

# **City of Coral Gables**

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



## **Meeting Minutes**

**Tuesday, August 24, 2010**

**9:00 AM**

### **REVISED AGENDA**

**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*

*The use of cell phones in the commission chambers is not permitted. Ringers must be set to silent mode to avoid disruption of proceedings.*

**ROLL CALL**

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

**INVOCATION**

Dr. Roy G. Gaton, Senior Chaplain for Doctors Hospital gave the Invocation.

**PLEDGE OF ALLEGIANCE**

The Honorable Michael Gongora, Miami Beach City Commissioner 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. 2010-14 through Ordinance No. 2010-17) (b) Resolution(s) adopted (Resolution No. 2010-155 through Resolution No. 2010-186); (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. 10-0523**

Presentation of a "Thank You" plaque from the U. S. Census Bureau, Atlanta Regional Census Center, to the City of Coral Gables in appreciation of the valued support in raising awareness and participation in the 2010 Census.

[Note for the Record (Agenda Item A-1): Ms. Venghan (Winnie) Tang, Partnership Specialist/Team Leader, Florida Asian Community Team, U.S. Census Bureau-Atlanta Regional Census Center presented a "Thank You" plaque to the Coral Gables City Commission, in appreciation for our city serving as a valued partner, in raising awareness and in inspiring participation during the 2010 Census. Ms. Tang informed the City Commission that by December 31st, 2010, a full report on the census will be delivered to President Obama, and that the "Population Redistricting Report", will be delivered to Congress by March 2011; further noting that thereafter, all of the population figures will be available for downloading off of the census website ([www.census.gov/2010](http://www.census.gov/2010) <<http://www.census.gov/2010>>).

Questions, Inquiries, Comments and Concerns from the City Commission: Mayor Slesnick informed the viewing public that City Manager Salerno had assigned Public Affairs Director Maria Higgins-Fallon as the liaison to the city's committee involved with the census, "The Complete Count Committee," further commending the City Manager for his initiative in connection with same. Mayor Slesnick further pointed out that when our city looks for grant initiatives, Law Enforcement initiatives help and assistance from the state, proper representation from Congress, the census count is a critical factor regarding same].

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

City Clerk Item No. 7

**A.-2. 10-0530**

Presentation of a Proclamation declaring August 26, 2010 as Women's Equality Day in Coral Gables.

[Note for the Record: Mayor Slesnick informed the viewing public that he had received a request from long time Coral Gables community activist Roxcy Bolton to recognize "Women's Equality Day in Coral Gables"; further reminding those in attendance that on the August 26th of each year, there are observances concomitant with the anniversary of women's suffrage culminating with marches, luncheons, rallies, and educational programs; further acknowledging that our city owes a lot to women, for their integration into the body politic; further acknowledging that as a result of women's right to vote, great women have forged ahead to become great women public servants, such as current Commissioner Maria Anderson, former Mayor Dorothy Thomson, our City Attorney Elizabeth Hernandez, along with other women whom have served on City boards, etc; further inviting all women whom were in attendance to join the Commission for a photographic moment; further acknowledging those individuals in attendance on the dais, including a former Mayor, an expectant mother employee, our two Assistant City Managers, our City Attorney, head of the Coral Gables Community Foundation, representative from the U.S. Census (Florida Asian Community Team), representatives from the Business Improvement District, Historic Preservation Board, and Chamber of Commerce, said individuals who represent a wonderful cross section of our community, our nation].

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

City Clerk Item No. 2

## A.-3. 10-0534

Presentation by the South Florida Water Management District regarding preparations for the 2010 Hurricane Season.

[Note for the Record: Mayor Slesnick invited Mr. Joseph John Baptiste to the dais, representing the South Florida Water Management District; further acknowledging said agency as one of our great partners as it relates to managing water and in preparing for our current hurricane season; whereupon Mr. Baptiste thanked the Mayor for providing him the opportunity to inform our citizenry regarding how to prepare for our rainy season/hurricane season; further acknowledging that we are currently experiencing typical summer rainfall patterns at this time, fluctuating between hot and wet; further acknowledging that the South Florida Water Management District is a governmental entity that is taking on the challenge of environmental issues, including but not limited to taking care of our water, balancing our water; providing water; supplying water protecting the Everglades; protecting all of our ecological areas; further noting that one of the key tasks performed by the South Florida Water Management District is flood protection; further stating that amongst the many challenges facing said agency include system stresses by population and land use to serve the needs of boat people and to move vast volumes of water including: managing 160 major drainage basins; 2,669 miles of canals and levy's; 1,290 water controlled structures; 64 pump stations; 9 regular field stations; further acknowledging the Miami Service Center, if there are any problems regarding drainage (located at 2121 SW 3rd Street); further stating that residents may contact him or the director, namely Ed Hernandez; further stating that his agency moves more than 41 billion gallons of water daily.

Mr. Baptiste complimented the Coral Gables residency, as being the avant garde of drainage /flow protection to our environment; further urging our city to inform its constituents to:

- 1) Inspect and maintain neighborhood drainage systems;
- 2) Clear debris from ditches, wells and drainage straits;
- 3) Ensure that canals, right-of-ways are clear;
- 4) Identify and address any drainage problems and flow resistance;
- 5) Utilize storm wise landscaping.

In concluding his update regarding hurricane preparedness, Mr. Baptiste stated that the South Florida Water Management District takes pride in putting together a wonderful and safe environment. and reiterated its availability to the public through the aforementioned Miami address, or at its headquarters in West Palm Beach, Florida.

Mayor Slesnick requested that Mr. Baptiste take back his regards to the South Florida Water Management District, on behalf of the city of Coral Gables, and thanked said agency for their dedication and service as our city prepares to assume command of the

Emergency Operation Center, our city will coordinate with his agency, regarding our city's initiatives; further citing that our main canal plays a crucial role in furtherance of water management.

Mr. Baptiste added that certain secondary canals and tertiary canals come through our main canal; further adding there is interaction with the experts here in Coral Gables in coordination with the South Florida Water Management professionals].

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

City Clerk Item No. 3

**A.-4. 10-0492**

Congratulations to Officer Emilio Flores, recipient of the City of Coral Gables "Officer of the Month Award", for the month of July 2010.

**Attachments:** [COMMISSION COVER MEMO - OFFICER OF THE MONTH](#)  
[July Officer of the Month Nomination](#)

[Note for the Record: City Manager Salerno invited Police Chief to approach the dais regarding Officer Emilio Flores, recipient of the city of Coral Gables "Officer of the Month Award" for the month of July 2010; further acknowledging the late Tilly Dunlap as a supporter of said recognition program for many of years; further stating that on July 23, 2010, that an emergency call was made by a homeowner, who was crying while reporting a burglary; further stating that said emergency call was dispatched regarding an occupied burglary in progress at 1101 Country Club Prado, wherein several officers responded expeditiously to the area following a BOLO (Be on the lookout) for the two subjects which was broadcasted over the radio. Shortly thereafter, Officer Flores saw two individuals matching the description given, exiting the cartilage of a nearby residence, whereupon both suspects were detained and taken into custody.

Mr. Jack Thomson, representing the Kiwanis Club of Coral Gables, presented Officer Flores with the Officer of the Month recognition. Officer Flores stated that he wanted to thank everyone, especially the Chief, along with other individuals who support the Coral Gables Police Department; further stating that he was not expecting this accolade; further thanking all of the affected individuals for this moment; further stating that he was motivated and excited by this recognition.

Commissioner Cabrera stated that he has had the pleasure of running into Officer Flores; further stating that there is a lot to be said about this individual, particularly noting when an officer takes the time to get to know a resident, including those who are affected by crime].

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

City Clerk Item No. 4

**A.-5. 10-0511**

Congratulations to Firefighter Xavier Jones, recipient of the City of Coral Gables "Firefighter of the Month Award", for the month of August 2010.

**Attachments:** [FF of Month Notification Letter.pdf](#)  
[Cover Memo - FF of the Month - Aug 2010.pdf](#)

[Note for the Record: City Manager Salerno requested of Fire Chief Reed to approach the dais, whereby Chief Reed acknowledged Firefighter Xavier Jones, as the recipient of the "Firefighter of the Month" award for the month of August 2010; more specifically as noted by Battalion Chief Gibbs, who recommended Firefighter Jones for this accolade and who specifically singled out his initiative displayed while assisting the department in furtherance of the accreditation process. Fire Chief Reed added that following today's City Commission meeting, that he will be flying to Chicago to appear before the Accreditation Team in an attempt to address any concerns the group may have; further noting that Firefighter Jones took "the bull by the horns" in making a complicated accreditation process easier for everyone involved. Chief Reed noted that previous to his tenure here in our city, that Firefighter Jones was employed in the city of Daytona, but once there was a job opening he did not hesitate to come, and our department welcomed him with open arms; further noting that he began his employment here in our City as an Explorer.

Mayor Slesnick informed the public that if one were to enter his office, there is a photograph on the wall with an Explorer, along with himself and a Fire Chief; further acknowledging the Explorers program as a wonderful program; further stating that this employee recognition represents a great example of how the program works.

In accepting this accolade Firefighter Jones stated that he would like to extend praise to the Mayor, City Commission and the City Manager, the city's dignitaries; further thanking Chief Reed for allowing him to work on an executive project; further thanking the city for all that it does and for allowing the Fire Department to do the things that it does].

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

City Clerk Item No. 5

**A.-6. 10-0517**

Congratulations to Karla Green, Human Resources Department, recipient of the City of Coral Gables "Employee of the Month Award", for the month of September 2010.

Attachments: [Cover Memo EOM Sept 2010](#)  
[EOM September 2010 Karla Green](#)

[Note for the Record: City Manager Salerno requested of Human Resources Director Elsa Jaramillo-Velez to approach the dais, whereby she acknowledged Karla Green, Personnel Assistant in her department as the Employee of the Month for the month of September 2010; further stating that it is an honor and a privilege to see that the city has a lot of great employees; further noting that she has a lot of great employees in her office as well, and she wishes that she could nominate all of them; however, she believes one thing, that we as managers and leaders can do, and that is communicate with them-talk to them, take a walk, cut a cake, etc. are some ways that we may recognize said individuals.

Mrs. Jaramillo-Velez further recognized Mrs. Green as an exceptional person, specifically noting her assignment to perform a Fire payroll audit, said task which was not within the scope of her functional responsibilities, but was assigned to her based upon her knowledge and experience of payroll; further noting that although said task was tedious and complicated, Karla completed same within a relatively short period of time.

Mrs. Jaramillo-Velez noted other assignments including production of various documents and reports, which were also done timely, and always with a smile, while participating with her in an interview process; further citing dedication, commitment and honesty demonstrated on a daily basis, and that this has been the second time in her 12 year tenure with the city, that Karla has been honored in this manner.

In accepting this accolade, Mrs. Green stated that she was very honored to be here, that she wanted to thank her director Elsa, adding that she is very excited and motivated to continue working with the city].

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

City Clerk Item No. 6

**B. APPROVAL OF MINUTES**

**B.-1. 10-0546** Regular City Commission Meeting of July 13, 2010

**Attachments:** [Meeting Minutes](#)

[Verbatim Transcript - Agenda Item D-1 re Tom Fuhrman discuss Police Dept use of](#)

[Verbatim Transcript - Agenda Item E-1 re Appeal Board of Adjustment Mr. Tovar /](#)

[Verbatim Transcript - Agenda Item F-1 re Discussion of Biltmore's Request for Inte](#)

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

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

**Absent** : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 8

**B.-2. 10-0547** Special City Commission Meeting of July 19, 2010

**Attachments:** [Meeting Minutes](#)

[Verbatim Transcript - Agenda Item B-1 - Discussion on Biltmore Hotel to Amend L](#)

[Verbatim Transcript - Agenda Item D-1 - Discussion on the settlement proposal in](#)

A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be approved. The motion passed by the following vote:

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

**Absent** : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 9

**C. CONSENT AGENDA**

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

**Passed the Consent Agenda**

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

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

**Absent** : 1 - Vice Mayor Kerdyk, Jr.

**RESOLUTION NO. 2010-155****C.-1. 10-0433**

Resolution granting permission to Coral Gables @ Home to use Country Club Prado for the Tour of Kitchens luncheon event from 1:30 p.m. to 3:00 p.m. on Saturday, January 29, 2011 and to serve alcoholic beverages, subject to Florida Department of Professional Regulation requirements.

**Attachments:** [Special Events Application & Permit.pdf](#)  
[Draft Resolution Coral Gables at Home.pdf](#)  
[Cover Sheet Coral Gables at Home.pdf](#)  
[C-1 Signed Cover Memo](#)

RESOLUTION GRANTING PERMISSION TO CORAL GABLES COMMUNITY FOUNDATION TO USE COUNTRY CLUB PRADO FOR THE TOUR OF KITCHENS LUNCHEON EVENT, FROM 1:30 P.M. TO 3 P.M., ON SATURDAY, JANUARY 29, 2011, AND TO SERVE ALCOHOLIC BEVERAGES, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**This Matter was adopted by Resolution Number 2010-155 on the Consent Agenda.**

City Clerk Item No. 10

**RESOLUTION NO. 2010-156****C.-2. 10-0490**

Resolution authorizing the execution of a Memorandum of Understanding between the City of Coral Gables and the Alliance for Aging, Inc. for utilization of space at the Coral Gables War Memorial Youth Center and other Parks and Recreation facilities, subject to availability, to further the mission of the State of Florida Elderly Affairs Department's SHINE Program.

**Attachments:** [SHINE Cover Memo.pdf](#)  
[Alliance for Aging SHINE MOU 2010.pdf](#)  
[Shine Resolution.pdf](#)  
[C-2 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CORAL GABLES AND THE ALLIANCE FOR AGING, INC. FOR UTILIZATION OF SPACE AT THE CORAL GABLES WAR MEMORIAL YOUTH CENTER AND OTHER PARKS AND RECREATION FACILITIES, SUBJECT TO AVAILABILITY, TO FURTHER THE MISSION OF THE STATE OF FLORIDA ELDERLY AFFAIRS DEPARTMENT'S SHINE PROGRAM.

**This Matter was adopted by Resolution Number 2010-156 on the Consent Agenda.**

City Clerk Item No. 11

**RESOLUTION NO. 2010-157****C.-3. 10-0494**

Resolution authorizing the Kiwanis Club of Little Havana to sell alcoholic beverages at Ponce Circle Park on October 1, 2010; October 2, 2010; November 5, 2010; December 3, 2010; January 7, 2011; and February 4, 2011; as part of the Art in the Park event, subject to Florida Department of Professional Regulation Requirements.

**Attachments:** [Special Events Application & Permit.pdf](#)  
[Cover Memo Kiwanis Art in the Park.pdf](#)  
[Resolution for Art in the Park October 2010 to February 2011.pdf](#)  
[C-3 Signed Cover Memo](#)

RESOLUTION GRANTING PERMISSION TO THE KIWANIS CLUB OF LITTLE HAVANA TO SELL ALCOHOLIC BEVERAGES AT PONCE CIRCLE PARK ON OCTOBER 1, 2010, OCTOBER 2, 2010, NOVEMBER 5, 2010, DECEMBER 3, 2010, JANUARY 7, 2011, AND FEBRUARY 4, 2011, AS PART OF THE "ART IN THE PARK" EVENT, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**This Matter was adopted by Resolution Number 2010-157 on the Consent Agenda.**

City Clerk Item No. 12

**RESOLUTION NO. 2010-158****C.-6. 10-0505**

Resolution renewing the lease agreement with the University of Miami for municipal parking lots 42 and 43 for an additional twelve (12) months beginning September 1, 2010 and ending August 31, 2011 at the rate of \$64,971.88 annually, payable in monthly installments.

**Attachments:**

[UM Contract Lots 42 and 43](#)  
[UM Resolution 2010 \(2\)](#)  
[UM K Amendment2010 \(2\)](#)  
[UM2010letter](#)  
[UM Resolution 2009](#)  
[cover sheet resol lots 42 & 43](#)  
[C-6 Signed Cover Memo](#)

RESOLUTION RENEWING THE LEASE AGREEMENT WITH THE UNIVERSITY OF MIAMI FOR MUNICIPAL PARKING LOTS 42 AND 43 FOR AN ADDITIONAL TWELVE (12) MONTHS BEGINNING SEPTEMBER 1, 2010 AND ENDING AUGUST 31, 2011 AT THE RATE OF \$64,971.88 ANNUALLY, PAYABLE IN MONTHLY INSTALLMENTS.

**This Matter was adopted by Resolution Number 2010-158 on the Consent Agenda.**

City Clerk Item No. 13

**RESOLUTION NO. 2010-159****C.-7. 10-0508**

Resolution authorizing the execution of a twenty (20) year Sewage Disposal Service Contract with Miami-Dade County.

**Attachments:**

[Coral Gables Sewer Contract dated 5-3-79](#)  
[Sewage Disposal Service Contract dated 8-3-10](#)  
[Sewage Disposal Service Contract COVER](#)  
[Sewage Disposal Service Contract RESOLUTION](#)  
[C-7 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXECUTION OF A TWENTY (20) YEAR SEWAGE DISPOSAL SERVICE CONTRACT WITH MIAMI-DADE COUNTY.

**This Matter was adopted by Resolution Number 2010-159 on the Consent Agenda.**

City Clerk Item No. 14

**RESOLUTION NO. 2010-160****C.-10. 10-0514**

Resolution accepting the recommendation of the Chief Procurement Officer to award a Citywide Janitorial Services and Products contract to Vista Building Maintenance Services pursuant to Section 2-828 of the Procurement Code and RFP 2010.06.04 in the amount of \$370,168.92 (three hundred seventy thousand one hundred sixty-eight dollars and ninety-two cents) per year for an initial three (3) year term with two (2) additional one (1) year renewal options.

**Attachments:**[vista building maintenance](#)[Tabulation Sheet](#)[Evaluation Form](#)[Janitorial Services Products - Draft Agenda \(2\) JVR081810](#)[Janitorial Services Products - Draft Resolution \(2\) JVR081810](#)[C-10 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD A CITYWIDE JANITORIAL SERVICES AND PRODUCTS CONTRACT TO VISTA BUILDING MAINTENANCE SERVICES PURSUANT TO SECTION 2-828 OF THE PROCUREMENT CODE AND RFP 2010.06.04 IN THE AMOUNT OF \$370,168.92 (THREE HUNDRED SEVENTY THOUSAND ONE HUNDRED SIXTY-EIGHT DOLLARS AND NINETY-TWO CENTS) PER YEAR FOR AN INITIAL THREE (3) YEAR TERM WITH TWO (2) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS.

**This Matter was adopted by Resolution Number 2010-160 on the Consent Agenda.**

City Clerk Item No. 15

**RESOLUTION NO. 2010-161****C.-11. 10-0515**

Resolution accepting the recommendation of the Chief Procurement Officer to award a Citywide Security Systems Services contract to Bright Line, Inc. d/b/a Benham Protective Services pursuant to RFP 2010.05.07 and Section 2-828 of the Procurement Code in the amount of \$43,540.00 (forty-three thousand five hundred forty dollars) for annual maintenance with new construction based on a fee schedule provided as part of their proposal and software renewal licenses based on actual cost for an initial three (3) year period with two (2) additional one (1) year renewal options.

**Attachments:**[brightline dba Benham](#)[Security Tabulation Sheet with attachment](#)[Evaluation Meeting Sheet](#)[Security Services - Draft Agenda \(2\) JVR081810](#)[Security System Services - Draft Resolution \(2\) JVR081810](#)[C-11 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD A CITYWIDE SECURITY SYSTEMS SERVICES CONTRACT TO BRIGHT LINE, INC. D/B/A BENHAM PROTECTIVE SERVICES PURSUANT TO SECTION 2-828 OF THE PROCUREMENT CODE AND RFP 2010.05.07 IN THE AMOUNT OF \$43,540.00 (FORTY- THREE THOUSAND FIVE HUNDRED FORTY DOLLARS) FOR ANNUAL

MAINTENANCE WITH NEW CONSTRUCTION BASED ON A FEE SCHEDULE PROVIDED AS PART OF THEIR PROPOSAL AND SOFTWARE RENEWAL LICENSES BASED ON ACTUAL COST FOR AN INITIAL THREE (3) YEAR PERIOD WITH TWO (2) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS.

**This Matter was adopted by Resolution Number 2010-161 on the Consent Agenda.**

City Clerk Item No. 16

### **RESOLUTION NO. 2010-162**

**C.-12. 10-0520**

Resolution appointing Emile A. De Boyrie (Nominated by Commissioner Cabrera) to serve as a member of the Coral Gables Advisory Board on Disability Affairs, for the unexpired balance of a two (2) year term, from August 24, 2010 through May 31, 2011.

**Attachments:** [Cover Memo- Emile De Boyrie - Disability Affairs](#)  
[R-2010 - Draft - Emile De Boyrie - Disability Affairs](#)  
[Emile De Boyrie resume\[1\]](#)  
[C-12 Signed Cover Memo](#)

RESOLUTION APPOINTING EMILE A. DE BOYRIE (NOMINATED BY COMMISSIONER CABRERA), TO SERVE AS A MEMBER OF THE CORAL GABLES ADVISORY BOARD ON DISABILITY AFFAIRS, FOR THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, FROM AUGUST 24, 2010 THROUGH MAY 31, 2011.

**This Matter was adopted by Resolution Number 2010-162 on the Consent Agenda.**

City Clerk Item No. 17

### **RESOLUTION NO. 2010-163**

**C.-13. 10-0521**

Resolution appointing Antonio Gonzalez (Nominated by Commissioner Withers) to serve as a member of the School and Community Relations Committee, for the unexpired balance of a two (2) year term, from August 24, 2010 through May 31, 2011.

**Attachments:** [AGonzalez - Resume](#)  
[Cover Memo- Antonio Gonzalez - SCRC](#)  
[R-2010 - Draft - Antonio Gonzalez - SCRC](#)  
[C-13 Signed Cover Memo](#)

RESOLUTION APPOINTING ANTONIO GONZALEZ (NOMINATED BY COMMISSIONER WITHERS), TO SERVE AS A MEMBER OF THE SCHOOL AND COMMUNITY RELATIONS COMMITTEE, FOR THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, FROM AUGUST 24, 2010 THROUGH MAY 31, 2011.

**This Matter was adopted by Resolution Number 2010-163 on the Consent Agenda.**

City Clerk Item No. 18

**RESOLUTION NO. 2010-164****C.-14. 10-0535**

Resolution appointing Emilio J. Vasquez (Nominated by Mayor Slesnick) to serve as a member of the Citywide Traffic Advisory Board, for the unexpired balance of a two (2) year term, from August 24, 2010 through May 31, 2011.

**Attachments:** [Cover Memo- Emilio Vasquez - Traffic](#)  
[R-2010 - Draft - Emilio Vasquez - Traffic](#)  
[Emilio J. Vazquez CV](#)  
[C-14 Signed Cover Memo](#)

RESOLUTION APPOINTING EMILIO J. VASQUEZ (NOMINATED BY MAYOR SLESNICK), TO SERVE AS A MEMBER OF THE CITYWIDE TRAFFIC ADVISORY BOARD, FOR THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, FROM AUGUST 24, 2010 THROUGH MAY 31, 2011.

**This Matter was adopted by Resolution Number 2010-164 on the Consent Agenda.**

City Clerk Item No. 19

**RESOLUTION NO. 2010-165****C.-15. 10-0542**

Resolution appointing James H. Smith (Nominated by Commissioner Anderson) to serve as a member of the Emergency Management Division, for the unexpired balance of a two (2) year term, from August 24, 2010 through May 31, 2011.

**Attachments:** [JHS Resume 061510](#)  
[Cover Memo- James Smith - EMD](#)  
[R-2010 - Draft - James Smith - EMD](#)  
[C-15 Signed Cover Memo](#)

RESOLUTION APPOINTING JAMES H. SMITH (NOMINATED BY COMMISSIONER ANDERSON), TO SERVE AS A MEMBER OF THE EMERGENCY MANAGEMENT DIVISION, FOR THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, FROM AUGUST 24, 2010 THROUGH MAY 31, 2011.

**This Matter was adopted by Resolution Number 2010-165 on the Consent Agenda.**

City Clerk Item No. 20

**RESOLUTION NO. 2010-166****C.-16. 10-0524**

Resolution authorizing expenditures in the amount of \$45,000.00 from federally forfeited assets funds for the Coral Gables Police Department partnership program with Coral Gables Citizen's Crime Watch, Inc.

**Attachments:** [RESOLUTION - \\$45,000.00 - Crime Watch](#)  
[COMMISSION COVER MEMO - \\$45,000.00 - CRIME WATCH](#)  
[FAF MEMO](#)  
[C-16 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$45,000.00 FROM FEDERAL FORFEITED ASSET FUND (F.A.F.) MONIES FOR THE CORAL GABLES POLICE DEPARTMENT PARTNERSHIP PROGRAM WITH CORAL GABLES CITIZEN'S CRIME WATCH, INC.

**This Matter was adopted by Resolution Number 2010-166 on the Consent Agenda.**

City Clerk Item No. 21

**RESOLUTION NO. 2010-167****C.-17. 10-0525**

Resolution authorizing expenditures in the amount \$20,840.00 from Federal Forfeited Asset Fund monies for the acquisition of additional law enforcement equipment; the Handheld Rapid ID Devices, and their accompanying software licenses, software support and training, for utilization by the Coral Gables Police Department.

**Attachments:** [RESOLUTION - \\$20,840.00 - Rapid ID Devices](#)  
[COMMISSION COVER MEMO - \\$20,840.00 - Rapid ID Devices](#)  
[FAF MEMO](#)  
[C-17 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$20,840.00 FROM FEDERAL FORFEITED ASSET FUND (FAF) MONIES TO PROVIDE FOR THE ACQUISITION OF ADDITIONAL LAW ENFORCEMENT EQUIPMENT; THE HANDHELD RAPID ID DEVICES, AND THEIR ACCOMPANYING SOFTWARE LICENSES, SOFTWARE SUPPORT AND TRAINING, FOR UTILIZATION BY THE CORAL GABLES POLICE DEPARTMENT.

**This Matter was adopted by Resolution Number 2010-167 on the Consent Agenda.**

City Clerk Item No. 22

**RESOLUTION NO. 2010-168****C.-18. 10-0526**

Resolution authorizing expenditures in the amount of \$8,000.00 from previously encumbered Forfeited Asset Fund (FAF) monies to support activities and programs associated with the Drug Abuse Resistance Education (D.A.R.E.) instruction conducted by the Coral Gables Police Department Youth Resource Unit.

**Attachments:** [COMMISSION COVER MEMO - \\$8,000 - DARE](#)  
[RESOLUTION - \\$8,000.00 - DARE](#)  
[FAF MEMO](#)  
[C-18 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$8,000.00 FROM PREVIOUSLY ENCUMBERED STATE FORFEITED ASSET FUND (F.A.F.) MONIES TO SUPPORT THE ACTIVITIES AND PROGRAMS ASSOCIATED WITH THE DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) INSTRUCTION CONDUCTED BY THE CORAL GABLES POLICE DEPARTMENT YOUTH RESOURCE UNIT.

**This Matter was adopted by Resolution Number 2010-168 on the Consent Agenda.**

City Clerk Item No. 23

**RESOLUTION NO. 2010-169****C.-19. 10-0527**

Resolution authorizing expenditures in the amount of \$18,000.00 from previously encumbered Forfeited Asset Fund (FAF) monies to support the Youth Resource Officer activities and programs of the Coral Gables Police Athletic League.

**Attachments:** [COMMISSION COVER MEMO - \\$18,000.00 - PAL](#)  
[RESOLUTION - \\$18,000.00 - PAL](#)  
[FAF MEMO](#)  
[C-19 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$18,000.00 FROM PREVIOUSLY ENCUMBERED STATE FORFEITED ASSET FUND (F.A.F.) MONIES TO SUPPORT THE YOUTH RESOURCE OFFICER ACTIVITIES AND PROGRAMS OF THE CORAL GABLES POLICE ATHLETIC LEAGUE.

**This Matter was adopted by Resolution Number 2010-169 on the Consent Agenda.**

City Clerk Item No. 24

**RESOLUTION NO. 2010-170****C.-20. 10-0528**

Resolution authorizing encumbrances in the amount of \$10,208.63, or 15%, of the State Forfeited Asset Fund (F.A.F.) monies to provide for the support and operation of crime prevention, drug abuse prevention, safe neighborhood, or school resource officer programs, as required under the Florida Contraband Forfeiture Act.

**Attachments:** [COMMISSION COVER MEMO - \\$10,208.63 - ENCUMBRANCE](#)  
[RESOLUTION - \\$10,208.63 - Encumbrance](#)  
[FAF MEMO](#)  
[C-20 Signed Cover Memo](#)

RESOLUTION AUTHORIZING ENCUMBRANCES IN THE AMOUNT OF \$10,208.63, OR 15%, OF THE STATE FORFEITED ASSET FUND (F.A.F.) MONIES TO PROVIDE FOR THE SUPPORT AND OPERATION OF CRIME PREVENTION, DRUG ABUSE PREVENTION, SAFE NEIGHBORHOOD, OR SCHOOL RESOURCE OFFICER PROGRAMS, AS REQUIRED UNDER THE FLORIDA CONTRABAND FORFEITURE ACT.

**This Matter was adopted by Resolution Number 2010-170 on the Consent Agenda.**

City Clerk Item No. 25

**RESOLUTION NO. 2010-171****C.-21. 10-0529**

Resolution authorizing expenditures in the amount of \$12,000.00 from previously encumbered Forfeited Asset Fund (FAF) monies to support the Youth Resource Officer activities and programs of the Coral Gables Police Department Police Explorer Post #594.

**Attachments:** [COMMISSION COVER MEMO - \\$12,000.00 - Explorer Post](#)  
[RESOLUTION - \\$12,000.00 - EXPLORERS](#)  
[FAF MEMO](#)  
[C-21 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$12,000.00 FROM PREVIOUSLY ENCUMBERED STATE FORFEITED ASSET FUND (F.A.F.) MONIES TO SUPPORT THE YOUTH RESOURCE OFFICER ACTIVITIES AND PROGRAMS OF THE CORAL GABLES POLICE EXPLORER POST #594.

**This Matter was adopted by Resolution Number 2010-171 on the Consent Agenda.**

City Clerk Item No. 26

**RESOLUTION NO. 2010-172****C.-22. 10-0531**

Resolution authorizing expenditures in the amount of \$3,830.00 from previously encumbered State Forfeited Asset Funds (F.A.F.) to acquire a ruggedized tablet style computer and its accompanying software for the Police Department Community Affairs Unit Crime Prevention and Safe Neighborhood Security Survey Programs.

**Attachments:** [RESOLUTION - \\$3,830.00 - CAU Tablet Computer](#)  
[COMMISSION COVER MEMO - \\$3,830.00 - Computer](#)  
[FAF MEMO](#)  
[C-22 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$3,830.00 FROM PREVIOUSLY ENCUMBERED STATE FORFEITED ASSET FUNDS (F.A.F.) TO ACQUIRE A RUGGEDIZED TABLET STYLE COMPUTER AND ITS ACCOMPANYING SOFTWARE FOR THE POLICE DEPARTMENT COMMUNITY AFFAIRS UNIT CRIME PREVENTION AND SAFE NEIGHBORHOOD SECURITY SURVEY PROGRAMS.

**This Matter was adopted by Resolution Number 2010-172 on the Consent Agenda.**

City Clerk Item No. 27

**RESOLUTION NO. 2010-173****C.-23. 10-0532**

Resolution authorizing Darden Restaurants to screen the construction site at 321 Miracle Mile with signage materials highlighting Seasons 52 Fresh Grill.

**Attachments:** [Resolution - 8-24-10.pdf](#)  
[Coral Gables Barricade Art Panel 1 of 2 081710 \(2\)](#)  
[Coral Gables Barricade Art Panel 2 of 2 081710 \(2\)](#)  
[C-23 Signed Cover Memo](#)

A RESOLUTION AUTHORIZING DARDEN RESTAURANTS TO SCREEN THE CONSTRUCTION SITE AT 321 MIRACLE MILE WITH SIGNAGE MATERIALS HIGHLIGHTING SEASONS 52 FRESH GRILL.

**This Matter was adopted by Resolution Number 2010-173 on the Consent Agenda.**

City Clerk Item No. 28

**RESOLUTION NO. 2010-174****C.-25. 10-0545**

Resolution authorizing execution of the Third Addendum to Solid Waste and Recycling Collection Service Contract (Third Addendum) with Waste Management, Inc. of Florida (WMIF).

**Attachments:**

[082410-Cover Memo-Third WMIF Addendum.pdf](#)  
[082410-RESOLUTION- Third WMIF Addendum.pdf](#)  
[082410- Third Addendum to WMIF Contract.pdf](#)  
[C-25 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXECUTION OF THE THIRD ADDENDUM TO SOLID WASTE AND RECYCLING COLLECTION SERVICE CONTRACT WITH WASTE MANAGEMENT INC., OF FLORIDA.

**This Matter was adopted by Resolution Number 2010-174 on the Consent Agenda.**

City Clerk Item No. 29

**RESOLUTION NO. 2010-175****C.-26. 10-0538**

Resolution authorizing an agreement with the International Association of Firefighters, Local 1210, regarding payroll overpayments of sworn fire personnel, specifically authorizing the collection of monies as provided for in an overpayment pay-plan agreement to be individually executed by said sworn fire personnel; further, authorizing legal remedies, if applicable.

**Attachments:**

[Firefighters Payroll Overpayments Resolution](#)  
[Agreement between City & Int. Asso of Firefighter](#)  
[Firefighters Payroll Overpayments Cover Memo\\_2](#)  
[C-26 Signed Cover Memo](#)

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1210 REGARDING PAYROLL OVERPAYMENTS OF SWORN FIRE PERSONNEL, SPECIFICALLY AUTHORIZING THE COLLECTION OF MONIES AS PROVIDED FOR IN AN OVERPAYMENT PAY-PLAN AGREEMENT TO BE INDIVIDUALLY EXECUTED BY SAID SWORN FIRE PERSONNEL; FURTHER, AUTHORIZING LEGAL REMEDIES, IF APPLICABLE.

**This Matter was adopted by Resolution Number 2010-175 on the Consent Agenda.**

City Clerk Item No. 30

**Item C-28 has been deferred**

C.-28. 10-0512 Resolution accepting the recommendation of the Chief Procurement Officer to award a contract for Construction of Street Improvements to Metro Express Paving Company pursuant to unit pricing bid under Invitation For Bid (IFB) 2010.07.15, and Section 2-828 of the Procurement Code for a period running until September 30, 2011 with an option to renew for two (2) additional years. (Deferred from the August 24, 2010 City Commission Meeting)

**Attachments:** [Tabulation Sheet.pdf](#)  
[Written Determination.pdf](#)  
[Bid Response.pdf](#)  
[C-28 Signed Cover Memo](#)  
[Draft Reso \(2\).pdf](#)

**This Resolution was Deferred**

City Clerk Item No. 1

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

C.-29. 10-0426 Code Enforcement Board Meeting of June 16, 2010

**Attachments:** [memo cover June 2010](#)  
[ROLLCALLJUNE 2010](#)  
[june 2010 recap](#)

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

City Clerk Item No. 31

C.-30. 10-0478 Historic Preservation Board Meeting of June 17, 2010

**Attachments:** [HPB Minutes June 17, 2010](#)  
[NoAction06.17.10.MinutesforCC08.24.10](#)

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

City Clerk Item No. 32

C.-31. 10-0479 Code Enforcement Board Meeting of July 21, 2010

**Attachments:** [memo cover July 2010](#)  
[ROLLCALLJULY 2010](#)  
[july recap 2010](#)

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

City Clerk Item No. 33

C.-32. 10-0483 Communications Committee Meeting of June 17, 2010

**Attachments:** [Microsoft Word - communicationsminutesagendaugust010.pdf](#)  
[Microsoft Word - minutes june 2010.pdf](#)

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

City Clerk Item No. 34

C.-33. 10-0489 Senior Citizens Advisory Board Meeting of June 7, 2010

**Attachments:** [Cover Sheet Minutes 06-07-10.pdf](#)  
[Min 06-07-2010 draft.pdf](#)

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

City Clerk Item No. 35

C.-34. 10-0498 Cultural Development Board Meeting of June 3, 2010

**Attachments:** [06 CDB Commission cover for 6-3-10 Minutes.pdf](#)  
[09 CDB a Minutes JUNE 3 2010.pdf](#)

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

City Clerk Item No. 36

C.-35. 10-0504 International Affairs Coordinating Council Meeting of July 20, 2010

**Attachments:** [Microsoft Word - Agenda Cover Memo 07-20-10](#)  
[Microsoft Word - IACCMinutes07-20-10](#)  
[AddendumIACC7-20-2010](#)

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

City Clerk Item No. 37

C.-36. 10-0507 Property Advisory Board Meeting of July 21, 2010

**Attachments:** [PAB Commission Cover 7-21-10.pdf](#)  
[PAB 7-21-10 Mtg Minutes Final.pdf](#)

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

City Clerk Item No. 38

C.-37. 10-0518 Retirement Board Meeting of June 10, 2010

**Attachments:** [CC.08-24-2010.June 10, 2010](#)  
[Executive Summary.06-10-2010](#)  
[Minutes.06-10-10](#)

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

City Clerk Item No. 39

**Pulled from Consent Agenda**

**RESOLUTION NO. 2010-176**

C.-4. 10-0496 Resolution granting permission to Miami-Dade Public Schools for use of Phillips Park for public school activities for the 2010-2011 school year in accordance with Education Compact, as specified in Resolution 2006-57.

**Attachments:** [Miami-Dade Public Schools Resolution.pdf](#)  
[Cover Memo for Miami Dade Public Schools.pdf](#)  
[Merrick Educational Center Resolution 2006-57.pdf](#)  
[C-4 Signed Cover Memo](#)

RESOLUTION GRANTING PERMISSION TO MIAMI-DADE PUBLIC SCHOOLS USAGE OF PHILLIPS PARK FOR PUBLIC SCHOOL ACTIVITIES FOR THE 2010-2011 SCHOOL YEAR, IN ACCORDANCE WITH EDUCATION COMPACT AS SPECIFIED IN RESOLUTION NO. 2006-57.

[Note for the Record: Questions, Comments, Inquiries and Concerns from the City Commission: Commissioner Withers informed the viewing public that he is fully supportive of Agenda Item C-4, he wants it understood that it is not a precedent setting vote for other parts of the city.

Mayor Slesnick stated that he believes people will read into it as they see fit. Commissioner Cabrera stated that there has been precedent established for said matters, citing the Charter High School that is located on the corner of LeJeune and Alhambra Circle. Commissioner Withers responded that he does not remember there being a resolution passed by the Coral Gables City Commission authorizing them to establish said facility. Commissioner Anderson stated that most of the precedent setting initiatives have been policy issues rather than legislative initiatives; further stating that she prefers that said matters come before the City Commission.

Mayor Slesnick stated that our City Commission signed a partnership agreement with the Miami-Dade School Board, approximately 4 or 5 years ago; further stating that the School Board has been living up to its end of the bargain, adding that said initiative has just started “bearing fruit” with the announcement of a new International Studies High School, with increased programming from Spain, Italy, etc.; further adding that Coral

Gables Elementary School Preparatory Academy was expanded from grades K through 8th. In closing, Mayor Slesnick added that he wanted to thank outgoing School Board Member Gus Ferrera, who will be retiring, noting that said initiative will provide great opportunities, more educational opportunities for parents in the area].

**A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-176. The motion passed by the following vote:**

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

City Clerk Item No. 40

### **RESOLUTION NO. 2010-177**

**C.-5. 10-0499**

Resolution authorizing an amendment to the existing contract with South Florida Maintenance Services, Inc., entitled "Landscape Maintenance of Various Locations in the City of Coral Gables, FL DPS #2001-01", for the purpose of adding the maintenance of US #1 and MacFarlane Linear Park.

**Attachments:** [Contract.Reso and proposal pages from 2001 SFM inc. contract](#)  
[SFM - US # 1 OFFER LETTER 8.2010](#)  
[C-5 Signed Cover Memo](#)  
[South Florida Maintenance Addendum 1](#)  
[South Florida Maintenance Resolution](#)

RESOLUTION AUTHORIZING AN AMENDMENT TO THE EXISTING CONTRACT WITH SOUTH FLORIDA MAINTENANCE SERVICES, INC., ENTITLED "LANDSCAPE MAINTENANCE OF VARIOUS LOCATIONS IN THE CITY OF CORAL GABLES, FLA. DPS #2001-01", FOR THE PURPOSE OF ADDING THE MAINTENANCE OF U.S. HIGHWAY 1 AND MACFARLANE LINEAR PARK.

[Note for the Record: Questions, Comments, Inquiries and Concerns from the City Commission: Commissioner Cabrera prefaced his remarks by noting that the proposed resolution authorizing an amendment to the existing contract with South Florida Maintenance Services, Inc, entitled "Landscape Maintenance of Various Locations in the City of Coral Gables," for purposes of adding the maintenance of US-1 and MacFarlane Linear Park; further informing the viewing audience that his reason for pulling said matter from the Consent Agenda is because he would like to see the city go out again for bid in the future; further noting that this relationship with South Florida Maintenance Services, Inc. began in 2002 and ends in 2011; further stating that said contractual relationship represents a lot of money, and there is an opportunity to reap some savings by going out to bid.

Vice Mayor Kerdyk stated that what stuck out for him was that we are decreasing the amount of money that we are paying the service provider by 11.4 percent, adding that

staff has decreased the contractual amount with South Florida Maintenance Services, Inc., and gone back to renegotiate with the contractor.

Commissioner Cabrera noted that the existing contract represents a lot of money, and the contractual relationship has been on-going for a number of years; further adding that in his opinion it would be a good exercise to go out to bid sooner than later, realizing that there are certain contractual terms that the city is bound by].

**A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-177. The motion passed by the following vote:**

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

City Clerk Item No. 41

### **RESOLUTION NO. 2010-178**

**C.-8. 10-0506**

Resolution accepting the recommendation of the Chief Procurement Officer to award a contract for Medical Director Services to Frederick Keroff, M.D., through InPhyNet South Broward, Inc. d/b/a Team Health Southeast in the amount of \$66,000 (sixty-six thousand dollars) per year pursuant to request for Proposals (RFP) 2010.06.24 and Section 2-828 of the Procurement Code for an initial three (3) year contract with an option to renew for one (1) additional two (2) year period.

**Attachments:** [Bid Tabulation.pdf](#)  
[Proposal Response.pdf](#)  
[Selection Committee Evaluation.pdf](#)  
[Draft Resosution.pdf](#)  
[C-8 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD A CONTRACT FOR MEDICAL DIRECTOR SERVICES TO FREDERICK KEROFF, M.D., THROUGH INPHYNET SOUTH BROWARD, INC. D/B/A TEAM HEALTH SOUTHEAST IN THE AMOUNT OF \$66,000 (SIXTY-SIX THOUSAND DOLLARS) PER YEAR PURSUANT TO REQUEST FOR PROPOSALS (RFP) 2010.06.24 AND SECTION 2-828 OF THE PROCUREMENT CODE FOR AN INITIAL THREE (3) YEAR CONTRACT WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL TWO (2) YEAR PERIOD.

[Note for the Record: Questions, Comments, Inquiries and Concerns from the City Commission: Commissioner Cabrera prefaced his remarks by stating that said matter had to do with the acceptance of a recommendation of the Chief Procurement Officer to award a contract for Medical Director Services to Frederick Keroff, MD; further stating that much of this issue has to do with staff looking at the existing relationship and cost options; further noting that the city has contracted with a Broward County provider; further suggesting that the city would want to encourage said provider to do

their best to develop relationships with hospitals in the city of Coral Gables and in Miami-Dade County.

Commissioner Cabrera, citing his experience in the healthcare field, stated that Broward County and Miami-Dade County are miles apart, worlds apart, noting that the contractual relationship with a Broward provider was done for cost saving purposes; further emphasizing that it is critical that said provider develops the proper relationships within Coral Gables and Miami-Dade County and within a certain radius within our city limits.

Mayor Slesnick stated that he thinks that the city has been served well by our present provider, namely by Dr. Gallagher; further stating that he thought that the city was contemplating continuing said services by hiring Mr. Gallagher as a part-time employee, adding that he does know what happened to said option; further noting that in his opinion, it is sad to change a doctor who was providing qualified services to the city; further pointing out that the proposal was made to bring Dr. Gallagher to the Fire Department, however, he never did get a clear understanding as to whether this proposal was considered or not.

Fire Chief Reed stated that he had discussed said matter with the City Manager, considering the pros and cons of said proposal, and whether this proposal would benefit the city or not; further concluding that it would be more advantageous to have a doctor who brings his own insurances as the city has done in the past; further pointing out that Dr. Gallagher has done a great job; however, further adding that he has also worked with Dr. Keroff who has a rich history working with Doctors Hospital, South Miami Hospital, having worked with Miami Beach, and considers him an excellent medical director.

Commissioner Cabrera informed the Administration that in looking at the document, more specifically the Request for Proposal (RFP 2010.24) Evaluation Criteria, that one of the lowest assigned weighted points given to Dr. Keroff by the evaluation team under criteria, was under the section entitled "History of Affiliation with hospitals serving the Coral Gables Community"; further pointing out that he has a responsibility to review the contractor's affiliations with those hospitals serving the Coral Gables Community, and the development of those affiliations; further informing his colleagues that he just wanted to voice his concerns regarding said matter.

Fire Chief Reed stated that Dr. Keroff is an excellent medical director with a proven history. City Manager Salerno stated that Commissioner Cabrera's comments were well taken; further pointing out that had Chief Reed not talked to the people on Miami Beach, then the city of Coral Gables would not have gone forward; further adding that regarding the issue of a part-time city employee, Mr. Salerno added that the city wanted to separate itself from the position of medical director; finally pointing out that

the cost savings from going with this approach is an estimated \$100,000.

Commissioner Cabrera pointed out that the contract with Dr. Keroff was not for \$66,000, but was for \$107,310, which covers a six-month period, which was the time left on the contract with Jackson Health Systems].

**A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-178. The motion passed by the following vote:**

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

City Clerk Item No. 42

**RESOLUTION NO. 2010-179**

**C.-9. 10-0513**

Resolution accepting the recommendation of the Chief Procurement Officer to award William Riehl Investigations Inc., the contract for Background Investigation Services at a rate of \$60.00 per hour, not to exceed \$60,000.00 (sixty thousand dollars) annually, pursuant to IFB 2010.07.02 and Section 2-828 of the Procurement Code for an initial three (3) year term with two (2) additional one (1) year renewal options.

**Attachments:**

[9.1 IFB 2010.07.02 Tabulation Sheet](#)

[Background Investigation Services - William Riehl Response](#)

[Background Investigation - Draft Agenda \(2\) JVR081810](#)

[Background Investigation - Draft Resolution \(2\) JVR081810](#)

[C-9 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD TO WILLIAM RIEHL INVESTIGATIONS, INC., THE CONTRACT FOR BACKGROUND INVESTIGATION SERVICES AT A RATE OF \$60.00 PER HOUR, NOT TO EXCEED \$60,000.00 (SIXTY THOUSAND DOLLARS) ANNUALLY, PURSUANT TO IFB 2010.07.02 AND SECTION 2-828 OF THE PROCUREMENT CODE FOR AN INITIAL THREE (3) YEAR TERM WITH TWO (2) ADDITIONAL ONE (1) YEAR RENEWAL OPTIONS.

[Note for the Record: Commissioner Cabrera prefaced his remarks by stating that this item accepts the recommendation of the Chief Procurement Officer to award William Riehl Investigations Inc., the contract for Background Investigation Services at a rate of \$60 per hour, not to exceed \$60,000 annually for an additional three (3) year term with two (2) additional one (1) year renewal options; further pointing out to his colleagues that the reason that he brought up said item is to become better informed; further stating that he was curious with the ability of our own Police Department as to why the city would want to use an outside service?]

In response to the request by City Manager Salerno to have Police Chief Naue address the aforementioned issue, Chief Naue explained that his department had

previously performed said services in-house, however personnel would have to conduct said services on their off-hours; some services were investigative, some were administrative; further explaining that in paying overtime, the department ended up paying more for said background investigative services. Chief Naue further reiterated that by paying staff overtime, plus fringe benefits, the negative trickling down effect of same, necessitated the department to seek private professional services to conduct background investigations for selection and hiring of new police officers. Chief Naue informed the City Commission that Mr. Riel had performed background investigation services before, having been an FTA Agent, having worked in Philadelphia, and with other federal agencies. Therefore, he explained that he felt the department could get the “best bang for the buck” by getting the most comprehensive background check available, in the shortest time possible, at the best price].

**A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-179. The motion passed by the following vote:**

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

City Clerk Item No. 43

### **RESOLUTION NO. 2010-180**

**C.-24. 10-0537**

Resolution entering into a renewal lease with Robert Maguire for the Granada Snack Shop located at 2001 Granada Boulevard, Coral Gables, Florida, for a period of three (3) years with a one (1) year option.

**Attachments:** [Commission cover 8.24.10 \(Burger Bob\)](#)  
[Resolution - 8-24-10 \(Burger Bob's\)](#)  
[Proposed Lease](#)  
[PAB 8-19-10 Mtg Minutes - EXCERPT on Burger Bobs Lease.pdf](#)  
[C-24 Signed Cover Memo](#)

**A RESOLUTION AUTHORIZING THE EXECUTION OF RENEWAL LEASE WITH ROBERT MAGUIRE FOR THE GRANADA SNACK SHOP LOCATED AT 2001 GRANADA BOULEVARD, CORAL GABLES, FLORIDA, FOR A PERIOD OF THREE (3) YEARS WITH A ONE (1) YEAR OPTION.**

[Note for the Record: Commissioner Cabrera stated that this item involved a resolution entering into a lease agreement with Robert McGuire for the Granada Snack Shop located at 2001 Granada Boulevard Coral Gables, Florida for a period of three (3) years with one (1) year option.

Commissioner Cabrera stated that this item had a certain sentimental value to him and his family. Commissioner Cabrera stated that he had problems with the second paragraph of the lease between the city of Coral Gables and Robert McGuire d/b/a

Granada Snack Shop, which reads as follows:

“Tenant will continue to lease from landlord the property, equipment and furnishings and furniture, provided however that Tenant shall reimburse landlord for the cost to ensure property, equipment, furnishings and furniture belonging to Landlord...”

Commissioner Cabrera stated that he thinks that said provision in the retail lease agreement with Burger Bob’s is wrong; further stating that Burger Bob’s is a landmark in our city; further stating that the city has a tenant who pays his rent on time, and people in the neighborhood love to have breakfast there after church, or to have a later lunch there; further adding that when the city fixed the roof at said facility, that the city did not cut him any slack; further urging that the Administration remove that section from the retail agreement that requires the landlord to obtain insurance covering the tenant improvements, equipment, furniture and fixtures provided to the tenant by landlord, which cost along with the tenant’s proportionate share of the landlord’s cost to ensure the building structure....Tenant’s proportionate share shall be determined by multiplying a fraction, the numerator of which is tenant’s leasable floor area and the denominator of which is the total leasable area of the building, by the allocated cost of insurance for the property of which the premises is a part; further stating that the city should not do this to a tenant who has consistently performed more than any other tenant in the city.

Commissioner Cabrera further explained to the viewing public that had it not been for the efforts of our City Manager when he first began his tenure with the city, Mr. McGuire would still have an unpainted restaurant, along with shabby tables and chairs.

Mayor Slesnick stated that Bob McGuire is a friend; but citizens in Coral Gables should not be subsidizing a commercial operator, noting that the city needs to cover cost; further stating that to the best of his knowledge, he has been informed that the city is now charging the above referenced insurance cost to all of its leaseholders, like the Miracle Theater, who also pays its rent on time.

Commissioner Cabrera in response to the Mayor stated that unlike him, he has not had the benefit of a conversation with the City Manager; further stating that if Burger Bob’s is costing the city money, then this should stop. However, he is willing to bet money on the fact that Burger Bob’s does not even know this. Therefore, the city administration should be having this conversation with other businesses.

Vice Mayor Kerdyk inquired as to whether the city staff is having this conversation with Mr. McGuire?-whereby Commissioner Cabrera informed his colleague that the contract is before the City Commission for approval; further pointing out that had he not raised the aforementioned issues, it would have gone forward without any objection.

In responding to Commissioner Cabrera’s concerns, City Manager Salerno stated that

he was in agreement with Commissioner Cabrera; further stating that since his arrival, he has had the opportunity to acknowledge that Burger Bob's is an institution; further adding that after realizing same, that has mitigated his thoughts in his dealings with said restaurant.

Mr. Salerno stated that Burger Bob's has a very attractive lease in which there are certain obligations that the city was paying (i.e. utilities, electric, insurance, water, gas); further noting that the city is subsidizing Burger Bob's because the rent was not covering all of the utility cost that the city is paying; further noting that he wanted to be sure that the city was in a break even scenario. Because of this, Burger Bob's has agreed to a 4 percent increase.

Department of Sustainability Director Cyndi Birdsill added that Bob McGuire is a great guy. She acknowledged that she did go through the numbers with him, and he had no problems with them. Commissioner Cabrera stated that he did have problems with this.

Mrs. Birdsill further added that the city is getting the insurance under its own policy, in order to obtain the best rate.

Commissioner Cabrera made a motion to modify the proposed retail agreement, thereby excluding the herein below referenced section X entitled "Insurance" A(3) of said agreement:

"...Landlord shall obtain other insurance covering the Tenant improvements, equipment, furniture and fixtures provided to tenant by landlord, which cost, along with tenants proportionate share of the landlord's cost to insure (i) the building structure (but not Tenants personal property, which remain Tenants obligation to insure) for all risk coverage including windstorm, and (ii) any deductible required to be paid with regard to Landlord's policies shall be paid to Landlord by Tenant annually within thirty (30) days of receipt of an invoice therefor. Tenant's proportionate share shall be determined by multiplying a fraction, the numerator of which is Tenant's leasable floor area and the denominator of which is the total leasable area of the building, by the allocated cost of insurance for the property of which the premises is part..."

The aforementioned motion died for lack of a second. Thereafter, Vice Mayor Kerdyk made a motion, which was seconded by Commissioner Anderson, to approve Agenda Item C-24, as presented].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-180. The motion passed by the following vote:**

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

**Nay**s : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 44

**RESOLUTION NO. 2010-181**

**C.-27. 10-0543**

Resolution authorizing entering into a renewal lease with Graziano's Gourmet in the Gables, LLC, with regard to City owned property at 2301 Galiano Avenue, Coral Gables, Florida for a period of five (5) years with a five (5) year option.

**Attachments:** [Cover Sheet](#)

[Proposed Renewal Lease](#)

[Resolution - 8.24.10 \(Grazianos\)](#)

[PAB 8-19-10 Mtg Minutes - EXCERPT on Grazianos Lease.pdf](#)

[C-27 Signed Cover Memo](#)

RESOLUTION AUTHORIZING ENTERING INTO A RENEWAL LEASE WITH GRAZIANO'S GOURMET IN THE GABLES, LLC, WITH REGARD TO CITY OWNED PROPERTY AT 2301 GALIANO AVENUE, CORAL GABLES, FLORIDA FOR A PERIOD OF FIVE (5) YEARS WITH A FIVE (5) YEAR OPTION.

[Note for the Record: Commissioner Cabrera stated that this item is a resolution authorizing entering into a renewal lease agreement with Graziano's Gourmet in the Gables, LLC with regard to city owned property at 2301 Galiano Avenue, Coral Gables, Florida for a period of five (5) years with a five (5) year option.

Commissioner Cabrera stated that his business office is across the street on Giralda from said establishment, and that he used to patronize said establishment; further stating that he had introduced himself to the owner, who had queried him as to whether he was a City Commissioner?-whereby he responded in the affirmative. Commissioner Cabrera stated that said individual proceeded to tell him that Coral Gables was one of the most unfriendly cities toward business enterprises.

Commissioner Cabrera further mentioned that he had a problem with the contract, having expressed his displeasure with same, particularly as it relates to the operating expenses (i.e. Tenant had not been paying any share of operating expenses or insurance costs for the building; it will now pay 50 percent of its proportionate share of common area expenses, cooling tower expenses, and building insurance at the actual rate for the first lease year, and then its payment will be capped five (5) percent each year, so that it cannot increase more than five (5) percent a year; further adding that the cap will be reset at the beginning of the renewal term.

Vice Mayor Kerdyk reminded his colleagues that he also supported the price per square foot methodology in calculation of the rent because it is, an off-location or a Class "B" location; further adding that on Miracle Mile, that deals are being signed for \$28 triple net, which is not substantially more than the \$22.50, that the City is getting; further reminding his colleagues that the city is in dire economic times, adding that if the

City did not exercise its discretion in signing a deal an existing tenant (with a 6,000 square foot space), we may not have made a prudent decision in the best interest of the City.

Mayor Slesnick indicated that he may want to have a word with whoever is the operator of this establishment].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-181. The motion passed by the following vote:**

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

**Nay**s : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 45

#### **D. PERSONAL APPEARANCES**

D.-1. **10-0491** Update on the Village of Merrick Park by Vice President of Merchandising, Janet Bedin, and General Manager, Lee Davidson.

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

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 46

## E. PUBLIC HEARINGS

Anyone who wishes to address the City Commission on an item to be considered for public hearing must fill out a Speaker Card and turn it in to the City Clerk. Speaker Cards can be obtained on the credenza located outside the Office of the Mayor, during the day of the City Commission Meeting.

## APPEAL

E.-1. **10-0501** Case File LHD 2003-18 REVISED  
Lowell J. Kuvin, applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Historic Preservation Board at its regular meeting of May 20, 2010.

**Summary of Appeal:**

The Historic Preservation Board at its regular hearing on May 20, 2010 made a motion to deny the de-designation of the historic designation of the property at 1044 Coral Way, legally described as Lot 1 and the west 32 feet of Lot 2, Block 11, Coral Gables Section "A", PB 5-102. (Passed unanimously 8-0). The applicant is appealing the decision of the Historic Preservation Board to deny the removal of local historic landmark status from the property. (Deferred from the August 24, 2010 City Commission Meeting)

**Attachments:** [5-20-10HPB Mtg Verbatim Minutes](#)  
[1044 Coral Way - Appeal Documents](#)  
[HPB Minutes March 2004-Dec 2007](#)  
[APRIL 2009 HPB Package](#)  
[J Meyers Email](#)  
[LHD 2003-18 REV](#)  
[LKuvin APRIL 2010 Pkg](#)  
[Paul Martin letter opposing de designation](#)  
[NAT'L TRUST PRESERV INFO](#)  
[Request for Special Certificate of Approp.](#)  
[Report 1044 REVISITED](#)  
[HPB Minutes May 20, 2010](#)  
[1044 Coral Way Recap 08-24-10](#)  
[E-1 Signed Cover Memo](#)

[Note for the Record (Agenda Item E-1): Following the introduction of this item into the record, City Attorney Hernandez stated that said issue is a request for an appeal filed by the property owner with regard to development of said property at 1044 Coral Way; further stating that on June 21, 2007, Assistant City Attorney Lourdes Alfonsin attempted to bring up a motion stating that the de-designation of the historic designation of the property at 1044 Coral Way is barred by the doctrine of res judicata; further informing the City Commission that she has two cases relating to the doctrine of res judicata, reiterating to the City Commission that since said matter has already been heard, this appeal is barred by the doctrine of res judicata, that she would ask the City Administration to dismiss this appeal and allow applicant to move forward through the Court system.

Mayor Slesnick gave the attorney for the applicant a chance to introduce himself. Mr.

Lowell K. Kuvin, Esquire stated that he was not presented with either of the aforementioned cases mentioned by the City Attorney, adding that he felt that he should have been given copies of same; further stating that the City Attorney should have given a cross appeal; further stating that the argument of res judicata was rejected by the Historic Preservation Board which was held on May 20, 2010; it was the City staff's burden to prove res judicata; City staff did not show that the facts in 2010 were the same as in 2007. Therefore the doctrine of res judicata did not apply to the Toyos' request for designation; there was no cross appeal presented in said documents; further describing same as an appeal by ambush.

City Attorney Hernandez stated that an applicant is always entitled to file an application on new grounds, on different issues, or new facts; further adding that until one goes to a new hearing, one is unaware of what is before the Board; further adding that if one were to look at the case that is before the City Commission, this is the same case for de-designation which had been denied by the HEP Board in Calendar Year 2007. She further informed the City Commission that whether the Board members are legal scholars or not, that the Coral Gables City Commission is present to review issues as a matter of law on an appeal from a party, and this City is barred from renewing its position with regard to any legal issue raised; further stating that obviously Mr. Kuvin was on notice that this issue was coming back because Ms. Alfonsin, and he quotes from the transcript, tried to bring said matter up during the HEP Board hearing, so there was no ambush here.

Mayor Slesnick informed Mr. Kuvin that the City Attorney had opined to the City Commission that said appeal is not properly before the governing body; further referencing the point that Mr. Kuvin had mentioned that he had been ambushed stating that in his opinion he did not feel that the City Attorney had ambushed him; further requesting of Mr. Kuvin as to whether or not he would like to address the City Attorney's legal issues between now and the next City Commission Meeting of September 14, 2010. Mr. Kuvin informed the City Commission that he wanted to communicate with his client, Waldo and J.C. Toyos. Mayor Slesnick informed him that the City Commission would table the matter for now and come back to Agenda Item E-1, following his discussion with his client.

Following a discussion with his client, Waldo and J.C. Toyos. Mr. Kuvin stated that he on behalf of his clients agreed to a deferral on said issue. Mayor Slesnick requested of Mr. Kuvin to submit his legal arguments on said matter to the City Commission before the next City Commission meeting in order that the governing body can properly contemplate and digest same; further suggesting that he work with the City Attorney's Office, if he has any further questions.

Commission Withers further requested clarification regarding what matter would be

coming back on September 14th, 2010?-whereby Mayor Slesnick stated that a vote on the legal issue, whether said matter was appropriately before the City Commission, if it is decided in the affirmative, then the City Commission would move on the subject matter. If not, then the appeal would be dismissed].

**This Appeal was Deferred**

City Clerk Item No. 47

City Clerk Item No. 51

**ORDINANCES ON SECOND READING**

**Items E.-2 and E.-3 are related**

**ORDINANCE NO. 2010-14**

**E.-2. 10-0419**

Change of Land Use. An Ordinance of the City Commission of Coral Gables amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from "Residential Use (Single-Family) Low Density" to "Parks and Recreation" for a 0.48 acre parcel, to allow for future development as a green space and/or neighborhood park, legally described as Lots 11-14, Block 77, Coral Gables Country Club Section 5 (4650 Alhambra Circle), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote 6-0) (Passed on First Reading July 13, 2010)

**Attachments:**

[07 13 10 CC Cover Memo - 4650 Alhambra Cir - 1st Reading](#)

[07 13 10 Exhibit A: Ordinance - Change of Land Use - 4650 Alhambra - 1st Read](#)

[07 13 10 Exhibit B: Ordinance - Change of Zoning - 4650 Alhambra - 1st Reading](#)

[07 13 10 Exhibit C: 06 09 10 PZB Meeting Minutes](#)

[07 13 10 Exhibit D: 06 09 10 Staff Report and attachments](#)

[07 13 10 Exhibit E: Updated comments and DCA form](#)

[E-3&E-4 Signed Cover Memo](#)

[08 24 10 Exhibit A: Ordinance - Change of Land Use - 4650 Alhambra - 2nd Read](#)

[08 24 10 Exhibit B: Ordinance - Change of Zoning - 4650 Alhambra - 2nd Readin](#)

[08 24 10 CC Cover Memo - 4650 Alhambra Cir - 2nd Reading](#)

[E-2 &E-3 Signed Cover Memo](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES AMENDING THE FUTURE LAND USE MAP OF THE CORAL GABLES COMPREHENSIVE PLAN PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO SS. 163.3187, FLORIDA STATUTES, FROM "RESIDENTIAL USE (SINGLE-FAMILY) LOW DENSITY" TO "PARKS AND RECREATION" FOR A 0.48 ACRE PARCEL, TO ALLOW FOR FUTURE DEVELOPMENT AS A GREEN SPACE AND/OR NEIGHBORHOOD PARK, LEGALLY DESCRIBED AS LOTS 11-14, BLOCK 77, CORAL GABLES COUNTY CLUB SECTION 5 (4650 ALHAMBRA CIRCLE), CORAL GABLES, FLORIDA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the title to Agenda Item E-2 into the public record by the City Attorney, hearing no request for public testimony being proffered by any member of the public, and having no further deliberation being proffered by any member of the City Commission, on a motion being made by Commissioner Withers and seconded by Vice Mayor Kerdyk, Mayor Slesnick instructed the City Clerk to call the roll on Agenda Item E-2].

**A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2010-14. The motion passed by the following vote:**

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

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

City Clerk Item No. 48

### **ORDINANCE NO. 2010-15**

**E.-3. 10-0420**

Change of Zoning. An Ordinance of the City Commission of Coral Gables approving a change of zoning from Single-Family Residential (SFR) District to Special Use (S) District for a 0.48 acre parcel, to allow for future development as a green space and/or neighborhood park, legally described as Lots 11-14, Block 77, Coral Gables Country Club Section 5 (4650 Alhambra Circle), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 6-0) (Passed on First Reading July 13, 2010)

**Attachments:**

[07 13 10 CC Cover Memo - 4650 Alhambra Cir - 1st Reading](#)

[07 13 10 Exhibit A: Ordinance - Change of Land Use - 4650 Alhambra - 1st Read](#)

[07 13 10 Exhibit B: Ordinance - Change of Zoning - 4650 Alhambra - 1st Reading](#)

[07 13 10 Exhibit C: 06 09 10 PZB Meeting Minutes](#)

[07 13 10 Exhibit D: 06 09 10 Staff Report and attachments](#)

[07 13 10 Exhibit E: Updated comments and DCA form](#)

[E-3&E-4 Signed Cover Memo](#)

[08 24 10 Exhibit A: Ordinance - Change of Land Use - 4650 Alhambra - 2nd Read](#)

[08 24 10 Exhibit B: Ordinance - Change of Zoning - 4650 Alhambra - 2nd Readin](#)

[08 24 10 CC Cover Memo - 4650 Alhambra Cir - 2nd Reading](#)

[E-2 &E-3 Signed Cover Memo](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING A CHANGE OF ZONING FROM SINGLE-FAMILY RESIDENTIAL (SFR) DISTRICT TO SPECIAL USE (S) DISTRICT FOR A 0.48 ACRE PARCEL, TO ALLOW FOR FUTURE DEVELOPMENT AS A GREEN SPACE AND/OR NEIGHBORHOOD PARK, LEGALLY DESCRIBED AS LOTS 11-14, BLOCK 77, CORAL GABLES COUNTY CLUB SECTION 5 (4650 ALHAMBRA CIRCLE), CORAL GABLES, FLORIDA; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the title to Agenda Item E-3 into the public record by the City Attorney, hearing no request for public testimony being

proffered by any member of the public, and having no further deliberation being proffered by any member of the City Commission, on a motion being, made by Vice Mayor Kerdyk and seconded by Commissioner Anderson, Mayor Slesnick instructed the City Clerk to call the roll on Agenda Item E-3].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Ordinance Number 2010-15. The motion passed by the following vote:**

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

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

City Clerk Item No. 49

**ORDINANCE NO. 2010-16****E-4. 10-0421**

Change of Land Use. An Ordinance of the City Commission of Coral Gables amending the Future Land Use Map of the Coral Gables Comprehensive Plan pursuant to small scale amendment procedures subject to ss. 163.3187, Florida Statutes, from "Commercial Use, Mid-Rise Intensity" to "Commercial Use, High-Rise Intensity" for the following City owned properties:

1. Lots 1-4 & 38-48, Block 20, Section "K" (2100 Block of Salzedo St.), Coral Gables, Florida;
2. Lots 22-43, Block 1, Crafts Section (300 Block of Andalusia Ave.), Coral Gables, Florida;
3. Lots 29-42, Block 2, Crafts Section (200 Block of Andalusia Ave.), Coral Gables, Florida; and, providing for severability, repealer, codification and an effective date. (PZB recommended approval, vote: 6-0) (Passed on First Reading July 13, 2010)

**Attachments:** [07 13 10 CC Cover Memo - CP change downtown properties - 1st Reading](#)

[07 13 10 Exhibit A: 1st Reading Ordinance - Change of Land Use - City properties](#)

[07 13 10 Exhibit B: 06 09 10 PZB Meeting Minutes](#)

[07 13 10 Exhibit C: 06 09 10 Staff Report and attachments](#)

[07 13 10 Exhibit D: Updated public comments w DCA form](#)

[E-5 Signed Cover Memo](#)

[08 24 10 Exhibit A: 2nd Reading Ordinance - Change of Land Use - City properties](#)

[08 24 10 Exhibit B: 06 09 10 PZB Meeting Minutes](#)

[08 24 10 Exhibit C: 06 09 10 Staff Report and attachments](#)

[08 24 10 Exhibit D: Updated public comments w DCA form](#)

[08 24 10 CC Cover Memo - CP change downtown properties - 2nd Reading](#)

[E-4 Signed Cover Memo](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE CORAL GABLES COMPREHENSIVE PLAN PURSUANT TO SMALL SCALE AMENDMENT PROCEDURES SUBJECT TO SS. 163.3187, FLORIDA STATUTES, FROM "COMMERCIAL USE, MID-RISE INTENSITY" TO "COMMERCIAL USE, HIGH-RISE INTENSITY" FOR THE FOLLOWING CITY OWNED PROPERTIES:

1. LOTS 1-4 & 38-48, BLOCK 20, SECTION "K" (2100 BLOCK OF SALZEDO ST.), CORAL GABLES, FLORIDA;
2. LOTS 22-43, BLOCK 1, CRAFTS SECTION (300 BLOCK OF ANDALUSIA AVE.), CORAL GABLES, FLORIDA;
3. LOTS 29-42, BLOCK 2, CRAFTS SECTION (200 BLOCK OF ANDALUSIA AVE.), CORAL GABLES, FLORIDA; AND,

PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

[Note for the Record: The verbatim transcript for Agenda Item E-4 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 Ordinance Number 2010-16. The motion passed by the following vote:**

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

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

City Clerk Item No. 50

**ORDINANCE NO. 2010-17**

**E.-5. 10-0466**

An Ordinance of the City Commission of Coral Gables authorizing entering into two lease amendments with The Palace Management Group, LLC, with regard to City owned property at 45 and 50 Andalusia Avenue, Coral Gables, Florida; and providing for severability, repealer, codification and an effective date. (Passed on First Reading July 13, 2010)

**Attachments:** [Palace Cover - 7-13-10](#)  
[Ordinance - Palace](#)  
[Ordinance 2007 36](#)  
[2nd Amend-Pkg Garage Lease](#)  
[2nd Amend-Residential Lease](#)  
[E-6 Signed Cover Memo](#)  
[Resolution 2009-132](#)  
[PAB 7-21-10 Mtg Minutes.pdf](#)  
[E-5 Signed Cover Memo](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES COMMISION AUTHORIZING ENTERING INTO TWO LEASE AMENDMENTS WITH THE PALACE MANAGEMENT GROUP, LLC WITH REGARD TO CITY OWNED PROPERTY AT 45 AND 50 ANDALUSIA AVENUE, CORAL GABLES, FLORIDA; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the title to Agenda Item E-5 into the public record by the City Attorney, hearing no request for public testimony being proffered by any member of the public, and having no further deliberation being proffered by any member of the City Commission, on a motion being made by Commissioner Anderson and seconded by Vice Mayor Kerdyk, Mayor Slesnick instructed the City Clerk to call the roll on Agenda Item E-5].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2010-17. 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. 52

**ORDINANCES ON FIRST READING****Items E.-6. to E.-9. are related**

**E.-6. 10-0485** Change of Zoning. An Ordinance of the City Commission of Coral Gables requesting a change of zoning from Single Family Residential (SFR) to Special Use (S) District for a 25.0 acre parcel located in the southwest corner of the property of the overall 82.5 acre parcel commonly referred to as "Fairchild Tropical Garden" (10901 Old Cutler Road), legally described as Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 7-0) (Passed on First Reading October 24, 2010)

**Attachments:** [08 24 10 Exhibit A: Ordinance - Fairchild Tropical Garden change of zoning - 1st r](#)  
[08 24 10 Exhibit B: Ordinance - Fairchild Tropical Garden ZC amendment - 1st re](#)  
[08 24 10 Exhibit C: Ordinance - Fairchild Tropical Garden Master Plan - 1st readi](#)  
[08 24 10 Exhibit D: Ordinance - Fairchild Tropical Garden PAD site plan - 1st read](#)  
[08 24 10 Exhibit E: "Covenant Running with the Land" between Fairchild Tropical](#)  
[08 24 10 Exhibit G: 07.14.10 Planning and Zoning Board meeting minutes with ite](#)  
[08 24 10 Exhibit H: Updated public comments](#)  
[08 24 10 CC Cover Memo re: Fairchild Tropical Garden 1st reading](#)  
[08 24 10 Exhibit F: 07.14.10 Planning Department Staff report](#)  
[E-6 thru E-9 Signed Cover Memo](#)  
[09 14 10 CC Cover Memo re: Fairchild Tropical Garden 2nd reading](#)  
[09 14 10 Exhibit A: Ordinance - Change of Zoning - 2nd reading](#)  
[09 14 10 Exhibit B: Ordinance - Zoning Code text amendment - 2nd reading](#)  
[09 14 10 Exhibit C: Ordinance - Master Site Plan - 2nd reading](#)  
[09 14 10 Exhibit D: Ordinance - PAD Site Plan review - 2nd reading](#)

[Note for the Record: The verbatim transcript for Agenda Item E-6 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 Cabrera, Jr., that this motion be approved as an Ordinance on First Reading. The motion passed by the following vote:**

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

City Clerk Item No. 54

**E.-7. 10-0486**

Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables requesting an amendment to Zoning Code Article 4, Section 4-204, "Special Use (S) District", providing for and listing permitted uses within a botanical garden; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 7-0) (Passed on First Reading August 24, 2010)

**Attachments:** [08 24 10 Exhibit A: Ordinance - Fairchild Tropical Garden - change of zoning - 1st](#)  
[08 24 10 Exhibit B: Ordinance - Fairchild Tropical Garden ZC amendment - 1st rea](#)  
[08 24 10 Exhibit C: Ordinance - Fairchild Tropical Garden Master Plan - 1st readir](#)  
[08 24 10 Exhibit D: Ordinance - Fairchild Tropical Garden PAD site plan - 1st read](#)  
[08 24 10 Exhibit E: "Covenant Running with the Land" between Fairchild Tropical](#)  
[08 24 10 Exhibit G: 07 14 10 PZB Mtg Minutes with items entered into the record](#)  
[08 24 10 Exhibit H: Updated public comments - Fairchild Tropical Gardens UPDA](#)  
[08 24 10 CC Cover Memo re: Fairchild Tropical Garden 1st reading](#)  
[08 24 10 Exhibit F: 07.14.10 Planning Department Staff report](#)  
[E-6 thru E-9 Signed Cover Memo](#)  
[09 14 10 CC Cover Memo re: Fairchild Tropical Garden 2nd reading](#)  
[09 14 10 Exhibit A: Ordinance - Change of Zoning - 2nd reading](#)  
[09 14 10 Exhibit B: Ordinance - Zoning Code text amendment - 2nd reading](#)  
[09 14 10 Exhibit C: Ordinance - Master Site Plan - 2nd reading](#)  
[09 14 10 Exhibit D: Ordinance - PAD Site Plan review - 2nd reading](#)

[Note for the Record: The verbatim transcript for Agenda Item E-7 is available for Public Inspection in the Office of the City Clerk and in Legistar].

**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:**

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

City Clerk Item No. 55

**E-8. 10-0487**

Master Site Plan. An Ordinance of the City Commission of Coral Gables requesting an amendment to the Master Site Plan for the property commonly referred to as "Fairchild Tropical Garden" (10901 Old Cutler Road), for a 82.5 acre parcel legally described as all of Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval: vote 7-0) (Passed on First Reading August 24, 2010)

**Attachments:**

[08 24 10 Exhibit A: Ordinance - Fairchild Tropical Garden change of zoning - 1st reading](#)  
[08 24 10 Exhibit B: Ordinance - Fairchild Tropical Garden ZC amendment - 1st reading](#)  
[08 24 10 Exhibit C: Ordinance - Fairchild Tropical Garden Master Plan - 1st reading](#)  
[08 24 10 Exhibit D: Ordinance - Fairchild Tropical Garden PAD site plan - 1st reading](#)  
[08 24 10 Exhibit E: "Covenant Running with the Land" between Fairchild Tropical](#)  
[08 24 10 Exhibit G: 07 14 10 PZB Mtg Minutes with items entered into the record](#)  
[08 24 10 Exhibit H: Updated public comments - Fairchild Tropical Gardens](#)  
[08 24 10 CC Cover Memo re: Fairchild Tropical Garden 1st reading](#)  
[08 24 10 Exhibit F: 07.14.10 Planning Department Staff report](#)  
[E-6 thru E-9 Signed Cover Memo](#)  
[09 14 10 CC Cover Memo re: Fairchild Tropical Garden 2nd reading](#)  
[09 14 10 Exhibit A: Ordinance - Change of Zoning - 2nd reading](#)  
[09 14 10 Exhibit B: Ordinance - Zoning Code text amendment - 2nd reading](#)  
[09 14 10 Exhibit C: Ordinance - Master Site Plan - 2nd reading](#)  
[09 14 10 Exhibit D: Ordinance - PAD Site Plan review - 2nd reading](#)

[Note for the Record: The verbatim transcript for Agenda Item E-8 is available for Public Inspection in the Office of the City Clerk and in Legistar].

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

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

City Clerk Item No. 56

**E.-9. 10-0488**

Planned Area Development (PAD) Site Plan Review. An Ordinance of the City Commission of Coral Gables requesting Planned Area Development (PAD) assignment and site plan review for the construction of additions to the "Science Village" buildings on the southwest corner of the property commonly referred to as "Fairchild Tropical Garden" (10901 Old Cutler Road), being an approximately 82.5 acre parcel legally described as all of Fairchild Tropical Botanical Garden Section, including Tracts 9 and 10, Avocado Land Company Subdivision, Coral Gables, Florida; and including required conditions; and providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 7-0) (Passed on First Reading August 24, 2010)

**Attachments:**

[08 24 10 Exhibit A: Ordinance - Fairchild Tropical Garden change of zoning - 1st reading](#)  
[08 24 10 Exhibit B: Ordinance - Fairchild Tropical Garden ZC amendment - 1st reading](#)  
[08 24 10 Exhibit C: Ordinance - Fairchild Tropical Garden Master Plan - 1st reading](#)  
[08 24 10 Exhibit D: Ordinance - Fairchild Tropical Garden PAD site plan - 1st reading](#)  
[08 24 10 Exhibit E: "Covenant Running with the Land" between Fairchild Tropical Garden and Avocado Land Company](#)  
[08 24 10 Exhibit G: 07 14 10 PZB Mtg Minutes with items entered into the record](#)  
[08 24 10 Exhibit H: Updated public comments - Fairchild Tropical Gardens](#)  
[08 24 10 CC Cover Memo re: Fairchild Tropical Garden 1st reading](#)  
[08 24 10 Exhibit F: 07.14.10 Planning Department Staff report](#)  
[E-6 thru E-9 Signed Cover Memo](#)  
[09 14 10 CC Cover Memo re: Fairchild Tropical Garden 2nd reading](#)  
[09 14 10 Exhibit A: Ordinance - Change of Zoning - 2nd reading](#)  
[09 14 10 Exhibit B: Ordinance - Zoning Code text amendment - 2nd reading](#)  
[09 14 10 Exhibit C: Ordinance - Master Site Plan - 2nd reading](#)  
[09 14 10 Exhibit D: Ordinance - PAD Site Plan review - 2nd reading](#)

[Note for the Record: The verbatim transcript for Agenda Item E-9 is available for Public Inspection in the Office of the City Clerk and in Legistar].

**A motion was made by Mayor Slesnick II, seconded by Commissioner Anderson, that this motion be approved as an Ordinance on First Reading. The motion passed by the following vote:**

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

City Clerk Item No. 57

**E.-10. 10-0516**

An Ordinance of the City Commission of Coral Gables amending the City Code, Chapter 2, entitled "Administration," Article XIII entitled "Procurement Code" by adding a new Section 2-777, Procedure to provide a preference to Coral Gables-based vendors in contracts for goods and general services; providing for severability, repealer and effective date. (Passed on First Reading August 24, 2010)

**Attachments:** [Draft Resolution.pdf](#)  
[E-10 Signed Cover Memo](#)

[Note for the Record: Following the City Manager's reading of the title to Agenda Item E-10 into the public record, City Manager Salerno stated that this item was brought up by Commissioner Cabrera.

Questions, Answers, Inquiries and Concerns from the City Commission: Commissioner Withers raised the following issue: Regarding the procedure to provide a preference to Coral Gables based vendors in contracts for goods and services, what specifically is the definition of a Coral Gables based vendor?

City Manager Salerno responded that a Coral Gables based vendor is a bidder who has a local business tax issued by the city at least 6 months prior to the bid; has its place of business located in the city; and Post Office boxes are not verifiable and cannot be considered as a place of business.

Commissioner Withers inquired as to what is the definition of Coral Gables base?- Whereupon City Manager responded that one has to have a business license; establish a residence in the city of 6 months; further adding that one cannot use a post office address while in the city.

Commissioner Withers further queried, using a hypothetical, what if a consultant that does not have an office in the city, but lives in the city, is this ordinance applicable to said consultant?- whereby City Manager responded in the negative stating that this ordinance does not apply to consultants. Consultants do not bid their services.

City Attorney Hernandez referencing new Code section 2-777, stated that one has to have its place of business located in the City, wherein it can provide goods to perform the general services to be purchased; further adding that said legislative measure is just for preference, further adding that all things being equal, the preference will be for a local vendor. Whereby City Manager Salerno and Withers both added a local vendor within 5 percent].

**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 Vice Mayor Kerdyk, Jr.

**Absent :** 2 - Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 58

**E.-11. 10-0544**

An Ordinance of the City Commission of Coral Gables permitting the University of Miami to exceed the date/time limitation on spectators of one thousand and six hundred spectators, notwithstanding the limitations imposed by prior UMCAD approvals, in certain limited circumstances, providing for conditions of approval; providing for a repealer provision, , savings clause; and an effective date.

**Attachments:** [Dalai Lama Agenda Cover Memo 8-24-10](#)  
[dalai lama bankk united center ordinance1](#)  
[UM Letter](#)  
[E-11 Signed Cover Memo](#)

[Note for the Record: Following City Manager Salerno's reading of the title to Agenda Item E-11 into the public record, he informed the City Commission that Sarah Artecona, Assistant Vice President, Academic Affairs, University of Miami (UM) along with a representative from the Chamber of Commerce were available for any additional questions; further stating that the UM having been very gracious in donating 500 tickets to the one-time special event with His Holiness, the Dalai Lama, in an address to the UM community on October 26, 2010, beginning 1:00-3:00 p.m.

Following the aforementioned recognition, there being no public testimony being proffered by any member of the public, and having no further deliberations being made by any member of the City Commission, on a motion being made by Commissioner Withers and seconded by Commissioner Anderson, Vice Mayor Kerdyk instructed the City Clerk to call the roll on Agenda Item E-11].

**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 Vice Mayor Kerdyk, Jr.

**Absent :** 2 - Commissioner Cabrera, Jr. and Mayor Slesnick II

City Clerk Item No. 59

**E.-12 10-0497**

An Ordinance of the City Commission of Coral Gables amending the City Code, Article 5, "Conflict of Interest and Code Of Ethics," Section 2-232, providing for the Board of Architects Members to avoid a conflict by restricting appearance, presentation or representation of a person following submission of an application; and providing for severability, repealer, codification, and an effective date. (Passed on First Reading August 24, 2010)

**Attachments:** [AgendaCoverMemoBoardofArchitects8\\_24\\_10.doc](#)  
[OrdinanceBoardofArchitects8\\_24\\_10](#)  
[E-12 Signed Cover Memo](#)  
[AgendaCoverMemoBoardofArchitects9\\_14\\_10.doc](#)

[Note for the Record: Following City Manager Salerno's reading of the title to Agenda Item E-12 into the public record, City Attorney Hernandez informed the City Commission that this matter comes before the governing body as a result of a meeting that she had with the City Architect and some anonymous person resulting from issues regarding impropriety; further stating that once a specific application has been filed with the City, a Board of Architect member may not be retained by any person, including an applicant, to represent, appear, or make a presentation on behalf of the applicant or any other party on the specific matter being considered by the Board of Architects.

Commissioner Withers queried whether or not the application field could not be reviewed by the person, or the Board?- whereby City Attorney Hernandez responded by the person, adding that there was concern about the "flow through effect."].

**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 Withers, Commissioner Anderson, Commissioner Cabrera, Jr. and Vice Mayor Kerdyk, Jr.

**Absent :** 1 - Mayor Slesnick II

City Clerk Item No. 60

## F. CITY COMMISSION ITEMS

F.-1. **10-0540** Presentation and discussion regarding the use of leaf blowers.  
Commissioner Rafael "Ralph" Cabrera, Jr.

[Note for the Record: The presentation by Commissioner Cabrera entitled "Leaf Blowers" is on file in the Office of the City Clerk.

Questions, Inquiries, Comments and Concerns from the City Commission: Mayor Slesnick stated that he has been working with the City Attorney on a softer approach to the same issue of leaf blowers which he was supposed to bring before the City Commission on this same date. However, he later asked the City Attorney to withdraw his item, in view of Commissioner Cabrera's extensive work on this matter.

Vice Mayor Kerdyk further inquired of Mayor Slesnick what was his approach regarding said issue?-whereby Mayor Slesnick stated that his approach was to limit the time, use, and lowering down onto public property and clogging of our sewers; further stating that he had ask the City Attorney to withdraw this item in order that Commissioner Cabrera may work with the City Attorney in coming up with a choice of approaches or a stronger singular approach.

Commissioner Cabrera stated that while the City Attorney's approach was comprehensive, that there was already a lot of existing language found in the City Code.

Commissioner Withers inquired of Commissioner Cabrera as to whether it was the pollutants or the noise from the electric blowers? - Because he does not want to include the electric blowers in this category. Commissioner Cabrera stated that lawn maintenance people can go into neighborhoods with lawn mowers, electric blowers and generators; further noting that lawn motors kick up as much pollen and dust as leaf blowers.

Commissioner Cabrera stated that if one does away with leaf blowers, then lawn maintenance people with lawn mowers will have three options: 1). They will have to bag their trash; secondly, they will have to rake same. There is a third option, he added. Lawn sweepers which do the same thing as leaf blowers, but it picks up the trash.

Commissioner Cabrera stated that he would be willing to consider some kind of a deviation, or modification that will allow residents to keep their leaf blowers. Mayor Slesnick stated that there is another approach, and that is muffling. Commissioner Cabrera added that the state of California leads the nation in this type of approach, and the difficulty is to find the right muffler for a given leaf blower, adding that one has to purchase a specific kind of leaf blower. Some cities have taking on a special approach wherein they offer a special price in exchange for the old one to get the new

one, similar to the practice of the Gun Exchange.

Mayor Slesnick further added that such an approach does not solve the problem of getting around the trash and putting same into the sewer; further adding that what is irritating is that people take on private trash and blows it into the street, or blows it into ones car. In summary, Mayor Slesnick asked Commissioner Cabrera on behalf of the City Commission to work with City Attorney Hernandez to bring back Commissioner Cabrera's recommendation in the form of a draft ordinance.

Commissioner Cabrera stated that he has backup documentation regarding this issue, noting that this is an important quality of life issue. Commissioner Withers inquired of City Attorney Hernandez as to whether the imposition of fines will be included in the proposed legislation? - wherein she responded affirmatively].

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 61

**G. BOARDS/COMMITTEES ITEMS****RESOLUTION NO. 2010-182****G.-1. 10-0500**

Presentation of excerpts from the minutes of the Historic Preservation Board meeting of April 15, 2010 requesting the following action with regard to CASE FILE AV 2007-01.

That the City Commission adopt a Resolution authorizing Ad Valorem tax relief for the property located at 4320 Santa Maria Street, a contributing structure within the "Florida Pioneer Village Historic District" and the "Santa Maria Street Historic District" legally described as Lots 21, 22 less S 15 FT of Lot 22, Block 93, Coral Gables Country Club Section Part 5, according to the Plat thereof, as recorded in Plat Book 23, at Page 55, of the Public Records of Miami-Dade County, Florida. The cost of the improvements is \$1,000,000.00, which would correspond to approximately \$5,250.00 per year and \$52,500.00 over ten years. (Historic Preservation Board Vote: Unanimously approved; 6 - 0. One board member recused himself).

**Attachments:** [HPBActionAdValorem4320SantaMaria.CC8.24.10](#)  
[AVreport-4320SantaMaria](#)  
[Excerpt.HPBMMinutesApril15.2010.AV200-01.4320SantaMariaSt](#)  
[HPB-04-15-10.4320StaMaria](#)  
[Resolution](#)  
[COA\(ST\)2006-076.StaffRept](#)  
[COA\(SP\)2006-017.GazeboStaffRept](#)  
[COA\(SP\)2006-09-StaffRept](#)  
[G-1 Signed Cover Memo](#)

RESOLUTION GRANTING AD-VALOREM TAX EXEMPTION FOR IMPROVEMENTS TO 4320 SANTA MARIA STREET, CORAL GABLES, FLORIDA, A CONTRIBUTING STRUCTURE WITHIN THE "FLORIDA PIONEER VILLAGE HISTORIC DISTRICT" AND THE "SANTA MARIA STREET HISTORIC DISTRICT," LEGALLY DESCRIBED AS LOTS 21, 22 LESS S 15 FT OF LOT 22, BLOCK 93, CORAL GABLES COUNTRY CLUB SECTION PART 5, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, AT PAGE 55, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

[Note for the Record: At the request of City Manager Salerno, Historic Preservation Officer Kara Kautz addressed the City Commission; further requesting that the City Commission adopt the proposed resolution authorizing Ad Valorem Tax Relief for the property located at 4320 Santa Maria Street; further presenting a power point presentation showing the before and after improvements to said property; further citing the specific improvements to said property:

- 1). General Restoration/Renovation (i.e. Replication and reinstallation of second floor porches on front (east) and side (south) of the house, that were removed during the 1960s; structural enhancements to columns and beams to support porches; replication of wood pickets and handrail to match original based on the original 1926 drawings of the house; replaced flat tile roof with dark grey slate roof tile with cooper flashing\drift

metal; installation of new doors and windows; installation of historically appropriate door hardware; installation of new cedar wood shutters; installation of cooper gutters and downspouts; replacement of wood picket balustrade at carport roof to a more appropriate style; exterior light fixtures replaced with period appropriate cooper fixtures; restoration of front entry feature; New HVAC system; mechanical electrical and plumbing upgrades; restoration of existing staircase and railing; restoration and/or replacement of wood flooring; restoration of existing interior doors; restoration of existing double hung windows; new molding where needed, replicates existing original wood molding, etc);

2). Additions (i.e. removed one story addition not original to the house; addition of two story structure at rear of house that includes a new kitchen, pantry, laundry and mud rooms, breakfast room, and family room on the first floor and a master bedroom on the second floor; installation of slate roof tile to match existing house; installation of standing seam cooper roof at entry to addition; installation of copper gutters and downspouts; flooring to match oak floors in existing house; new kitchen with period feel; new doors and wood mouldings shop-made to match existing house; installation of antique/salvaged glass doorknobs and door hardware to match those found in existing house); and

3). Removal of non-original concrete perimeter wall; installation of new cypress wood picket fence, posts and gate using details found in original 1926 drawings; construction of a new brick gazebo structure to complement the architecture of the existing house and addition; construction of a brick fountain wall at pool with integrated storage shed to screen pool and equipment; installation of new extensive landscaping; removal of existing pool and installation of new pool; installation of Old Pennsylvania brick pool deck; installation of old Pennsylvania brick walkways; Restoration of existing brick walkways and driveway, and installation of two gas post lights. Mrs. Kautz stated that the new homeowner did a fantastic job and that she recommends approval of the exemption.

Questions, Inquiries, Comments and Concerns from the City Commission: Mayor Slesnick commended Venancio Torres, previous homeowner, in doing a magnificent job in restoring said home; further stating that Santa Maria was a challenged street; further stating that this represents one of the ways that we can keep our City the way it was intended to be; further inviting the new homeowner to introduce himself into the public record.

Mr. Gary Brown informed the City Commission that he had relocated from New York; further adding that he is very fortunate to live in our city, and to live in his newly acquired home, and to have Mr. Vernancio Torres partake in such a painstaking renovation initiative; further pointing out that he and his family's obligation is to maintain

the integrity of this house on such a beautiful street. Mr. Torres added that he had promised Mr. Brown that he would help him along with the improvements as a result of his purchase of said property].

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2010-182. The motion passed by the following vote:**

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

City Clerk Item No. 53

## H. CITY MANAGER ITEMS

### **RESOLUTION NO. 2010-183**

**H.-1. 10-0536** Resolution waiving the provisions of Article VIII, Division 12 (Purchase, Sale or Lease of Public Property) of the City Code, with regard to the conveyance of a fire station property previously conveyed to the City by the University and certain waterways internal to the University campus to the University of Miami in conjunction with a proposed agreement between the City of Coral Gables and University of Miami.

**Attachments:** [UM Property Cover Memo](#)  
[UM Property Resolution](#)  
[H-1 Signed Cover Memo](#)

RESOLUTION WAIVING THE PROVISIONS OF ARTICLE VIII, DIVISION 12 (PURCHASE, SALE OR LEASE OF PUBLIC PROPERTY) OF THE CITY CODE, WITH REGARD TO THE CONVEYANCE OF A FIRE STATION PROPERTY PREVIOUSLY CONVEYED TO THE CITY BY THE UNIVERSITY AND CERTAIN WATERWAYS INTERNAL TO THE UNIVERSITY CAMPUS TO THE UNIVERSITY OF MIAMI IN CONJUNCTION WITH A PROPOSED AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND UNIVERSITY OF MIAMI.

Note for the Record: Following the reading of the title to Agenda Item H-1 by City Manager Salerno, he requested of consultant Charlie Siemen's to address the City Commission on this issue, further reminding the City Commission that Sarah Artecona was also in attendance to address any concerns that the City Commission may have on this issue.

Mr. Siemen mentioned to the City Commission that there are two groups of property under consideration for conveyance to the University of Miami as part of the development agreement that is being proposed:

1). Return of the Fire Station which was conveyed to the city by the University of Miami; further adding that it has a restriction for fire use; it has a reverter clause, but said reverter clause is not self-executing, therefore an active conveyance is required to

bring it back.

2) Internal Waterways

Mr. Siemen further noted that under our Procurement Code, that there are a number of provisions for the disposition of public property (i.e. some property can be waived individually; other pieces of property require compliance through appraisals, a public bidding process, etc.); further noting that the city has not and does not intend to build a fire station on said property; that the waterways are completely surrounded by the University of Miami campus, and that said use or value is unique only to the University of Miami; further adding that the disposition of said properties do not represent the kind of sale of city owned property which would warrant appraisals, solicitation of proposals and other administrative processes that are unnecessary in these situations, therefore, it would be an unnecessary and meaningless process given the fact that no public interest would be served, given the unique circumstances of these properties, that is why it has been requested to waive the consideration of the aforementioned requirements as more particularly outlined in our City's Procurement Code.

Questions, Inquiries, Comments and Concerns: Commissioner Withers commented that the one acre of land that the University had previously conveyed to the city on January 19, 1995 for the sole of purpose of building a Fire Station on such property, and said property has not been used as a Fire Station; further stating that said use has been used for maintenance yards and other things.

Mr. Siemen and City Attorney Hernandez pointed out that that said property has been used by the city and the University for unauthorized purposes. Commissioner Withers stated that he just wanted to make sure that no one challenges said matter because the agreement states that the only use for said property was for the construction of a Fire Station, and it was not being used for same.

City Manager Salerno added that the remaining point as contained in the legislation was the matter of there being no longer an existing agreement with the University, then this resolution would become null and void. Mayor Slesnick inquired as to where in said legislation is that issue addressed; further identifying himself Section 4 of same, wherein it states: "In the event that the Agreement is not executed and does not become effective, this Resolution shall have no force and effect"].

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-183. The motion passed by the following vote:**

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

**Absent** : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 62

**RESOLUTION NO. 2010-184**

**H.-2. 10-0510**

Resolution amending Resolution 2010-132 which established fees for various licenses, permits, services, and penalties by the City of Coral Gables, providing for severability and an effective date.

**Attachments:** [Fees Resolution](#)  
[Fees Resolution Cover](#)  
[H-2 Signed Cover Memo](#)

RESOLUTION AMENDING RESOLUTION 2010-132 WHICH ESTABLISHED FEES FOR VARIOUS LICENSES, PERMITS, SERVICES, AND PENALTIES BY THE CITY OF CORAL GABLES, PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

[Note for the Record: Following City Manager Salerno reading the title to Agenda Item H-2 into the public record, he explained that said legislation was a “glitch resolution” which addressed a number of errors, omissions, typographical errors, misspellings, etc., that occurred when Resolution No. 2010-132 was passed and adopted on July 13, 2010; further adding that the one substantive error occurred wherein a fee was set higher than it was supposed to be, said error which made its way into the adopted legislation].

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2010-184. The motion passed by the following vote:**

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

**Absent** : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 63

**H.-3. 10-0539**

Presentation of Quarterly Report for the nine months ended June 30, 2010.

**Attachments:** [H-3 Signed Cover Memo](#)  
[Quarterly Report](#)

[Note for the Record: The verbatim transcript for Agenda Item H-3 is available for public inspection in the Office of the City Clerk and in Legistar].

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

City Clerk Item No. 64

**I. CITY ATTORNEY ITEMS****RESOLUTION NO. 2010-185**

I.-1. **10-0533** A Resolution of the City Commission of the City of Coral Gables, Florida, formally initiating conflict resolution procedures provided by Chapter 164.1052, Florida Statutes, prior to initiating litigation against Miami-Dade County, Florida in connection with the existing cities' 20% share of the Transit Surtax, providing for the adoption of representations; and providing for an effective date.

**Attachments:** [ResolutionConflictResolutionProcedures8 24 10](#)  
[AgendaCoverMemoConflictResolution8 24 10.doc](#)  
[DraftletterConflictResolution8 24 10](#)  
[I-1 Signed Cover Memo](#)

A RESOLUTION OF THE CITY COMMISSION FORMALLY INITIATING CONFLICT RESOLUTION PROCEDURES PROVIDED BY CHAPTER 164.1052, FLORIDA STATUTES, PRIOR TO INITIATING LITIGATION AGAINST MIAMI-DADE COUNTY, FLORIDA IN CONNECTION WITH THE EXISTING CITIES' 20% SHARE OF THE TRANSIT SURTAX; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: City Attorney Hernandez prefaced her remarks by stating that what the City Commission had before them is proposed legislation initiating conflict resolution procedures, provided by Chapter 164.1052, F.S., prior to initiating litigation against Miami-Dade County, Florida, in connection with existing cities' 20 percent share of the Transit Surtax; said referendum issue which passed on the November 2002 ballot.

City Attorney Hernandez continued, stating by way of background, that her office and the City Manager's Office have been attending meetings in connection with the one half-penny sales tax (i.e. for public transit and funding for municipal road and transportation projects); further referencing the agreement made with the existing cities prior to said referendum ballot issue was voted on, that those existing cities who supported said measure would be guaranteed 20 percent of the surtax revenue, which would be distributed to them on a pro-rata basis.

City Attorney Hernandez further explained that in furtherance of said agreement and in anticipation of the referendum issued, that the Miami-Dade Commission amended their County Code providing that 20 percent of the surtax revenue would be paid to those cities in existence at the time of the referendum of November 5, 2002; further stating that any new cities may negotiate with the County for a portion of the County's 80 percent share, since the new cities would be carved out of the unincorporated areas serviced by the County at that time.

City Attorney Hernandez stated that the current proposal seeks to reduce the existing

cities share by providing County funding for new cities from growth in surtax revenue and that after funding reaches \$5.3 million, then new cities will be funded out of existing cities 20 percent share, which is a drastic departure of the original legislative intent in passing said measure; further stating that the city has retained the services of Lewis Tein, P.L. to assist the City with pre-litigation and litigation; further noting that Suzie Capote from said law firm, whose services include the City of Hialeah, who will be proposing a similar measure before its governing body on this same date; further adding that the City of Miami has sent out correspondence and intends to be forthcoming with proposed legislation in connection with same, along with the City of Miami Beach, which has also been in communication with her office.

Commissioner Withers inquired of the City Attorney regards the litigation cost in connection with said measure?- whereby Ms. Hernandez stated if 4 to 5 cities join our City in opposing said measure, the City of Coral Gables is looking at an estimated \$25,000 to \$30,000 in legal fees, assuming that said issue goes forward with litigation].

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2010-185. The motion passed by the following vote:**

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

City Clerk Item No. 65

I.-2. 10-0550 Pending Litigation Report

**Attachments:** [Pending Litigation Report 8\\_24\\_10](#)

[Note for the Record: City Attorney Hernandez stated that regarding the Kuvin v. City of Coral Gables case, the City did file a request for the Court to revisit this issue, with a realization that the judges are aware as to the importance of this case to the City.

Regarding the Tucker cases (i.e. Tucker, Trustee, v. Joel Israel and the City of Coral Gables,), she stated that Mr. Israel (Counter-Defendant) has been providing a defense to the City; further expressing optimism that said matter will be settled; further stating that as of last evening, August 23, 2010, she has not yet received any confirmation of settlement].

Questions, Inquiries, Comments and Concerns from the City Commission:

Commissioner Withers inquired about the Somerset Academy v. City of Coral Gables lawsuit, more particularly our intent to combine all three lawsuits; further requesting clarification in connection with what does that mean; further inquiring as to whether the City is interested in getting the lawsuits against Somerset cleared up quicker? or getting

the Neighbors lawsuit resolved?- or does it matter?

City Attorney Hernandez replied that lawsuits are assigned on a blind rotation; further stating that having three judges hear three separate cases, the request is to have one judge hear all three cases as compared to having them by different judges in three separate courtrooms, thereby consolidating all issues, which will then be brought up at the same time; further stating that all issues are pivotal and important on the same level. City Attorney Hernandez stated that there are three lawsuits, currently: Somerset v. City of Coral Gables; The Neighborhood Group v. the City, and Parents Group v. the City.

City Attorney Hernandez stated that Somerset is going through a land use process before the Planning and Zoning Board concomitant with the Somerset case before the court; further stating that the Neighborhood group that is opposed to Somerset, is also interested in what is going on before the Planning and Zoning Board, and has filed a challenge to the issuance of a Certificate Use; said matters are intertwined; further adding that if the Somerset case is resolved, then the Neighbors still have a cause of action remaining].

**This Litigation was Presented and Filed**

City Clerk Item No. 66

**J. CITY CLERK ITEMS**

City Clerk Item No. 67

**None**

**K. DISCUSSION ITEMS**

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: I'm good thank you.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: Yesterday Commissioner Withers and I saw each other outside and we commented on the untimely passing of Ralph Moore. Mr. Moore served the Dade County Public Schools his entire professional career, and he was actually my Junior High School Principal at Ponce Middle School and then became Principal at Gables High School, and after that retired from the Dade County Public Schools System. I'll read to you, he passed away on the 19th after having surgery, and I guess developed complications, he passed away in Asheville, North Carolina, and it was due to a heart attack because of the serious surgery that he had, had. I wanted to announce this to all of the...obviously make this aware to everyone in the audience, and also let you know that there would be a private service in North Carolina for Mr. Moore, but a celebration of his life will be held here in Coral Gables. It will be planned at a later date, probably sometime in September, and the family is asking that in lieu of flowers, donations be made to the Coral Gables Foundation through the Ralph E. Moore Scholarship Fund; and I have to tell you that I had the pleasure of being one of his students, the guy was just a gentleman and a wonderful administrator. We are all going to miss him very much, and I'm just sorry to report on his untimely death. On another note....

Mayor Slesnick: He was my children's high school teacher.

Commissioner Cabrera: Oh, OK. Gables?

Mayor Slesnick: Yes.

Commissioner Cabrera: Bill and I did not have that opportunity, we had Alan Oaks, but shortly after we graduated....

Vice Mayor Kerdyk: I think I had - my year, Moore came in my year.

Commissioner Cabrera: I know it's hard for people to believe that you are a lot

younger than I am (laughter).

Mayor Slesnick: Alan Oaks later became Superintendent of Schools.

Commissioner Cabrera: So you had Ralph as your Principal your senior year? - OK. So I had left a year before that; and you knew him.

Commissioner Withers: I had Moore's father (laughter).

Commissioner Anderson: I thought maybe he was a grandfather (laughter).

Commissioner Cabrera: We are going to miss him, he was a great guy, and a lot of my classmates have been reaching out to let everyone in the community know about his untimely passing. Last week I was here at City Hall and there was a gentleman that seemed somewhat frustrated, and I decided to stop him to see if I could be of assistance...

Mayor Slesnick: It wasn't me.

Commissioner Cabrera: No, it wasn't Don Slesnick. But this gentleman had an interesting point and I brought him down to the Finance Director's office, and I don't know if we all know this, I learned something new; this gentleman was here to argue about the fire fee, and his specific argument was that he owns property in Coral Gables, residential property, and has a cottage in the back, and he's got a covenant signed with the City of Coral Gables that, that cottage is not to be used for rental purposes or for other uses. I forget the specifics of it, and I don't know what this arrangement is, but apparently he has signed that the cottage is primarily used for storage uses, and he was actually here to find out how he could get the additional \$50 fire fee waived; and I was just wondering...

Mayor Slesnick: We talked about this when we adopted the fire fee.

Commissioner Cabrera: We did? I don't remember. I was opposed to the fire fee, so I can't recall.

Commissioner Anderson: There was an issue of cottages, I can't remember exactly what it was, but we did discuss.

Commissioner Cabrera: You know what the outcome was?- was the outcome that it was going to still be part of the fire fee structure?

City Manager Salerno: I think it's a matter of looking at each one individually, and we'd be glad to look at this one Commissioner.

Commissioner Cabrera: I can tell you, I don't know the gentleman's name, I don't recall the gentleman's name; he's a firefighter for Miami-Dade County, and Mr. Nelson did speak to him, Mr. Nelson was very nice to make himself available to this gentleman, and I'm hoping if Mr. Nelson is watching maybe he took his card.

Mayor Slesnick: My recollection of the discussion was this, is that, actually I raised it because it may even have been him that - somebody came to me during our discussions and said, I have a cottage in the back, but by law it's not usable and I don't use it as a separate...we brought it up, and I think what was said in good faith was that rather than address it generally in the statute in that moment, that we would look at them as they came up in a case by case.

Commissioner Cabrera: OK.

Mayor Slesnick: So that if in fact it was a cottage that legally can be used, and is being used as a separate dwelling, then that would be one thing.

Commissioner Cabrera: Well, I'm hopeful that Mr. Nelson, like I said before, is watching or maybe kept the information on this individual and can reach out to him and can perhaps help him with this item on a case-by-case basis, but Mr. Nelson was quick to explain to him what the ordinance was and how it affected the fire fee, so. Just thought I'd bring that up. Last, I wanted to just share with the Commission that I will no longer be serving as the city's representative to the Coral Gables Chamber, I've decided to focus more my time on my business. Serving the Chamber has been an interesting experience, but I'd like to just let you all know that I won't be doing that any more. So I don't know how you want to handle it, do we want to wait until...

Mayor Slesnick: I mean, we had changed over to give Maria a rest, she's done a yeoman's job for a while, and Bill...

Vice Mayor Kerdyk: I think its Chip's turn.

Commissioner Withers: I don't work in the Gables; you're here all day long, so getting to the events for the Chamber is a lot easier for you, plus you are property owner on one of the main thoroughfares.

Commissioner Cabrera: And you know what?- and you make appearances all the time anyway, so I mean everyone says, Mr. Kerdyk was there, Mr. Kerdyk was at Concourse E welcoming the Under 12 Boys Soccer team from Venezuela. Oh, you were there as Vice Mayor (laughter).

Commissioner Withers: I think it would be a 4-1 vote right now.

Vice Mayor Kerdyk: I'm sure it would be.

**Mayor Slesnick: Is that a motion Mr. Withers?**

**Commissioner Withers: Absolutely.**

**Commissioner Cabrera: Second.**

**Mayor Slesnick: It's been moved by Mr. Withers seconded by Commissioner Cabrera to anoint Mr. Kerdyk as our representative to the Chamber, all in favor say aye.**

**All: Aye.**

**Mayor Slesnick: Opposed like sign.**

**Vice Mayor Kerdyk: Abstain.**

Commissioner Withers: I think it will be well served.

Commissioner Cabrera: I think so.

Mayor Slesnick: You can always come back to us with your reasons for not being able to continue your service and resign just like Ralph just did, and like Maria did before him.

Commissioner Cabrera: In all fairness to Ms. Anderson, she served the full term, not once but twice, I think.

Commissioner Anderson: I don't remember.

Commissioner Cabrera: Not only that, not only that, while she was serving as the Chamber's representative, she was also serving as the B.I.D. representative.

Commissioner Anderson: Yes, that's true, that's true.

Commissioner Cabrera: You had double duty; I think there should be additional pay for that, that will come up in our impasse hearing (laughter).

Mayor Slesnick: Thank you for your service.

Commissioner Cabrera: My pleasure. I'm done. I'm cooked.

Mayor Slesnick: Mr. Kerdyk.

Vice Mayor Kerdyk: Just one comment. Really it has to do with Carole Brock's letter, I think everybody got Carol Brock's letter regarding - you didn't get it? - regarding they are having issues with the senior citizens dealing with Academia at the Baptist Church and they are having a real difficult time now with the functions, and what is our game plan for them. Mr. City Manager, can you have staff look into that, their situation? - maybe you already have an idea.

City Attorney Hernandez: Can I get a copy of that letter also?

Vice Mayor Kerdyk: Yes. One thing I do want to mention to everyone here, is we've always looked for a place for senior citizens to go to on a permanent basis, and I'm not sure this is a place, but I'll throw out an opportunity, is the drivers license location. It's about 4,000 square feet, has parking next to it, and its "food for thought", certainly something for your consideration.

Mayor Slesnick: It's on the Metro Rail.

Vice Mayor Kerdyk: So they can take Metro Rail.

Commissioner Cabrera: That's a good idea; we've got other locations as well, we've got the Merrick Garage has some space there as well.

Vice Mayor Kerdyk: Or maybe the Country Club, maybe the Country Club can give them - I don't know, but somehow we need to see if we can help them resolve the situation, Mr. City Manager.

City Manager Salerno: We are going to work with them in that regard, Commissioner.

Vice Mayor Kerdyk: Pardon me.

City Manager Salerno: We are going to work with them.

Vice Mayor Kerdyk: Alright. Good. That's it.

Mayor Slesnick: Thank you Bill. Mr. Withers.

Commissioner Withers: I just have one item, and I hope you will all support me in deputizing all the residents of Coral Gables to remove any political signs they see on any construction fences around the city. I think our Code Enforcement needs to really step up. There is a sign that's been on the corner of LeJeune and Bird for about two

weeks now, so I just think it ought to be open season on all political signs that are attached to fencing. I know that we have zoning which allows them in yards, but Mr. City Manager I'd just like to...

Commissioner Cabrera: Well they are out of control, aren't they?

Commissioner Withers: They really are.

Commissioner Cabrera: Not so much in our city, but all over the place.

Commissioner Withers: All over the place. Have you noticed like up Red Road and Eighth Street?

Commissioner Cabrera: And did you read the article in the paper not too long ago about how most political consultants see political signs to be a complete waste of money, and it is, you don't get elected by political signs.

Commissioner Withers: I'm almost tempted, and I know we can't do this, but if someone wants to post political signs in our city, we... almost charge a fee up front...

City Manager Salerno: Some cities do.

Commissioner Withers:...and then if we have to go and collect them after the fact that we use some of that money towards, I mean it's just...

Commissioner Withers: You know what's happening more and more now?- people are not stealing the signs, they are stealing the metal, the metal post because there is money to be made with those, and so that's happening all over the place.

Mayor Slesnick: Well, that takes care of the signs.

Commissioner Withers: What's that?

Mayor Slesnick: I said that takes care of those signs. Let's remind people - no signs on the right-of-ways in Coral Gables, and in many neighborhoods people don't understand where there is no sidewalk that the property next to the street is a right-of-way, so they can be collected by our Code Enforcement. If you put signs on your property it has to be, is it five feet back from the sidewalk?- I believe its five feet in from the sidewalk, and only one sign per candidate on each property. So if everyone will cooperate keep our City Beautiful, while let having your right to express your opinion about your political candidate.

Commissioner Withers: What I'm thinking about Liz, is adding to the ordinance, if a

home is under construction or a lot, there seems to be a huge proliferation area of various signs.

City Attorney Hernandez: You want us to look at vacant lots and see...

Commissioner Withers: Well not vacant lots, but homes that no one lives there that are under construction, because people just go and - right up the street from me there are like eight individuals and no one lives in the house. I take them down every night.

City Attorney Hernandez: There is some Florida Statute on that.

Mayor Slesnick: I just have a couple of closing comments, three different categories; one I'll start with is the being at the bottom end of a 4-1 vote yesterday, I still obviously am stung and defensive about it, and having been fingered by the Miami Herald as a union attorney, so let me only add two comments I would still like to comment on, and that is as far as the pace of change in Florida, I did want to reiterate something I said yesterday, and that is the City of Miami Beach with the same Actuary that we have found enough relief at this point in time, and of course it's based on their own need for relief, so I can't comment on that, with two of the points of the many that we considered yesterday, they added two percent contribution to the employees and they expanded the number of years considered for final average compensation from three to five, and that was the extent of the changes this year; and as of yesterday, this Mayor of Hialeah withdrew his pension reform package from the table for the impasse hearing. So he has backed off and said he will come again next year to talk about that. So just to give you that; and I did ask the City Manager this morning, and he was kind enough just to at least hear me out, and I don't know if it's even possible, in fact I've never seen it before. So, while I know that you all approved going from the Rule of 70 to the Rule of 80 yesterday for all the general employees, I lost some sleep last night thinking in particular about some people who weren't well represented here yesterday, because they were out working in the streets and that is the garbage and trash and recycling, which are very active, very physical, very tough jobs and they are people that I think we've all expressed over the years how much we appreciate them, and I thought about seeing a 62 year old 30 year employee lugging my garbage out to the street, and I just don't know if that rule fits those classifications, but I asked the Manager to think that through and I know that there isn't anything to be said about it at this moment, at least I raised that as something to be thought about, and I don't know how you separate those out and consider them differently, could be impossible, that bothered me. Went back to some of your comments about what were we trying to accomplish keeping people here longer and so forth; and while Clerk, Administrative Assistants may not want to stay here longer, they may be physically capable of doing that, I'm not sure how many garbage men can do that, anyways. There is a celebration this weekend what we just passed an ordinance on, at the History Museum, and it's on the women's right to vote, the Nineteenth Amendment, and they are honoring Roxcy

Bolton, our citizen, that's August the 26th at 10:00 a.m. And finally, as I report to you with a little bit of pride, not to "blow my own horn" much, since you sent me as a voting delegate to the Florida League of Cities, I will hold up my badge, so you can see that I actually appeared and did things because I looked like a World War I veteran, but the ribbons indicate the things I was doing on behalf of the city and the League of Cities. The pins only demonstrate how many people pinned things on me.

[Inaudible - off mike] [Laughter]

Mayor Slesnick: And this is as you also know, I've been proud to be your representative to the Florida League of Mayors and for the last year have been the President of the Florida League of Mayors, and this was the goodbye plaque they gave me after serving my year, so there's no watch, there was no cash thing. So, anyways it says "Coral Gables" on here, "Mayor of Coral Gables"; and I'm always proud to be your representative and to do the things I do on your behalf. Let me say this, the League of Mayors has been our new tradition only the last two years, that the outgoing President sponsors the Leagues of Mayors Board's retreat for the coming year. So on September 16th and 17th we'll have about 18 or so Mayors here from around the State, who I hope I'll get a chance to introduce you all to during that time.

Commissioner Withers: Don, I forgot two things, real quick, real quick. The Museum won the Chamber of Commerce Preservation of the Year award thank you Kara for reminding me; and I just have to share one real happy story. I was losing golf balls on the Biltmore Golf Course on Saturday, and this man, not young man, medium came up to me and said, I just want to thank you on behalf of all the armed service personnel, men, women that have served this country and I want you to personally carry a message to your Commission and to the Mayor and to the city how grateful we are that you allow us to play golf at the Biltmore for free. So to all the residents of Coral Gables, your fighting men and women both active and retired are very grateful for the opportunity you provided to them, and we are only one of three golf courses around the city to do it. Remember it was Doug Heffner that brought and I think Bill was very involved in bringing him here. It made me feel really good, it actually brought chills to me that this marine would come up to me and thank me for something like that. So hats off to everyone in the city and to the staff and to the Commission. That was it Don.

Mayor Slesnick: With that we stand adjourned.

City Clerk Item No. 68

**RESOLUTION NO. 2010-186**

**Non 10-0571  
Agenda**

A Resolution of the City Commission of Coral Gables appointing Vice Mayor, William H. Kerdyk, Jr. to serve as the City's representative to the Coral Gables Chamber of Commerce.

RESOLUTION APPOINTING WILLIAM H. KERDYK, JR., VICE MAYOR, (NOMINATED BY THE COMMISSION-AS-A-WHOLE), TO SERVE AS THE CITY OF CORAL GABLES REPRESENTATIVE TO THE CORAL GABLES CHAMBER OF COMMERCE, FOR THE UNEXPIRED BEGINNING AUGUST 24, 2010 THROUGH AUGUST 24, 2011.

**A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2010-186. The motion passed unanimously.**

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

City Clerk Item No. 69

**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 12:51 pm on August 24, 2010. The next regular meeting of the City Commission has been scheduled for September 14, 2010, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK