public is issued individual discount cards, to be used by participating drug stores, that provides for discounts not covered by the insurance, as well as discount savings on any prescription for any drugs].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-39. 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. 34

Time Certain: 10:00 a.m.

RESOLUTION NO. 2009-37

H.-2. [09-0072](#)

Discussion related to the City's findings regarding incorporating the existing Roving Patrol District into the proposed Guard House Special Taxing District.

Attachments: [Cover Memo](#)
[Notice to Residents](#)
[Resolution 2008-54](#)
[Signed Resolution 2009-37](#)

A RESOLUTION OF THE CITY COMMISSION REQUIRING THAT THE COMBINED HOMEOWNERS ASSOCIATIONS' (NAMELY HAMMOCK LAKES I, HAMMOCK LAKES II, BANYAN DRIVE, AND THE MASTER HOMEOWNERS ASSOCIATION, CORAL GABLES, FLORIDA) CONTINUE THEIR EXISTENCE OF THE ROVING PATROL PROGRAM; FURTHER STIPULATING THAT IF SAID ROVING PATROL PROGRAM IS DISCONTINUED, THEN THE CITY OF CORAL GABLES SHALL RECONSIDER THE MATTER OF REVOCATION OF ITS PERMISSION TO USE CITY PROPERTY FOR SAME.

[Note for the Record: A copy of the verbatim transcript of Agenda Item H-2 is 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 Withers, that this motion be adopted by Resolution Number 2009-37. 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. 28

RESOLUTION NO. 2009-36

NA.H. [09-0095](#)
-2.1.

A Resolution of the City Commission of Coral Gables rescinding conditions placed under Resolution 2008-54.

Attachments: [Signed Resolution 2009-36](#)

A RESOLUTION RESCINDING IN PART, AND DELETING THAT PORTION OF RESOLUTION NO. 2008-54, AS AMENDED, MORE PARTICULARLY, SECTION 9(1) THAT READS AS FOLLOWS: FURTHER INCLUDING THE FOLLOWING CONDITIONS THAT "A ROVING GUARD PROGRAM BE CONTINUED AS PART OF THE CITY'S CONCURRENCE WITH SAID SPECIAL TAXING DISTRICT."

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-36. The motion passed by the following vote:

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

Nays : 1 - Commissioner Anderson

City Clerk Item No. 27

Items H.-3. and E.-1 are related

H.-3. [09-0071](#)

A Resolution endorsing in part the recommendations of the Streetscape Design Committee of the Business Improvement District (BID) for the conceptual design of proposed Streetscape Improvements on Miracle Mile by supporting the conversion of on-street angle parking to parallel parking, widening of the existing sidewalks, and improvement to walkway connectors to nearby public parking

Attachments: [Business Improvement back-ups](#)
[Planning Agenda](#)
[Planning Minutes](#)
[Landscape Minutes](#)
[EDB 11 18 08 Res on Downtown Streetscapes - Corrected](#)
[EDB -PAB Combined Meeting October 6 2008 \(2\)](#)
[RESO supporting Parallel Parking Miracle Mile 2009](#)
[Exhibit A to RESO Recommending Parallel Parking 2009](#)
[Chamber Resolution of Support](#)
[MM cover](#)
[MM Parking Resolution - County letter - City letter - notice to merchants](#)
[Exhibit A to RESO Recommending Parallel Parking 2009](#)
[Letters Entered Into the Public Record](#)

[Note for the Record: A Copy of the verbatim transcript of Agenda Item H-3 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].

This Resolution was Discussed and Filed

City Clerk Item No. 39

I. CITY ATTORNEY ITEMS

None

City Clerk Item No. 35

J. CITY CLERK ITEMS

None

City Clerk Item No. 36

K. DISCUSSION ITEMS

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: Very quickly, Mr. William Cooper who was one of our distinguished residents passed away last year, and he was always the one that would come to me and ask me and give me the information for black history month; and so I called Mrs. Cooper and I said that this year Mr. Cooper would be the honoree, to honor him would be very appropriate

Vice Mayor Kerdyk: That is good.

Commissioner Anderson: I also spoke with her about the possibility of there is a small park within where he lived and died. He was born in one house and died in another. There is a small park, and I would like for us to consider looking at the process of either adding the name or changing the name. It is Washington Park, if we could just look at that and have it go through the process that I know that we have set-up.

Commissioner Cabrera: To name it in his honor?

Commissioner Anderson: Yes, somehow to figure out a way to do that, absolutely; and I know if it is either added on or whatever I think that there is a process. There was an audit, January 29th memo about the internal auditor and the savings that we have found through different projects; and talked about what we have done and how much we have recuperated because of audits. I would love for that to be kind of public knowledge, maybe on E-News share that, because I think that it is something that it is important to people that our Audit Department is hard at work trying to save dollars, and put it to good use. And I'll save some for the next meeting how about that. I had a few more, but I will save those.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: I would like to get staff to provide us with an update on two projects that are I think on their way. One is I would like to get an update on the Venetian Pool Project.

City Manager Jimenez: OK.

Commissioner Cabrera: I would like to get a status report on that. And the second project that I am interested in receiving an update on is the Coral Gables Country Club, as it relates to the repairs that we needed to make. So if staff could come back at the next City Commission meeting with those updates that would be greatly appreciated.

City Manager Jimenez: Absolutely.

Commissioner Cabrera: In addition to the updates, I would like to know the timeframes for completion of the two projects.

City Manager Jimenez: OK.

Commissioner Cabrera: The other item that I have for you is actually very touchy, and I want to be very careful how I address this with my colleagues. It has recently come to my attention that one of the principals of a project that we sent back to the Planning Board, has had some issues in his home country as it relates to his financial position in that country. And let me be more specific, the DYL project that we looked at sometime ago. We ended up sending it back to the Planning Board, well actually from what I recall, it was going back to the board and now it has been determined that it will be going back to the board. One of the primary owners of DYL is a gentleman by the name of Mr. Dupree and he is from Trinidad and Tobago; and in a recent article that I read on the internet there are some concerns with his financial position and the government is taking a very strong position on his finances; and so the reason I bring this up is if the City would be taking this matter back-up as a potential land swap, I would like us to be able to now do some research on the status of the economic engine that will help the DYL corporation move this project forward; and again I am not casting any kinds of allegations or aspersions on the principals of DYL I am just letting you know that I did read something about it and it concerned me to the point that I felt that I should bring it up to the five of us so that staff could then follow it up and track it.

Commissioner Withers: You know Ralph you bring up an interesting overall philosophy, obviously if it is a private developer doing it on their own property we really don't have any right to go in and look in at the business side of the equation, but when City's assets and City's properties are involved, we do have I think, a responsibility.

Commissioner Cabrera: That is the only reason I am bringing this up, because of the potential for land swap, that is the only reason again; I know very little other than what I read and I would be happy to give you copies of the article I think the City Manager's Office now has a copy of the article.

Commissioner Withers: Maybe we can encourage Liz to see what we can ask and what we can't ask, what areas we can delve into and what areas we can't delve into. I don't know if there is a...

City Attorney Hernandez: We have a section in our Procurement Code when it is the purchase of lands or the leasing of lands; and we can just take that criteria and also evaluate it for the land swap, when we want to do diligence.

Commissioner Withers: I don't want to get into a situation where we are discussing the guys finances and we inadvertently say something or do something to harm and then they come back to the City and say, you know...

City Attorney Hernandez: Correct, we always have to be very careful, but at the same time when it involves City land, we have a responsibility.

Commissioner Anderson: It is our fiduciary responsibility.

Commissioner Cabrera: And that is why I am trying to be really sensitive to all parties

Commissioner Withers: I understand.

Commissioner Cabrera: And not say the wrong thing because I actually mentioned this to the City Manager yesterday along with the City Attorney and the City Attorney counseled me very wisely in how I should bring this up to you.

Commisisoner Withers: Perfect.

Commisioner Cabrera: That is it for me.

Mayor Slesnick: It seems to me though that if we are discussing any kind of development any kind of change of zoning or mix use projects, we need to have some assurances of its economic capacity to move forward, before we let actual permits be issued and land cleared and so forth.

City Attorney Hernandez: Several years ago we did broach the subject of if someone hasn't moved forward on a variance, which we already have provisions in the code that it goes away if they don't move forward, but we also don't want property standing still with zoning approvals, we want them to move forward. So we can look at our

code and check to see what is going on and make sure that the City Commission's approvals are conditioned on moving forward.

Commissioner Anderson: And I think that is right and I think it is kind of timely anyways because of the current economic times to at least look at it.

City Attorney Hernandez: but we have also heard on the other side a desire to assist the property owners that are meeting these economic times so we are looking at those issues.

Commissioner Anderson: It has to be a balance, I think we have to figure out an equitable balance.

Vice Mayor Kerdyk: Two quick items, first of all on an updated basis The Palace, just to find out exactly where we stand with The Palace if Kathy and the City Manager could give us an update of The Palace; and the second item has to do with parks we have close to a million dollars in park money left. Six months ago, a year ago, I would have said yeah that is nice for one park, if we are lucky, this is the ideal time that we should be out there looking for property to purchase. I never thought you could buy a house in North Gables for \$300,000. You can buy a piece of property, a house in Coral Gables in North Coral Gables, and as a matter of fact in some other locations in Coral Gables for that type of figure now, knock down the house and have pocket park. This is the ideal time that we need to be aggressive and utilize that money and secure some property for the City for a long term perspective; and I really think that we need to come up with some type of mechanism or give the authority to the Parks and Recreations Department or something, to come up and really get aggressive and buy some property.

Commissioner Withers: You know I think a good example is the park that we got there near Ponce Middle School, that triangle piece of property and I have always said that if we can go identify those non-buildable lots in Coral Gables the ones that people can't build on, target those and offer, because now is the time to offer.

Vice Mayor Kerdyk: I think not only non-buildable but buildable too.

Commissioner Anderson: and I would be supportive, I would there would be a process and I think it is important to include like a planning process in that, like a planners somebody beyond the Parks and Recreations, I mean they can identify it, but is it the right place for it, for people to use it.

Vice Mayor Kerdyk: That is a very good question, I know that Parks and Recreations has that map that they come to us and identify locations of where they need parks. Now if the City Manager wants to look at that and then talk to them, and then come

back to us about how we should proceed, but this is the time we really need to capitalize on the market. Where as everybody else is saying don't buy, this is the time we need to actually go out and buy.

Commissioner Anderson: I agree, absolutely.

Vice Mayor Kerdyk: So we come back maybe next meeting.

City Manager Jimenez: Next meeting.

Vice Mayor Kerdyk: Thank you.

Commissioner Anderson: Good idea.

Mayor Slesnick: Mr. Withers.

Commissioner Withers: Yes I just have one quick thing, and Liz you are going to have to help me out on this. We approved in the consent agenda today the wording on one of the ballot questions.

City Attorney Hernandez: No you approved the wording on the educational campaign, you have already approved all ballot questions on second reading, and they are at the county and the county is moving forward with its position.

Commisisoner Withers: Ok.

City Attorney Hernandez: We are done.

Commissioner Withers: Well then let me just read you the ballot question and this was email to me. "Shall the Charter of the City of Coral Gables be amended to provided that the time served in fulfilling the unexpired term resulting from a vacancy on the City Commission shall not be counted in applying these term limits?"

City Attorney Hernandez: Right.

Commissioner Withers: How would you vote on that? Again, I just think clarity and that is why I really encourage if we could add something to our ballots a handout or whatever explaining to people what a yes vote means and what a no vote means.

City Attorney Hernandez: Right, and Commissioner Withers we are very times caught in a quandary because the original Charter language it was written in a style of pros and grammatically in such a way that when we are amending specific provisions you

almost want to maintain the consistency of that language. So while we try to be clearer we are also trying to preserve how the other provisions have been worded. The bottom line is it is really a subservient provision, it deals with if one of you was to pass away during your term of office and someone is appointed to serve the remainder of that office, should that time period be counted against the person for purposes of term limits? I reviewed it, I felt it was clear, the City Clerk worked with me on it, he felt it was clear, we can always go back and Monday morning quarterback, but this went on first reading, this went on second reading there was ample time for the public to participate.

Commissioner Withers: All I am saying is in our public information campaign, that I think we should take the time to say, what a yes vote means what a no vote means. Not only explaining what the issue is, but explaining what a vote is, because it might be written on the King James version but a lot of people don't read the King James version.

City Attorney Hernandez: That is true, that is very true.

Commissioner Anderson: I totally agree, what a yes vote means and what a no vote means.

Mayor Slesnick: I think I said that in the beginning of our discussions was that let's put it in plain English and maybe we should go back and take the Charter Review Committee not to change the charter but to rewrite it.

Commissioner Withers: That is not a bad idea at all.

Mayor Slesnick: Maria anything else.

City Manager Jimenez: No, sir.

Mayor Slesnick: Then ladies and gentlemen, except to announce again that at 5 o'clock this evening, we will gather, and hopefully, my fellow Commissioners can join me at the Perrin Plaza, which is the little plaza across the parking garage, across from Books & Books, to dedicate the plaza and we will be back here at 2 for the time certain Miracle Mile Business Improvement District proposal about Miracle Mile concepts.

City Manager Jimenez: Very good, thank you.

Mayor Slesnick: So we will continue this hearing at that time.

City Clerk Item No. 37

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 4:54 pm on February 10, 2009. The next regular meeting of the City Commission has been scheduled for February 24, 2009, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK