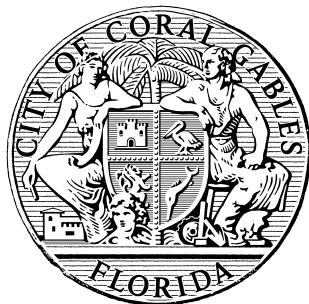


# **City of Coral Gables**

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



## **Meeting Minutes**

**Tuesday, June 2, 2009**

**9:00 AM**

**City Hall, Commission Chambers**

### **City Commission**

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

*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.*

**ROLLCALL**

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

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by the children of the Growing Place.

**LEGISLATIVE SUMMARY**

The following minutes summary includes all presentations made, and actions taken which information is supplemented by the following exhibits on file in the Office of the City Clerk, and which are by reference made a part of the record herein: (a) Ordinance(s) adopted (Ordinance No. 2009-26 through Resolution No. 2009-28); (b) Resolution(s) adopted (Resolution No. 2009-132 through Resolution No. 2009-168); (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. [09-0369](#) Presentation of 25 years service pin to Patrick Burns, Public Works Department

**Attachments:** [CM\\_Burns](#)

[Note for the Record: Public Works Director Alberto Delgado stated that Patrick Burns began his career as a Laborer in the Parking Department (May, 1984); he was promoted one year later as Equipment Operator II, where he was transferred and has spent his entire career in the Public Works Department.

Mr. Burns was appointed Foreman (February, 1991); was promoted to Senior Foreman (December, 1995); in January of 1997, he was selected as Outstanding Employee of the Month (for the Month of January). Mr. Burns currently assumes some of the responsibilities of Right-of-Way Division Superintendent.

Mr. Burns has received many letters of appreciation, both internal and external to our organization, acknowledging his quick response in solving emergency situations (i.e. flooding, drainage and debris removal.) Mr. Delgado commended him for the many jobs that he has completed that were well done.

On accepting this accolade Mr. Burns stated that he has been with the City for twenty-five years, and is happy to have been with the best department in the City].

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

City Clerk Item No. 1

- A.-2. [09-0370](#) Presentation of 20 years service pin to Sharon G. Swikehardt, Police Department

**Attachments:** [CM\\_Swikehardt](#)

[Note for the Record: Police Chief Richard Naue stated that Sharon G. Swikehardt began her career with the City in June of 1989, as a Communications Operator; she later became a Communications Supervisor in July of 1999; moved through the ranks becoming a Technical Services Coordinator in April 2001; and finally being promoted to the newly created Communications Manager position ( January 2007).

Mrs. Swikehardt has received innumerable acknowledgements, among those letters and commendations, include the Department of Excellence Award (1995, 1996, and 2001, respectively); received the Employee of the Month recognition (2002, 2005, and 2007, respectively); currently serving as Operations Supervisor; further adding that she is proud to have the City recognize her 20 years of service.

Chief Naue stated that in recognizing the positive service that Mrs. Swikehardt has given the department, noted that it is indeed a pleasure to recognize her 20 years of service in the City.

In accepting this accolade, Mrs. Swikehardt stated that anyone who has known her during her tenure with the City knows that she enjoys her job; further stating that she has met some of the nicest people; further stating that she loves her colleagues].

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

City Clerk Item No. 2

**B. APPROVAL OF MINUTES****None**

City Clerk Item No. 3

**C. CONSENT AGENDA**

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

**Passed the Consent Agenda**

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

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

**RESOLUTION NO. 2009-139****C.-2. 09-0372**

Resolution appointing the following herein below listed individuals to serve as members of the Budget/Audit Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Luis "Wicho" Hernandez  
Vice Mayor Kerdyk: Roland Sanchez-Medina  
Commissioner Anderson: Ofelia Fernandez  
Commissioner Cabrera: Gene Gutierrez  
Commissioner Withers: John Lindsay

**Attachments:** [Cover Memo - Budget Audit Advisory Board Appointments](#)  
[Draft Resolution - BudgetAudit Advisory Board](#)  
[Signed Resolution 2009-139.pdf](#)

**This Matter was adopted by Resolution Number 2009-139 on the Consent Agenda.**

City Clerk Item No. 17

**RESOLUTION NO. 2009-140****C.-3. [09-0373](#)**

Resolution appointing the following herein below listed individuals to serve as members of the City of Coral Gables Health Facilities Authority for a (4) four year term, beginning June 1, 2009 through May 31, 2013:

Mayor Slesnick: Manuel Marino  
Commissioner Anderson: George Andrews  
Commissioner Cabrera: Nicole E. Mestre

**Attachments:** [Cover Memo - Health Facilities Authority Board Appointments](#)  
[Draft Resolution - City of Coral Gables Health Facilities Authority](#)  
[Signed Resolution 2009-140.pdf](#)

**This Matter was adopted by Resolution Number 2009-140 on the Consent Agenda.**

City Clerk Item No. 18

**RESOLUTION NO. 2009-141****C.-4. [09-0374](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Citywide Traffic Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Ian Martinez  
Vice Mayor Kerdyk: Frank Quesada  
Commissioner Anderson: Larry Kries  
Commissioner Cabrera: Deborah Swain  
Commissioner Withers: Chris Zoeller  
City Manager: Al Smith

**Attachments:** [Cover Memo - Citywide Traffic Advisory Board Appointments](#)  
[Draft Resolution - Citywide Traffic Advisory Board](#)  
[Signed Resolution 2009-141.pdf](#)

**This Matter was adopted by Resolution Number 2009-141 on the Consent Agenda.**

City Clerk Item No. 19

**RESOLUTION NO. 2009-142****C.-6. [09-0376](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Communications Committee for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Leslie Pantin  
Vice Mayor Kerdyk: David Stiefel  
Commissioner Anderson: Samuel Joseph  
Commissioner Cabrera: Maria Garcia  
Commissioner Withers: Vivian More

**Attachments:** [Cover Memo - Communications Committee Appointments](#)  
[Draft Resolution - Communications Committee](#)  
[Signed Resolution 2009-142.pdf](#)

**This Matter was adopted by Resolution Number 2009-142 on the Consent Agenda.**

City Clerk Item No. 20

**RESOLUTION NO. 2009-143****C.-9. [09-0379](#)**

Resolution appointing the following herein below listed individuals to serve as members of the Coral Gables Merrick House Governing Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick:Barbara Reese  
Vice Mayor Kerdyk: Margaret Steele  
Commissioner Anderson: Susan Stanton  
Commissioner Cabrera: Michelle Moskowitz  
Commissioner Withers: Laura Yusko  
City Manager: Sondra Space

**Attachments:** [Cover Memo - Merrick House Governing Board Appointments](#)  
[Draft Resolution - Coral Gables Merrick House Governing Board](#)  
[Signed Resolution 2009-143.pdf](#)

**This Matter was adopted by Resolution Number 2009-143 on the Consent Agenda.**

City Clerk Item No. 21

**RESOLUTION NO. 2009-144****C.-10. 09-0380**

Resolution appointing the following herein below listed individuals to serve as members of the Coral Gables Retirement Board (General Employees) for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Steven Naclerio  
Commissioner Anderson: Thomas Huston Jr.  
Commissioner Cabrera: Salvatore Geraci  
Commissioner Withers: Les Space

**Attachments:** [Cover Memo - Coral Gables Retirement Board \(General Employees\)](#)  
[Draft Resolution - Coral Gables Retirement Board General Employees](#)  
[Signed Resolution 2009-144.pdf](#)

**This Matter was adopted by Resolution Number 2009-144 on the Consent Agenda.**

City Clerk Item No. 22

**RESOLUTION NO. 2009-145****C.-11. 09-0381**

Resolution appointing the following herein below listed individuals to serve as members of the Cultural Development Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Jose Garrigo  
Vice Mayor Kerdyk: Bobbi Litt  
Commissioner Anderson: Bernice Matalon  
Commissioner Cabrera: Carol Damian  
Commissioner Withers: Beatrice Pereira  
City Manager: Ginger Jochem

**Attachments:** [Cover Memo - Cultural Development Board](#)  
[Draft Resolution - Cultural Development Board](#)  
[Signed Resolution 2009-145.pdf](#)

**This Matter was adopted by Resolution Number 2009-145 on the Consent Agenda.**

City Clerk Item No. 23

**RESOLUTION NO. 2009-146****C.-12. 09-0382**

Resolution appointing the following herein below listed individuals to serve as members of the Economic Development Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Bertram "Chico" Goldsmith  
Vice Mayor Kerdyk: Ray Zomerfeld  
Commissioner Anderson: John M. Thomson  
Commissioner Cabrera: Haydee Polo  
Commissioner Withers: Jim Casey

**Attachments:** [Cover Memo - Economic Development Board](#)  
[Draft Resolution - Economic Development Board](#)  
[Signed Resolution 2009-146.pdf](#)

**This Matter was adopted by Resolution Number 2009-146 on the Consent Agenda.**

City Clerk Item No. 24

**RESOLUTION NO. 2009-147****C.-13. 09-0383**

Resolution appointing the following herein below listed individuals to serve as members of the Emergency Management Division for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Sean Pendray  
Mayor Slesnick: James "Jay" Carmichael  
Mayor Slesnick: Mark Miranda  
Vice Mayor Kerdyk: John Sorgie  
Vice Mayor Kerdyk: Bennet Taylor  
Vice Mayor Kerdyk: Al Perez  
Vice Mayor Kerdyk: Ed Boen  
Vice Mayor Kerdyk: Francisco Cuello  
Vice Mayor Kerdyk: Jeff Devin  
Commissioner Anderson: James T. Hill  
Commissioner Anderson: Jose M. de la Hoz  
Commissioner Anderson: James Smith  
Commissioner Anderson: Ana Gonzalez  
Commissioner Anderson: Julian Hoffman  
Commissioner Anderson: Danny Rosario  
Commissioner Cabrera: Manuel Morales  
Commissioner Cabrera: Lonnie Hayes  
Commissioner Cabrera: Raymond Poblocki  
Commissioner Cabrera: Ricardo P. Perez  
Commissioner Cabrera: Jose Amezaga  
Commissioner Withers: Lettie Bien  
Commissioner Withers: Douglas Hafner  
Commissioner Withers: Al Pereira  
Commissioner Withers: Worth Carson

**Attachments:** [Cover Memo - Emergency Management Division](#)  
[Draft Resolution - Emergency Management Division](#)  
[Signed Resolution 2009-147.pdf](#)

**This Matter was adopted by Resolution Number 2009-147 on the Consent Agenda.**

City Clerk Item No. 25

**RESOLUTION NO. 2009-148****C.-14. 09-0384**

Resolution appointing the following herein below listed individuals to serve as members of the Historic Preservation Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Dorothy Thomson  
Vice Mayor Kerdyk: Peggy Rolando  
Commissioner Anderson: Ernesto Santos  
Commissioner Cabrera: Venny Torre  
Commissioner Withers: Frances "Dolly" MacIntyre  
City Manager: Joyce Meyers

**Attachments:** [Cover Memo - Historic Preservation Board Appointments](#)  
[Draft Resolution - Historic Preservation Board](#)  
[Signed Resolution 2009-148.pdf](#)

**This Matter was adopted by Resolution Number 2009-148 on the Consent Agenda.**

City Clerk Item No. 26

**RESOLUTION NO. 2009-149****C.-15. 09-0385**

Resolution appointing the following herein below listed individuals to serve as members of the Insurance Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Roger Serola  
Vice Mayor Kerdyk: Ivan Brannon  
Commissioner Anderson: Ignacio Borbolla  
Commissioner Cabrera: Juan Carlos Diaz-Padron  
Commissioner Withers: Ruben Acosta

**Attachments:** [Cover Memo - Insurance Advisory Board Appointments](#)  
[Draft Resolution - Insurance Advisory Board](#)  
[Signed Resolution 2009-149.pdf](#)

**This Matter was adopted by Resolution Number 2009-149 on the Consent Agenda.**

City Clerk Item No. 27

**RESOLUTION NO. 2009-150****C.-16. 09-0386**

Resolution appointing the following herein below listed individuals to serve as members of the International Affairs Coordinating Council for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Commissioner Anderson: Allan Rosenbaum  
Commissioner Cabrera: Sylvester Luckis  
Commissioner Withers: Luba DeWitt  
City Manager: Arthur De Nunzio

**Attachments:** [Cover Memo - International Affairs Coordinating Council](#)  
[Draft Resolution - International Affairs Coordinating Council](#)  
[Signed Resolution 2009-150.pdf](#)

**This Matter was adopted by Resolution Number 2009-150 on the Consent Agenda.**

City Clerk Item No. 28

**RESOLUTION NO. 2009-151****C.-17. 09-0387**

Resolution appointing the following herein below listed individuals to serve as members of the Landscape Beautification Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Barbara Katzen  
Vice Mayor Kerdyk: Jack Elmore  
Commissioner Anderson: Maria Cristina Longo  
Commissioner Cabrera: George Blet  
Commissioner Withers: Linda Lawrence  
City Manager: Robert "Bob" Parsley

**Attachments:** [Cover Memo - Landscape Beautification Advisory Board Appointments](#)  
[Draft Resolution - Landscape Beautification](#)  
[Signed Resolution 2009-151.pdf](#)

**This Matter was adopted by Resolution Number 2009-151 on the Consent Agenda.**

City Clerk Item No. 29

**RESOLUTION NO. 2009-152****C.-18. 09-0388**

Resolution appointing the following herein below listed individuals to serve as members of the Library Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Vice Mayor Kerdyk: Ileana Davis  
Commissioner Anderson: Pamela Admire  
Commissioner Cabrera: Kendell Turner  
Commissioner Withers: Nancy Leslie

**Attachments:** [Cover Memo - Library Advisory Board Appointments](#)  
[Draft Resolution - Library Advisory Board](#)  
[Signed Resolution 2009-152.pdf](#)

**This Matter was adopted by Resolution Number 2009-152 on the Consent Agenda.**

City Clerk Item No. 30

**RESOLUTION NO. 2009-153****C.-19. 09-0389**

Resolution appointing the following herein below listed individuals to serve as members of the Parking Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: J.C. Cabrera  
Vice Mayor Kerdyk: Carlos Halley  
Commissioner Anderson: Brad Rosenblatt  
Commissioner Cabrera: Aida Holian  
Commissioner Withers: Hendrikus Vanderveldt

**Attachments:** [Cover Memo - Parking Advisory Board Appointments](#)  
[Draft Resolution - Parking Advisory Board](#)  
[Signed Resolution 2009-154.pdf](#)

**This Matter was adopted by Resolution Number 2009-153 on the Consent Agenda.**

City Clerk Item No. 31

**RESOLUTION NO. 2009-154****C.-20. 09-0390**

Resolution appointing the following herein below listed individuals to serve as members of the Parks and Recreation Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Joan Valdez  
Commissioner Anderson: Emilio Monte  
Commissioner Cabrera: Jorge Quirch  
Commissioner Withers: Marty Steinberger  
City Manager: Martha Serola

**Attachments:** [Cover Memo - Parks and Recreation Advisory Board](#)  
[Draft Resolution - Parks and Recreation Advisory Board](#)

**This Matter was adopted by Resolution Number 2009-154 on the Consent Agenda.**

City Clerk Item No. 32

**RESOLUTION NO. 2009-155****C.-21. 09-0391**

Resolution appointing the following herein below listed individuals to serve as members of the Parks and Recreation Youth Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Margaret Cookson  
Vice Mayor Kerdyk: Ramon Diaz  
Commissioner Cabrera: Alexandra Morales  
Commissioner Withers: Kyle Parker  
City Manager: Bria Dewberry

**Attachments:** [Cover Memo - Parks and Recreation Youth Advisory Board Appointments](#)  
[Draft Resolution - Parks and Recreation Youth Advisory](#)  
[Signed Resolution 2009-155.pdf](#)

**This Matter was adopted by Resolution Number 2009-155 on the Consent Agenda.**

City Clerk Item No. 33

**RESOLUTION NO. 2009-156****C.-22. 09-0392**

Resolution appointing the following herein below listed individuals to serve as members of the Pinewood Cemetery Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Vice Mayor Kerdyk: Michael "Tim" Crowther  
Commissioner Anderson: Sandra Cummings  
Commissioner Cabrera: Thomas Edward Lodge  
Commissioner Withers: Sean O'Sullivan

**Attachments:** [Cover Memo - Pinewood Cemetery Advisory Board Appointments](#)  
[Draft Resolution - Pinewood Cemetery Advisory Board](#)  
[Signed Resolution 2009-156.pdf](#)

**This Matter was adopted by Resolution Number 2009-156 on the Consent Agenda.**

City Clerk Item No. 34

**RESOLUTION NO. 2009-157****C.-23. 09-0393**

Resolution appointing the following herein below listed individuals to serve as members of the Planning and Zoning Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Jack Coe  
Vice Mayor Kerdyk: Javier Salman  
Commissioner Anderson: Jeffrey Flanagan  
Commissioner Cabrera: Robert Behar  
City Manager: Eibi Aizenstat

**Attachments:** [Cover Memo - Planning and Zoning Board Appointments](#)  
[Draft Resolution - Planning and Zoning Board](#)  
[Signed Resolution 2009-157.pdf](#)

**This Matter was adopted by Resolution Number 2009-157 on the Consent Agenda.**

City Clerk Item No. 35

**RESOLUTION NO. 2009-158****C.-24. 09-0394**

Resolution appointing the following herein below listed individuals to serve as members of the Property Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Mary Young  
Commissioner Anderson: Maurice Donsky  
Commissioner Cabrera: James Hinrichsen  
Commissioner Withers: Luis M. Padron  
City Manager: Ed Mazzei

**Attachments:** [Cover Memo - Property Advisory Board Appointments](#)  
[Draft Resolution - Property Advisory Board](#)  
[Signed Resolution 2009-158.pdf](#)

**This Matter was adopted by Resolution Number 2009-158 on the Consent Agenda.**

City Clerk Item No. 36

**RESOLUTION NO. 2009-159****C.-25. 09-0395**

Resolution appointing the following herein below listed individuals to serve as members of the School and Community Relations Committee for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Pat Morris Andrew Yagoda  
Vice Mayor Kerdyk: Doug Austin  
Commissioner Anderson: Joan Reitsma  
Commissioner Cabrera: Barbra Harley  
Commissioner Withers: Deborah Korge  
City Manager: Victor Shabanah

**Attachments:** [Cover Memo - School and Community Relations Committee](#)  
[R-2009-Resolution - School and Community Relations](#)  
[Signed Resolution 2009-159.pdf](#)

**This Matter was adopted by Resolution Number 2009-159 on the Consent Agenda.**

City Clerk Item No. 37

**RESOLUTION NO. 2009-160****C.-26. 09-0396**

Resolution appointing the following herein below listed individuals to serve as members of the Senior Citizens Advisory Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Catherine Fahringer  
Vice Mayor Kerdyk: Norma Lemberg  
Commissioner Anderson: Esther Castiglia  
Commissioner Cabrera: William Schiff  
Commissioner Withers: Frank Lynn  
City Manager: Evelyn Budde

**Attachments:** [Cover Memo - Senior Citizens Advisory Board Appointments](#)  
[R-2009-Resolution - Senior Citizens Advisory Board](#)  
[Signed Resolution 2009-160.pdf](#)

**This Matter was adopted by Resolution Number 2009-160 on the Consent Agenda.**

City Clerk Item No. 38

**RESOLUTION NO. 2009-161****C.-27. 09-0397**

Resolution appointing the following herein below listed individuals to serve as members of the Board of Architects for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

City Manager: David M. Dayan  
City Manager: Burton Hersh  
City Manager: Nelson de Leon  
City Manager: Aramis Alvarez  
City Manager: Glenn Pratt

**Attachments:** [Aramis Alvarez Resume](#)  
[David Dayan Resume](#)  
[Glenn Pratt Resume](#)  
[Cover Memo - Board of Architects](#)  
[Draft Resolution - Board of Architects Appointments](#)  
[Signed Resolution 2009-161.pdf](#)

**This Matter was adopted by Resolution Number 2009-161 on the Consent Agenda.**

City Clerk Item No. 39

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

- C.-30. [09-0401](#) Code Enforcement Board Meeting of May 20, 2009

**Attachments:** [memo cover may1\\_09](#)  
[ROLLCALL may1 09](#)  
[may 09](#)

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

City Clerk Item No. 40

- C.-31. [09-0402](#) Historic Preservation Board Meeting of May 7, 2009.

**Attachments:** [HPB Minutes May 7 2009](#)  
[NoAction05.07.09.MinutesforCC06.02.09](#)

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

City Clerk Item No. 41

- C.-32. [09-0403](#) Coral Gables Merrick House Governing Board Meeting of April 27, 2009.

**Attachments:** [Merrick House April 27, 2009](#)  
[CGMNoAction-04.27.09MinutesforCC06.02.09](#)

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

City Clerk Item No. 42

- C.-33. [09-0404](#) Communications Committee Meeting of May 21, 2009

**Attachments:** [Microsoft Word - communicationsminutesagendajune09.pdf](#)  
[Microsoft Word - minutes may 2009.pdf](#)

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

City Clerk Item No. 43

C.-34. [09-0409](#) Economic Development Board Meeting of May 6, 2009

**Attachments:** [EDB. 6.2.09 Commission cover - no action.pdf](#)  
[EDB. 5.6.09 II.pdf](#)

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

City Clerk Item No. 44

**Pulled from Consent Agenda**

**RESOLUTION NO. 2009-162 (As Amended)**

C.-1. [09-0371](#) Resolution appointing the following herein below listed individuals to serve as members of the Board of Adjustment for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Jorge Mora  
Vice Mayor Kerdyk: Tony Bello  
Commissioner Cabrera: Katherine de Blij  
Commissioner Anderson: Vivian de las Cuevas-Diaz  
Commissioner Withers: John Lukacs  
City Manager: Joseph W. Briggle

**Attachments:** [Cover Memo - Board of Adjustment Board Appointments](#)  
[Draft Resolution - Board of Adjustment](#)  
[Signed Resolution 2009-162.pdf](#)

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted as amended by Resolution Number 2009-162. 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. 45

**RESOLUTION NO. 2009-163 (As Amended)****C.-5. 09-0375**

Resolution appointing the following herein below listed individuals to serve as members of the City of Coral Gables/University of Miami Community Relations Committee for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Robert "Bob" Berman  
Vice Mayor Kerdyk: Tamara Hartnett  
Commissioner Anderson: Ricardo Munarriz  
Commissioner Cabrera: Rene Alvarez  
Commissioner Withers: Bruce Steinberger  
City Manager: Sydney Josepher

**Attachments:** [Cover Memo - University of Miami Community Relations Committee Appointments](#)  
[Draft Resolution - City of Coral Gables University of Miami Community Relations C](#)  
[Signed Resolution 2009-163.pdf](#)

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted as amended by Resolution Number 2009-163. 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. 46

**RESOLUTION NO. 2009-164 (As Amended)****C.-7. 09-0377**

Resolution appointing the following herein below listed individuals to serve as members of the Construction Regulation Board for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Mayor Slesnick: Ignacio Lizama  
Vice Mayor Kerdyk: John Oramas  
Commissioner Cabrera: Carlos Nunez  
Commissioner Withers: Jorge E. Otero

**Attachments:** [Cover Memo - Construction Regulation Board Appointments](#)  
[Draft Resolution - Construction Regulation Board](#)  
[Signed Resolution 2009-164.pdf](#)

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted as amended by Resolution Number 2009-164. 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. 47

**RESOLUTION NO. 2009-165 (As Amended)****C.-8. 09-0378**

Resolution appointing the following herein below listed individuals to serve as members of the Coral Gables Advisory Board on Disability Affairs for a (2) two year term, beginning June 1, 2009 through May 31, 2011:

Vice Mayor Kerdyk: Bonnie Blaire  
Commissioner Anderson: Josefina Ramirez  
Commissioner Cabrera: Dr. Andy Gomez

**Attachments:** [Cover Memo - Advisory Board on Disability Affairs Board Appointments](#)  
[Draft Resolution - Coral Gables Advisory Board on Disability Affairs](#)  
[Signed Resolution 2009-165.pdf](#)

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted as amended by Resolution Number 2009-165. 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. 48

**RESOLUTION NO. 2009-136****C.-28. 09-0410**

Resolution approving waiver by a 4/5ths vote, the residency requirement pursuant to Ordinance 2004-20, as it pertains to Richard Whittington, said individual who has been appointed by Commissioner Withers, to serve as a member of the Coral Gables Advisory Board on Disability Affairs, for the term beginning June 1, 2009 and ending May 31, 2011.

**Attachments:** [Richard Whittington](#)  
[R-2009 - Richard Whittington - Residency Requirement Resolution](#)  
[Signed Resolution 2009-136.pdf](#)

A RESOLUTION APPROVING BY A 4/5THS VOTE, THE WAIVER OF RESIDENCY REQUIREMENT PURSUANT TO ORDINANCE NO. 2004-20, AS IT PERTAINS TO RICHARD WHITTINGTON, SAID INDIVIDUAL WHO HAS BEEN APPOINTED BY COMMISSIONER WITHERS, TO SERVE AS A MEMBER OF THE CORAL GABLES ADVISORY BOARD ON DISABILITY AFFAIRS, FOR THE TERM BEGINNING ON JUNE 1, 2009 AND ENDING ON MAY 31, 2011.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-136. 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. 14

**RESOLUTION NO. 2009-137****C.-29. 09-0411**

Resolution approving waiver by a 4/5ths vote, the residency requirement pursuant to Ordinance 2004-20, as it pertains to David Stiefel, said individual who has been appointed by Vice Mayor Kerdyk, to serve as a member of the Communications Committee, for the term beginning June 1, 2009 and ending May 31, 2011.

**Attachments:** [David Stiefel - Communications](#)  
[R-2009 - David Stiefel - Residency Requirement Resolution](#)  
[Signed Resolution 2009-137.pdf](#)

A RESOLUTION APPROVING BY A 4/5THS VOTE, THE WAIVER OF RESIDENCY REQUIREMENT PURSUANT TO ORDINANCE NO. 2004-20, AS IT PERTAINS TO DAVID STIEFEL, SAID INDIVIDUAL WHO HAS BEEN APPOINTED BY VICE MAYOR KERDYK, TO SERVE AS A MEMBER OF THE COMMUNICATIONS COMMITTEE, FOR THE TERM BEGINNING ON JUNE 1, 2009 AND ENDING ON MAY 31, 2011.

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-137. 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. 15

**RESOLUTION NO. 2009-138****Non 09-0430  
Agenda**

Resolution approving waiver by a 4/5ths vote, the residency requirement pursuant to Ordinance 2004-20, as it pertains to Lettie Bien, said individual who has been appointed by Commissioner Withers, to serve as a member of the Emergency Management Division, for the term beginning June 1, 2009 and ending May 31, 2011.

**Attachments:** [Signed Resolution 2009-138.pdf](#)

A RESOLUTION APPROVING BY A 4/5THS VOTE, THE WAIVER OF RESIDENCY REQUIREMENT PURSUANT TO ORDINANCE NO. 2004-20, AS IT PERTAINS TO LETTIE BIEN, SAID INDIVIDUAL WHO HAS BEEN APPOINTED BY COMMISSIONER WITHERS, TO SERVE AS A MEMBER OF THE EMERGENCY MANAGEMENT DIVISION, FOR THE TERM BEGINNING ON JUNE 1, 2009 AND ENDING ON MAY 31, 2011.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-138. 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. 16

**D. PERSONAL APPEARANCES**

**D.-1. 09-0398** Fausto Gomez, of Gomez Barker, P. A., to report on the 2009 Florida Legislative Session.

**Attachments:** [Coral Gables 2009 Legislative Report](#)

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

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 4

**E. PUBLIC HEARINGS****ORDINANCES ON SECOND READING****ORDINANCE NO. 2009-29****E.-1. 09-0104**

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

(Passed on First Reading on February 24, 2009.)

**Attachments:** [060209-CC Cover Memo-Lease Agreement Liberty Events.pdf](#)  
[060409 Country Club Cover Memo](#)  
[060409 - Country Club Ordinance](#)  
[Country Club Lease Agreement](#)  
[Country Club Lease Agreement - Red Lined](#)  
[Ordinance 2009-29.pdf](#)

**This Ordinance was Continued**

City Clerk Item No. 12

**RESOLUTION NO. 2009-135****Non 09-0429  
Agenda**

A Resolution of the City of Coral Gables to continue Agenda Item E-1 until the City Commission Meeting of Thursday June 4, 2009 9 a.m.

**Attachments:** [Signed Resolution 2009-135.pdf](#)

A MOTION TO CONTINUE CONSIDERATION OF AGENDA ITEM E-1 [SUBJECT MATTER: ORDINANCE ON SECOND READING AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CORAL GRAND, LLC, FOR THE LONG-TERM MANAGEMENT AND OPERATIONS OF A CITY-OWNED FACILITY AT 997 NORTH GREENWAY DRIVE, ALSO KNOWN AS "THE COUNTRY CLUB OF CORAL GABLES", WITH THE LEGAL DESCRIPTION OF LOTS 1-9 AND 37-39, BLOCK 32, SECTION "B" INCLUDING THE TENNIS COURTS WITH THE LEGAL DESCRIPTION OF THAT PORTION OF THE GRANADA GOLF COURSE THAT IS APPROXIMATELY 130 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF SOUTH GREENWAY DRIVE AND 336 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF GRANADA BOULEVARD, WHICH IS NOW OCCUPIED AND USED AS SIX (6) TENNIS COURTS AND A TENNIS CLUB HOUSE], UNTIL THE CITY COMMISSION MEETING OF THURSDAY, JUNE 4,

2009 AT 9:00 A.M.

[Note for the Record: Following City Attorney Elizabeth Hernandez' reading of the title to Agenda Item E-1 into the public record, Mayor Slesnick informed the viewing public that at the request of the City Administration, the City Commission has been asked to consider the granting of a continuance for consideration of Agenda Item E-1 (subject matter: authorize City Manager to execute a lease agreement with Liberty Events, LLC for the long-term management and operations of a City owned facility at 997 North Greenway Drive known as "The Country Club of Coral Gables"), in order to adequately prepare to present said matter to the City Commission and the general public on Thursday, June 4, 2009, 9 a.m.

**Questions, Comments, Inquiries and Concerns from the City Commission:** **Commissioner Cabrera** stated that his only concern is that if he fails to receive a copy of the contractual agreement by Tuesday evening, this same day, then he would feel very uncomfortable hearing this item.

City Manager Salerno responded that the City Administration's goal is to distribute the requested document (including the agenda packet) to the City Commission by the evening hours; further pointing out that if he is unable to do same, then he will cancel the meeting.

Following Commissioner Cabrera's comments, there being no further deliberation by any member of the City Commission, on a motion which was made by Commissioner Withers and seconded by Commissioner Anderson, Mayor Slesnick instructed the City Clerk to call the roll].

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-135. 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. 11

**ORDINANCE NO. 2009-28****E.-2. 09-0351**

An Ordinance of the City of Coral Gables amending Zoning Code Article 4, Section 4-204, "Special Use (S) District" and Article 8, "Definitions", providing for a "Country Club" use classification and definition thereof, providing severability, providing for codification thereof, and providing for an effective date. (Passed on First Reading on May 26, 2009.)

**Attachments:**

[05 26 09 Exhibit A: Ordinance - Country Club Ordinance - 1st Reading](#)  
[05 26 09 Exhibit B: 05 13 09 PZB Staff Report with attachments](#)  
[05 26 09 Exhibit C: 05 13 09 Excerpts of PZB Verbatim Meeting Minutes](#)  
[E-3 Cover Memo](#)  
[06 02 09 CC Cover Memo re: Country Club ZC text amendment 2nd reading](#)  
[06 02 09 Exhibit A: Ordinance - Country Club Ordinance - 2nd Reading](#)  
[Ordinance 2009-28.pdf](#)

AN ORDINANCE ON SECOND READING AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH CORAL GRAND, LLC, FOR THE LONG-TERM MANAGEMENT AND OPERATIONS OF A CITY-OWNED FACILITY AT 997 NORTH GREENWAY DRIVE, ALSO KNOWN AS "THE COUNTRY CLUB OF CORAL GABLES", WITH THE LEGAL DESCRIPTION OF LOTS 1-9 AND 37-39, BLOCK 32, SECTION "B" INCLUDING THE TENNIS COURTS WITH THE LEGAL DESCRIPTION OF THAT PORTION OF THE GRANADA GOLF COURSE THAT IS APPROXIMATELY 130 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF SOUTH GREENWAY DRIVE AND 336 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF GRANADA BOULEVARD, WHICH IS NOW OCCUPIED AND USED AS SIX (6) TENNIS COURTS AND A TENNIS CLUB HOUSE.

[Note for the Record: Following City Attorney Elizabeth Hernandez' reading of the title to Agenda Item E-2 into the public record, there being no public testimony proffered by any member of the public, nor there being any deliberation by any member of the City Commission, on a motion that was made by Commissioner Anderson and seconded by Commissioner Kerdyk, Mayor Slesnick instructed the City Clerk to call the roll Agenda Item E-2].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2009-28. 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. 13

**ORDINANCE NO. 2009-30****E.-3. [09-0350](#)**

An Ordinance of the City Commission of Coral Gables pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations", providing for the vacation of a twenty (20') foot alley between Lots 1-4 and a portion of Lot 44, Lots 45 - 48 inclusive, Block 34, Coral Gables Section "K" and establishment of a new vehicular turnaround on Lots 42-44; and creation of two (2), sixteen (16') foot public access easements on Lots 12-16, Block 34, Coral Gables Section "K," to accommodate public access to the remaining portions of the twenty (20') foot alley within Block 34; the vacation is necessary to allow for the construction of various improvements for the City owned property known as the "Coral Gables Museum", legally described as Lots 1-4, 42-48, and vacated portion of the alley, Block 34, Coral Gables Section "K" (285 Aragon Avenue), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date (all legal descriptions on file for review). (Passed on First Reading May 26, 2009).

**Attachments:**[05 26 09 Exhibit A: Ordinance - City Museum alley vacation 1st reading](#)[05 26 09 Exhibit C: 05 13 09 Excerpts of PZB Verbatim Meeting Minutes](#)[05 26 09 Exhibit B: 05 13 09 PZB Staff Report with attachments](#)[05 26 09 Exhibit B: Submittal Package \(part of Staff Report\)](#)[E-2 Cover Memo](#)[06 02 09 CC Cover Memo re: City Museum alley vacation 2nd reading](#)[07 07 09 CC Cover Memo re: City Museum alley vacation 2nd reading](#)[07 07 09 Exhibit A: Ordinance - City Museum alley vacation revised 2nd reading](#)[07 07 09 Exhibit B: 07 01 09 Public Works Memo](#)[07 07 09 Exhibit C: Public Works survey sketch](#)[E-1 Museum Alley Cover Memo](#)[Ordinance 2009-30.pdf](#)

[Note for the Record: Mayor Slesnick stated to the viewing public that he was informed by the City Manager that there was a request by his office to defer consideration of Agenda Item E-3 until the City Commission Meeting presently scheduled for July 7th, 2009.

**Questions, Comments, Inquiries and Concerns from the City Commission:**  
Mayor Slesnick inquired of the City Manager as to whether the representatives from the Coral Gables Museum had been informed of the requested deferral?-whereupon the City Manager responded affirmative].

**This Ordinance was Deferred**

City Clerk Item No. 5

**Items E.-4., E.-5. and H.-3. through H-5. are related****ORDINANCE NO. 2009-26****E.-4. [09-0141](#)**

An Ordinance of the City of Coral Gables for a change of land use from "Commercial Use, Mid-Rise Density" to "Commercial Use, High-Rise Density" on Lots 35-47 and Tract B, Block 4, and Lots 10-20, Block 5, Crafts Section (83 Andalusia Avenue), Coral Gables, Florida; the change of land use is a pre-requisite for Planned Area Development (PAD) site plan review; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (Passed on First Reading on March 10, 2009.)

**Attachments:** [03 10 09 CC Cover Memo re: The Palace change of land use and PAD site plan 1](#)  
[03 10 09 Exhibit A: Ordinance re - The Palace change of land use 1st reading](#)  
[03 10 09 Exhibit B: Ordinance - The Palace PAD site plan 1st reading](#)  
[03 10 09 Exhibit C 02 11 09 Staff report with attachments](#)  
[03 10 09 Exhibit D 02 11 09 Verbatim Excerpts of PZB Meeting Minutes](#)  
[03 10 09 Exhibit E The Palace at Coral Gables - PowerPoint Presentation](#)  
[03 10 09 Exhibit C Attachment A of Staff Report](#)  
[03 10 09 Planning and Zoning Board - PAD and Comp Plan Amendment](#)  
[06 02 09 Exhibit A: Ordinance - The Palace change of land use 2nd reading](#)  
[06 02 09 Exhibit B: Ordinance - The Palace PAD site plan 2nd reading REVISED](#)  
[06 02 09 Exhibit C 02 11 09 Staff report with attachments](#)  
[06 02 09 Exhibit C-2: 02 11 09 Attachment A to PZB Staff Report](#)  
[06 02 09 Exhibit C-1: 06 02 09 City Commission Inserts for 2nd Reading](#)  
[06 02 09 Exhibit D: 03 10 09 CC Meeting Minutes](#)  
[06 02 09 Exhibit D-1: Attachment to CC Minutes - PowerPoint re The Palace at C](#)  
[06 02 09 Exhibit D-2: Attachment to CC Minutes - Applicant's PAD 02-11-09-POW](#)  
[06 02 09 CC Cover Memo re: The Palace change of land use and PAD site plan 2](#)  
[052809-Memo PGS-Final Bldg. Design for Palace Dev.pdf](#)  
[Ordinance 2009-26.pdf](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES FOR A CHANGE OF LAND USE FROM "COMMERCIAL USE, MID-RISE DENSITY" TO "COMMERCIAL USE, HIGH-RISE DENSITY" ON LOTS 35-47 AND TRACT B, BLOCK 4, AND LOTS 10-20, BLOCK 5, CRAFTS SECTION (83 ANDALUSIA AVENUE), CORAL GABLES, FLORIDA; THE CHANGE OF LAND USE IS A PRE-REQUISITE FOR PLANNED AREA DEVELOPMENT (PAD) SITE PLAN REVIEW; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: A copy of the verbatim transcript for Agenda Items H-3, H-4, H-5, along with related Agenda Items E-4 and E-5 are available in the Office of the City Clerk and in Legistar].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2009-26. The motion passed by the following vote:**

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

City Clerk Item No. 7

**ORDINANCE NO. 2009-27****E.-5. 09-0143**

An Ordinance of the City of Coral Gables approving the Planned Area Development (PAD) site plan referred to as "The Palace at Coral Gables" on Lots 35-47 and Tract B, Block 4, and Lots 10-20, Block 5, Crafts Section (83 Andalusia Avenue), Coral Gables, Florida, and including required conditions; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (Passed on First Reading on March 10, 2009.)

**Attachments:** [03 10 09 CC Cover Memo re: The Palace change of land use and PAD site plan 1](#)  
[03 10 09 Exhibit A: Ordinance - The Palace change of land use 1st reading](#)  
[03 10 09 Exhibit B: Ordinance - The Palace PAD site plan 1st reading](#)  
[03 10 09 Exhibit C 02 11 09 Staff report with attachments](#)  
[03 10 09 Exhibit D 02 11 09 Verbatim Excerpts of PZB Meeting Minutes](#)  
[03 10 09 Exhibit E The Palace at Coral Gables - PowerPoint Presentation](#)  
[06 02 09 Exhibit A: Ordinance - The Palace change of land use 2nd reading](#)  
[06 02 09 Exhibit B: Ordinance - The Palace PAD site plan 2nd reading REVISED](#)  
[06 02 09 Exhibit C: 02 11 09 Staff report with attachments](#)  
[06 02 09 Exhibit C-1: 06 02 09 City Commission Inserts for 2nd Reading](#)  
[06 02 09 Exhibit C-2: 02 11 09 Attachment A to PZB Staff Report](#)  
[06 02 09 Exhibit D: 03 10 09 CC Meeting Minutes](#)  
[06 02 09 Exhibit D-1: 03 10 09 Staffs PowerPoint re The Palace at Coral Gables](#)  
[06 02 09 Exhibit D-2: 03 10 09 Applicant's PowerPoint re: PAD 02-11-09-POWER](#)  
[06 02 09 CC Cover Memo re: The Palace change of land use and PAD site plan 2](#)  
[052809-Memo PGS-Final Bldg. Design for Palace Dev.pdf](#)  
[Ordinance 2009-27.pdf](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING THE PLANNED AREA DEVELOPMENT (PAD) SITE PLAN REFERRED TO AS "THE PALACE AT CORAL GABLES" ON LOTS 35-47 AND TRACT B, BLOCK 4, AND LOTS 10-20, BLOCK 5, CRAFTS SECTION (83 ANDALUSIA AVENUE), CORAL GABLES, FLORIDA, AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: A copy of the verbatim transcript for Agenda Items H-3, H-4, H-5, along with related Agenda Items E-4 and E-5 are available in the Office of the City Clerk and in Legistar].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Ordinance Number 2009-27. 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. 8

## F. CITY COMMISSION ITEMS

- F.-1. **09-0406** Update from the City Attorney on FPL's proposed route for transmission lines.  
Commissioner Rafael "Ralph" Cabrera, Jr.

[Note for the Record: Commissioner Cabrera informed his colleagues that he had asked through City Manager Salerno, and designated members of the City Administration to bring back an update regarding FPL; further mentioning that the City Attorney has been in contact with FPL, further recalling that the City Commission had previously granted authority to the City Attorney to engage outside consultants; also consideration and dialogue has been given to reinstitute our Public Utilities Service Board to assist us in this matter; further mentioning that our City Attorney has distributed a memorandum to the City Commission regarding FPL transmission line certification process.

City Attorney Hernandez added that she has had discussions with FPL over the past two months, further pointing out that our City's Public Works Department has had discussions with FPL officials as part of a larger discussion process; further adding that her office has analyzed the legal process with regard to the application they may present; further stating that the Department of Environmental Protection Administrative Law Judge will conduct a hearing with those affected agencies; further stating that a timetable has been established from the state to give City officials an idea as to what the timeline would be; further stating that the City may want to conduct public workshops (to facilitate public input), or have the City Attorney generate a general internal report regarding said matter; further stating that she would recommend a public hearing process/Administrative Hearings; further informing the City Commission that she is awaiting Florida Power and Light's intent to file a site certification application to the Siting Office of the Florida Department of Environmental Protection, whereby the City will subsequently file a statement with the Department of Environmental Protection as to the completeness of the application.

**Questions, Comments, Inquiries and Concerns from the City Commission:**  
**Commissioner Cabrera** inquired as to whether if the City does not receive the site certification application, to examine the preliminary issues, does that mean that the timeline application has changed?-whereby **City Attorney Hernandez** stated that although the dates are provided, they are not edged in stone.

Commissioner Withers inquired as to whether the filing of the site certification application, is also the time when routes are proposed?-further questioning Commissioner Cabrera as to what were his concerns regarding said matter?-whereby Commissioner Cabrera stated his concerns were as follows: (1) That he wants a better feel for any and all health hazards; (2) Installation of the lines (request was made to do the transmission lines in conjunction with the Metro Rail.) (3) In Path (bike path along Metro Rail Lines, will be affected adversely,) (4) Request to know from Florida

Power and Light, will they consider burying the lines.

Commissioner Cabrera pondered whether there can be any synergy between FPL and Metro-Rail for installation purposes; further expressing concern as to if FPL moves forward with the transmission of any lines, what would they look like?-further instructing the City Manager to direct staff to look into examples of what these lines would look like; further inquiring as to whether there are any areas in Metropolitan Dade County that we can refer people regarding transmission of lines; further expressing personal interest in wanting to see same.

Ramon Ferrer, Area Manager for FPL addressed the City Commission, stating that he has been involved in an aggressive outreach process for the last two years, to make sure that FPL communicates plans to the affected residents (including new constituents); further stipulating that FPL has detailed the route selection process (sending out approximately 260,000 letters) to everyone to be impacted by the proposed route, having gathered input from any customer within a quarter of-a-mile radius; further stating that the route that has been proposed for Coral Gables, was a product of that outreach process, with the intention to co-locate with existing transmission lines, which will minimize many of the City's concerns; thereby eliminating the need for new transmission lines; further stating that the following input was received from FPL Customers: stay away from residential areas; look for linear facilities (i.e. expressways; roadways, etc.); try to co-locate within existing facilities; minimize the likelihood for installation of new facilities/new poles (Coral Gables has existing lines, therefore, our plan will be to utilize same; further clarifying the use of the term by-pass, which refers to land use that is more compatible with this type of facility; opportunities to attach to the Metro-Rail, very specific overhead service of transmission lines, which is the preferred option in the state of Florida; further expressing the need to keep the cost of our facilities down, unless there are circumstances that require us to place facilities on ground level.

Mr. Ferrer stated that in terms of the cost implications for conversion of lines, that those entities that are desirous of the conversion would have to bear the cost of conversion of the lines; further stipulating that the cost range for conversion of lines underground can be calculated to be between \$13.3 million and \$18 million dollars per mile; further stipulating that regarding the subject matter of electromagnetic fields, he stated that he has known employers that live and work with our customers; further adding that part of this community is sensitive toward FPL's initiative; further stating that the state of Florida is one of the two states in the country that have established standards for electromagnetic fields; further adding that the state of Florida has design facilities that meet or exceed those standards].

**This Resolution was Discussed and Filed**

City Clerk Item No. 49

**G. BOARDS/COMMITTEES ITEMS****None**

City Clerk Item No. 50

**H. CITY MANAGER ITEMS****Items H.-1. and H.-2. are related****RESOLUTION NO. 2009-166**

- H.-1. [09-0399](#) Resolution rescinding Resolution 2009-46 related to a Lease Agreement with Rumi Mediterranean Corp., d/b/a Rumi Mediterranean Kitchen and Bar, located on the ground floor of Coral Gables Garage No. 6, at 2325 Galiano Street, Coral Gables, Florida.

**Attachments:**

- [R-2009-46.pdf](#)  
[Letter from Samuel A. Rubert - May 27, 2009.pdf](#)  
[Cover Memo to Commission Rescinding R-2009-46.pdf](#)  
[060209-RESOLUTION Rumi.pdf](#)  
[Signed Resolution 2009-166.pdf](#)

A RESOLUTION RESCINDING RESOLUTION 2009-46 RELATED TO A LEASE AGREEMENT WITH RUMI MEDITERRANEAN CORP., D/B/A RUMI MEDITERRANEAN KITCHEN AND BAR, LOCATED ON THE GROUND FLOOR OF CORAL GABLES GARAGE NO. 6, AT 2325 GALIANO STREET.

[Note for the Record: Assistant City Manager Maria Jimenez stated that the item before the City Commission was proposed legislation (in resolution form), to rescind Resolution No. 2009-46, relating to a lease agreement with Rumi Mediterranean Corp., located on the ground floor of Coral Gables Garage No. 6, located at 2525 Galiano Street; further stating that LLC, d/b/a Flow Dining and Ultra Lounge is a sublease of Grillfish of Coral Gables LLC, Lessee, who entered into a lease agreement with the City for the tenant space located at 2325 Galiano Street, Parking Garage No. 6; further noting that the prior tenant was in litigation with the City and both parties agreed that it was time to secure a new tenant for said facility; further stating that on February 24, 2009, our Commission authorized the City to enter into a new lease agreement with Rumi Mediterranean Corporation, in the tenant space on the ground floor of Garage 6; further stating that on April 21, 2009, the City was informed by ZBA, LLC that negotiations fell through with Rumi.

**Questions, Comments, Inquiries and Concerns from the City Commission:**  
Commissioner Cabrera informed his colleagues that he is going to have a difficult time replacing the current tenant; further stating that he has not received any assurances, that

anyone else can sustain a restaurant at said location, given the current economic climate; further adding that since nothing really has succeeded at said location, that he would rather use said facility for a City related space; further stating that he will not be supporting this item, because he does not want to set people up for failure; further inquiring of the Administration as to whether the current tenant is up to date on all of his rental payments?-whereby Assistant City Manager Maria Jimenez stated that said tenant is currently behind on his rental payments by approximately six months; further stating that as a result of this new lease, they will need to make the payment of their delinquent taxes for the 2008 Calendar Year; further stating that in the next proposed agenda item that the City will continue to negotiate and execute the new lease, said request being made to continue negotiations with the existing tenant].

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2009-166. The motion passed by the following vote:**

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

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

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

City Clerk Item No. 51

**RESOLUTION NO. 2009-167****H.-2. 09-0400**

Resolution authorizing the negotiation and execution of a lease agreement with Bijan Coral Gables, d/b/a Monty's Coral Gables, for approximately 3,905 square feet of space located on the ground floor of Coral Gables Garage No. 6, at 2325 Galiano Street, Coral Gables, Florida.

**Attachments:**[Bijan's Full Proposal \(2\).pdf](#)[Letter from Samuel A. Rubert - May 27, 2009.pdf](#)[Monty's Lease Agreement - Commencement TBD - Presented at 6.2.09 Comm. M](#)[060209-RESOLUTION Monty's.pdf](#)[060209-CC Cover Memo Monty's.pdf](#)[Signed Resolution 2009-167.pdf](#)

A RESOLUTION AUTHORIZING THE NEGOTIATION AND EXECUTION OF A LEASE AGREEMENT WITH BIJAN CORAL GABLES, D/B/A MONTY'S CORAL GABLES, FOR APPROXIMATELY 3,905 SQUARE FEET OF SPACE LOCATED ON THE GROUND FLOOR OF CORAL GABLES GARAGE NO. 6, AT 2325 GALIANO STREET, CORAL GABLES, FLORIDA.

[Note for the Record: Assistant City Manager Maria Jimenez stated that this item authorizes the negotiation and execution of a lease agreement with Bijan Coral Gables (d/b/a Monty's Coral Gables Garage No. 6) at 2325 Galiano Street; further noting that the City does have a proposed new tenant, namely Bijan Nakhjavan, who is an experienced restaurateur, and has been involved both with Monty's in Coconut Grove and Monty's on South Beach; further stating that it is his intent to create the same concept in Coral Gables, with heavy emphasis on local seafood, to be opened 6 days a week.

**Questions, Comments, Inquiries and Concerns from the City Commission:** Commissioner Wither's inquired of Assistant City Manager Maria Jimenez, as to who was the ultimate guarantor in this particular matter?-whether it was Flow Dining and Ultra Lounge?-ZBA, LLC of Coral Gables?-or Grillfish? Assistant City Manager Maria Jimenez stated that ZBA, LLC she believed. Louis Terminello, Esq. representing Bijan I. Nakhjavan, stated that the Bijan entity seeks to acquire the space located at 2325 Galiano Street on the ground floor of Parking Garage No. 6, from the current tenant, further stating that the terms are subject to renegotiation, and that there is a plan on the table for same; further stating that Grillfish of Coral Gables is now out of the original lease; further stating that the assignment of a sublease has now entered into a final assignment, and that Grillfish now seeks to assign this to a new entity, which is Bijan's Coral Gables d/b/a Monty's Coral Gables; further stating that the prospective tenant is not just an ordinary tenant, but one who is an experienced restaurateur, capable of analyzing the venue, conducting economic forecast, etc.; further stating that Bijan's operating partner is present in the Chambers on this same date, and that he aspires to complete his lease obligation and to move on; further stating that if the City does not pass the proposed resolution today, does not mean that

the City will automatically get its space back; further pointing out that there is an existing lease in place.

Commissioner Withers further inquired as to whether Mr. Terminello was profiting from the sale to Bijan's of Coral Gables?- also, whether the City has audited this transaction?- further stating that he did not know where those rental payments have accelerated to, but if the City is going to try to help someone succeed there, then in his opinion that represents a win-win for everybody; further adding that if the City has a responsibility toward helping others, then it would be his desire to have the City renegotiate the lease agreement and start from ground zero; however, if Mr. Terminello is willing to help Bijan Coral Gables d/b/a out and take a financial hit, then said option is plausible; further inquiring as to whether Bijan Coral Gables will be using its own equipment in epiphany that is already in there, which in his opinion is fine.

Mr. Terminello stated that he would respond to said inquiry in two parts: that he is selling the assets, but concomitantly that he was losing money in the sale; further stating that the sale price is far below market; that they are pretty much starting from ground zero, that they are putting in a substantial investment, including making some modifications, not just using the equipment that is there, including cleaning the place up and getting it ready, etc].

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-167. The motion passed by the following vote:**

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

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

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

City Clerk Item No. 52

**Items H.-3. through H.-5., E.-4. and E.-5 are related****RESOLUTION NO. 2009-132****H.-3. [09-0416](#)**

Resolution authorizing the execution of an amendment to the Lease and Development Agreement between The Palace Management Group, LLC and the City of Coral Gables, dated July 14, 2008.

**Attachments:** [060209-CC Cover Memo The Palace-Lease and Dev Agreem.pdf](#)  
[060209-RESOLUTION Amendment Palace Lease.pdf](#)  
[Signed Resolution 2009-132.pdf](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTION OF AN AMENDMENT TO THE LEASE AND DEVELOPMENT AGREEMENT BETWEEN THE PALACE MANAGEMENT GROUP, LLC AND THE CITY OF CORAL GABLES, DATED JULY 14, 2008.

[Note for the Record: A copy of the verbatim transcript for Agenda Items H-3, H-4, H-5, along with related Agenda Items E-4 and E-5 are available in the Office of the City Clerk and in Legistar].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-132. 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. 6

**RESOLUTION NO. 2009-133****H-4. 09-0414**

Resolution authorizing the execution of a Declaration of Restrictive Covenant required by Miami-Dade County, pursuant to the requirements as part of establishing a Community Development District (CDD) for the public portion of the Parking Garage, associated with The Palace Development at 50 Andalusia Avenue, Coral Gables, Florida.

**Attachments:**

[060209-CC Cover Memo The Palace CDD Parking.pdf](#)  
[060209-Attach-Palace-CDD Itr.pdf](#)  
[060209-Attach-Palace-CDD Summary Pict.pdf](#)  
[060209-Attach-Palace-CDD Decl.Rest.Covenants.pdf](#)  
[060209-Attach-Palace-CDD-Res.2008-107.pdf](#)  
[060209-RESOLUTION Palace CDD Parking.pdf](#)  
[Signed Resolution 2009-133.pdf](#)

A RESOLUTION AUTHORIZING THE EXECUTION OF A DECLARATION OF RESTRICTIVE COVENANT REQUIRED BY MIAMI-DADE COUNTY, PURSU-ANT TO THE REQUIREMENT OF ESTABLISHING A COMMUNITY DEVEL-OPMENT DISTRICT (CDD) FOR THE PUBLIC PORTION OF THE PARKING GARAGE, ASSOCIATED WITH THE PALACE DEVELOPMENT, AT 50 ANDA-LUSIA AVENUE, CORAL GABLES, FLORIDA.

[Note for the Record: A copy of the verbatim transcript for Agenda Items H-3, H-4, H-5, along with related Agenda Items E-4 and E-5 are available in the Office of the City Clerk and in Legistar].

**A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2009-133. 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. 9

**RESOLUTION NO. 2009-134****H.-5. 09-0413**

Resolution authorizing the waiver of "short-term" parking fee payments for a period of twenty-four months during construction, pursuant to Section 74-140 of the City Code, in consideration for proposed streetscape improvements, beyond what is required by Code.

**Attachments:** [060209-RESOLUTION Palace Parking Waiver.pdf](#)  
[060209-CC Cover Memo The Palace-parking waiver.pdf](#)  
[Signed Resolution 2009-134.pdf](#)

A RESOLUTION AUTHORIZING A WAIVER OF "SHORT-TERM" PARKING FEE PAYMENTS FOR A PERIOD OF TWENTY-FOUR MONTHS DURING CONSTRUCTION, PURSUANT TO SECTION 74-140 OF THE CITY CODE, IN EXCHANGE FOR PROPOSED STREETSCAPE IMPROVEMENTS, BEYOND WHAT IS REQUIRED BY CODE, AND THE USE OF THE PRIVATE PARKING LOT (ADJACENT TO MELODY INN PROPERTY) BY THE CITY FOR PUBLIC PARKING UNTIL THE START OF THE PALACE CONSTRUCTION.

[Note for the Record: A copy of the verbatim transcript for Agenda Items H-3, H-4, H-5, along with related Agenda Items E-4 and E-5 are available in the Office of the City Clerk and in Legistar].

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2009-134. 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. 10

**I. CITY ATTORNEY ITEMS****None**

City Clerk Item No. 53

**J. CITY CLERK ITEMS****None**

City Clerk Item No. 54

**K. DISCUSSION ITEMS**

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: Two items; one unexpected and one that I have observed over the last few months. The first one is the issue of a few months back, I don't know Mr. Salerno if it was before you got here, I wanted to review the issues of the oversized homes. We passed an ordinance several years back trying to control the size of oversized homes in the City, and I had wanted a report to see if the ordinance had been successful in kind of mitigating some of the larger homes in the area; and that hasn't been forthcoming yet, and I understand that there is probably other things going on, but there is a house that went up not too far from here, a little south off of one of our main thoroughfares that was a very small, small house that now looks like a gigantic palace; and when people ask us if our ordinances are working, I'd like to say that they are, but I'm not quite sure; and that particular house gave me great pause, and I don't want to mention addresses because everybody's home is, as they say, their safe proverbial castle; and I don't want to insult anybody, but I want to make sure that what we enacted is actually working, the oversized homes. So I'd like to get that sooner rather than later to find out, because if we need to make adjustments, that particular home is just tremendously out of scale, and I'm usually pretty lenient on scale. The second issue was an issue I brought up last week at last week's Commission meeting about a potential for a "green" committee; and I had talked about a variety of things I wanted to do and get from the City staff; and I had been in communication with Mrs. Sally Jude, unfortunately because of miscommunication, she didn't get my message I'd been out late last night and didn't get her message, I wanted to honor their presence here and let them know that I am gathering more information; I've actually contacted the University of Miami for their assistance for their help as well; and I want to put together some ideas for the Commission to consider as far as structure, as far as how we want to proceed; and I want to do that fairly quickly for you all to consider, but I didn't want to just "willy nilly" put it forward, but unfortunately we hadn't communicated via e-mail, but I hadn't gotten Mrs. Jude's e-mail back. So if I could get that report on what I had asked for last week as far as what has the City done in terms of processes, codes and purchases in order for "green" efforts that would be really important.

Commissioner Cabrera: I can help you with that too; the previous Manager at my request conducted an audit, department by department of all "green" initiatives, and I can actually send you those e-mails from my computer to help you follow that up with staff, because I kept copies of every e-mail, and I think all but maybe two or three departments responded, and that may be of help to Ms. Anderson.

City Attorney Hernandez: And that was in conjunction with Bernard Dricovitch's office, Anabella Smith, and Carolyn Mitchell assisted us in putting together a

questionnaire and the departments reviewed to see if they were meeting the national leed standards for “greening” to see where the City fell vis a vie “green” efforts and what departments could do in order to improve.

Commissioner Cabrera: I think that was done subsequently; I really just have what...back then Mr. Brown sent out an e-mail to staff or worked through one of the Assistant City Managers and then they responded informally, its just institutional information that may be of help to you. I think what Ms. Hernandez is talking about is a more formal process that was then done, but I don't know where that went. I never saw that.

Commissioner Anderson: I never saw that; any kind of information that we have already, not to reinvent the wheel.

Mayor Slesnick: Also, as I have said to you before, and I will ask my office if we haven't done this to circulate the...

Commissioner Anderson: They did and there was a conversation among leaders in the community; yes, I did get that, Trevor did send that, so I will put that in the mix.

Commissioner Withers: You are talking more than just greening efforts within the City's operations; you are talking about efforts citywide.

Commissioner Anderson: Yes, but I wanted to look at us first and then look at other things as well; I know these ladies want to be involved and I also want to get the university involved, and I initiated that conversation, so its my intent to sit with these ladies and also the University of Miami and there are a couple of people who approached me that are interested in helping.

Commissioner Cabrera: I've got a dozen people who are interested.

Commissioner Anderson: We need to form the committee to figure out what the goal is and what we want to accomplish, so that's why I want to do it preliminarily. Usually when I bring a committee or anybody brings a committee, say well what do you want to accomplish, how do you want it structured, I want to answer those questions because you are going to ask me those things.

Commissioner Withers: Because I know our City Clerk is well into that.

Commissioner Anderson: No, well some of his...right. So I will be coming back to you after I get a little more information on that and discuss....

Commissioner Withers: Would it be a new committee, Maria, is that your intent....

Commissioner Anderson: Yes, it would be a new committee...sees I don't have all the information, because I haven't had a chance to meet with this group, but my thought would be that it would be a committee that sets up that we could have it for a period of time and periodically count on them.

Mayor Slesnick: If there are so many people interested in it as we have noted and already seen, maybe a small committee is not as good as having some kind of ad hoc organization with our blessing to mobilize around a large number of people, I'm just throwing that out.

Commissioner Anderson: That's fine; I just want to get it moving, I don't want to...

Commissioner Withers: So a non City government committee, but an overall...

Commissioner Anderson: I had a couple of ideas that I wanted to throw out, but that's fine, if the Commission's will is to do an ad hoc, I really...I wanted a more formal kind of process.

Commissioner Withers: What Don said is maybe a part of City government, just a citywide citizens effort, is that what you are saying Don?- made up of...

Mayor Slesnick: With our blessing.

Commissioner Cabrera: Well she's got - Ms. Anderson is going to come back to us with something.

Commissioner Anderson: Mayor would you give me the luxury of asking Mrs. Jude to come up, she came over here. Can you come up and speak.

Mrs. Jude: I'm Sally Jude and I've lived in the City since 1964, and I want to welcome our new City Manager. We've had a "green" committee both at the Villagers and at the Coral Gables Garden, and the Chamber has a "green" committee, so there are lots of forces working on this, but there is one that I thought maybe the City of Coral Gables could be ahead of the pack; LEED certification is going to look at neighborhoods and we as a City have many of the qualities that a LEED neighborhood is going to be. Deborah Cole is on this national committee that's working on this, and I've talked to her some about it, but I thought that this might be an opportunity for us to showcase ourselves which would be part of being "green", but I almost feel like we are actually at war, a global war but we are all on the same team, but unless we work fast and take big time actions our grandchildren aren't going to have a life that we would think they should enjoy, and that's why I'm really so anxious to see us move forward with this and maybe even town hall meetings ought to be a part of it. I was just

telling Dorothy, I was at a shopping center and there was a car parked next to our car and the engine was running and there was a child in the car, and I came out of the store about thirty-five minutes later, the car still running with the child in the car, and this is the way so many people do not have a clue what their carbon footprint is. So we've got a big educational problem here. I know the Commission isn't going to change those things, but the more we say about the opportunities to do better, the more I think better the results could be.

Commissioner Anderson: And I think what you bring up is a really good point is education, and that's one component of it all, but there are other things we can do. I was in Boston yesterday, I tried to take a picture of it; it was a solar powered trash container, so there are different things we can do...

Mrs. Jude: There are "green" roofs; I mean there are so many different ways we can go.

Commissioner Anderson: Well, that might be an issue that's past. But you know, I think there are a lot of components we can talk about and then we can bring back ideas to move forward with it, because I think it's good, but you are talking education, there are processes that we can do, but I think there are things that we need some information to spring board; the University might be willing to help us.

Mrs. Jude: [Inaudible]...the "green" committee has to affect every other committee in the City.

Commissioner Anderson: Sure that's why it takes kind of like a concerted thought process.

Mayor Slesnick: Sally before you leave, it should be noted that the City has worked with you now two years in a row on your "green" festival.

Mrs. Jude: That's very true and that's something that was very successful this year.

Mayor Slesnick: And was going to say, and we have accomplished that without any other committees or anything, but the "green" festival the first year was separate from the Farmers Market over at the Youth Center, it was not as well attended as we had hoped even though we had run trolley service back and forth, but the second time this year was right here at the sight of the Farmers Market.

Mrs. Jude: We need a lot more products, I mean there are so many things that we ought to be introducing to the public as they build their "McMansions" or whatever they are building, they ought to be incorporating and rehabbing buildings.

Mayor Slesnick: Well Sally has been one of the voices in the country, well wait a minute Sally, I'm not through with you yet...Sally has been one of the voices in the country...

Mrs. Jude: I don't want to take too much time.

Mayor Slesnick: Sally has been one of the voices in the country to suggest the first step in "greening" is to save what's already built because the energy wasted in tearing down older things already put you way behind the carbon footprint curve so that you can do all the "green" things you want to, but if you tore down the building to get there you already probably set a carbon print that you will never go back to correcting.

Mrs. Jude: The Orange Bowl is a wonderful example.

Mayor Slesnick: But I would like to remind since everyone is here and people are watching that the City is very proud of the fact that its up and coming museum, Mr. Withers, you want to say this, is going to be a LEED Certified building, and its saving an old building. So we've done both the saving up front and then trying to do all the modern things to the old building to not only save the old building and therefore create less of a carbon footprint, but then all the new emoluments to it to make it LEED Certifiable, and we think that will be the first of its kind in the United States. We also are looking at, the Manager is working on a \$200,000 grant, that we might get that would help make City Hall "green".

Mrs. Jude: Well the City has done a lot of good things and we just have to keep on working on them together.

(Applause)

Commissioner Anderson: OK, we'll be in touch to coordinate....

Mayor Slesnick: Is that for Sally or for me or for Maria?

Commissioner Anderson: I think it's for Sally, but we will be in touch, I appreciate you coming, sorry for the miscommunication, I was out from Friday morning till late last night, but appreciate you coming out.

Mayor Slesnick: What were you doing late?

Commissioner Anderson: Well I left last night flying in from Boston.

Mayor Slesnick: OK, well tell us why you were in Boston that's important.

Commissioner Anderson: Well, on Sunday my son graduated from college in Philadelphia, then we drove up to Boston where he has his orientation for his first real job in Boston at Harvard.

Mayor Slesnick: Congratulations to your son.

Commissioner Anderson: He now is on his own, he has benefits that get paid for, he's off Mom and Dad's payroll so that's nice, but it was a nice occasion.

Mayor Slesnick: Wait and see.

Commissioner Anderson: Its OK, it's always his home. Thank you.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: The item I have this morning really is a quick item that I had discussed with the Manager's office yesterday, because hurricane season is upon us, I did say that I'd sure like to see if we could have some sort of hurricane preparedness information, education efforts underway; and I believe they may already be underway in our Channel 77, but anything that we can do to further make our residents feel comfortable that our City is prepared for any and all impending hurricanes. I understand from the Manager that there is supposed to be a projected three serious hurricanes in this upcoming season, so it's not supposed to be as active as it has been in the past, but nonetheless I think history continues to show that we need to be fully prepared for this upcoming season. So that was really the extent of our discussion; and I hope that we will have more and more informational and educational segments on hurricane preparedness. Thank you.

Commissioner Withers: Yes, I have one quick item, it's a continuation from last week and I may have created "a tempest in a tea pot" here. I expressed concern about the Lourdes Academy expansion, and the City reacted and maybe because of my comments over-reacted and if they were I want to apologize to Stanley Price because it certainly was not meant to inflict any harm on him or his client. I respect Stanley, I've known him for a long time, he's a friend, so if you are listening I want to apologize. Little bit of history - I was hoping that our staff was going to take the presentation that they received from Stanley Price and his group, and from my understanding there were objections from staff on the project, and I was hoping that some of those objections would be voiced, and I don't know, Eric, if they amended the application, if you've seen the new amendments; I know there are still concerns on our part on some of the issues; some of the specific issues which were mentioned were student population, which I don't think I mentioned anything about increase in student population, so Mr. Price I didn't mention that. As far as height, I knew there was a height variance request, but I know that now that has been withdrawn, so that's a change; as far as

use of private homes, there were some private homes that at one time Lourdes Academy was trying to convert, but any way my whole point is before we embarrass ourselves and cause any annexed with Mr. Price, can we just make sure that the concerns that the City has that maybe would be in violation of our Code, or violation of our direction would be expressed and nothing more than that.

Mr. Riel: I've spoken to Mr. Price a number of times and we've also had meetings with County Planning staff. The information that we received is the same information that was provided in the staff report. The County has a different set of regulations, it's very difficult to compare them to Coral Gables regulations; what we merely did was take your expression of concern and forwarded that to Mr. Price as well as other parties, so we just conveyed that information; but in terms of increase in height, they are looking at three stories and thirty-five feet, rather than two stories; lot coverage they are asking for reducing that; they are waiving some of the requirements for parking and things of that sort, but again the reliance is just on the County staff report, we have not done an analysis. So your terms that you put in the resolution are very general in form, I understand that, and I believe I understand the Commission's concern was, this could potentially be a property annexed in the City, so that's why you all passed resolutions in the past. I am going this evening, I will convey that, the concern is regarding annexation, and highlight the fact that it is a concern, and I did go over with Mr. Price and indicated that we have done this in the past on properties that would be potentially annexed; and I will contact Mr. Price this afternoon again, I know he was very upset, he indicated that he was probably going to cross examine me tonight, and I certainly...

Commissioner Withers: Hopefully this will defuse some of that anxe...but you know there were concerns about allowing parking on unimproved surfaces and things like that is part of the application that I know the County has issues with, so I was just wanting to echo some of the concerns, after all the County has voted this thing down every time...

Mr. Riel: County Planning staff has recommended denial of certain things and approval of certain things. As I understand the application has not really changed from the initial discussion or presentation this month, there were some minor changes; we contacted the County staff they said there has been no new report issued, and basically it just stands as a record that we have. So I am going to read the resolution into the record tonight, indicate the concerns regarding potential annexation properties, that's basically it.

Commissioner Withers: And again, I don't want to put the City out there, I don't want to cause any issues with that.

Mayor Slesnick: Well that's the issue, is that the resolution may not be correct as we

wrote it, because it addresses issues that may not be on the table tonight, the increased building height, the use of residential houses, and increasing the size indicating that maybe increase in size meaning student body enrollment. So I don't know how we can go forward by presenting an incorrect resolution.

Mr. Riel: Again, it's in general terms, it's very general. Increasing the building height it is thirty-five feet, whether it's three floors or two; these are very, very general terms.

Commissioner Withers: Again, if we don't want to read the resolution, that's fine, I don't have an issue with that at all; if we just want to express concern about...

Commissioner Anderson: On the record just verbally.

Mr. Riel: OK, so I won't enter the resolution into the record; we did provide it to the Chair though en masse.

Mayor Slesnick: Well if we are going to keep it on the record might as well be entered, but I think you can verbally explain that we are concerned in general terms about these kinds of things.

Commissioner Withers: Exactly, I think that was the concern that the Commission had the last meeting, and that not any specific item but generally concerned about the expansion of the school in that area.

Mr. Riel: OK, I'll note that.

Mayor Slesnick: Thank you.

Commissioner Withers: And express my apologies to Stanley.

Mr. Riel: I'll talk to Mr. Price this afternoon.

Commissioner Withers: That's it Mr. Mayor.

Mayor Slesnick: Mr. Salerno did you have another?

Mr. Salerno: Nothing Mayor.

Mayor Slesnick: I have two I hope just quick things, if they are not quick I'll withdraw them, I just couldn't get them on the agenda on time; one is this article you may have read about Senate Bill 216, and I didn't want to embarrass our legislators today to take issue with one and not the other, because one voted for it and one didn't, but this is where the State Legislature again gets into our business directly of telling cities that

they cannot take positions on constitutional amendments that the legislator puts on the ballot, and that we as public officials cannot take positions. The Herald editorialized against it and asked the Governor to veto it; I've attached the Orlando Sentinel's editorial article against it showing people like Mayor Jack Seiler of Fort Lauderdale asked the Governor to veto it; and the League of Cities have taken that position and urges the Governor to veto it, and actually all I wanted to do and it's too late for us to worry about a resolution, but I wanted to know if the Commission is willing to have me ask the Governor on behalf of Coral Gables to veto it. I have no idea that it will have any impact on his decision, but it's another example of the legislature telling us...

Commissioner Anderson: Big Brother.

Commissioner Withers: Didn't this all stem from the whole impact fee issue that they were trying to keep us from...

Mayor Slesnick: Yes.

Commissioner Anderson: From my part personally I don't have any problem, I hope he...

Commissioner Cabrera: Go for it, you have my support.

Mayor Slesnick: Thank you. The other thing is, this is, and I'd like you all to have a bunch of this, you may have gotten it from the League of Cities. This is just the League of Cities Civility Campaign and the back to basics about civility and about citizenry and about civics in our schools, and about people treating each other well and so forth, and the League of Cities...

Commissioner Cabrera: I'd like to suggest that we get some extras, I have some residents that I'd like to send this to on behalf of the City of Coral Gables, I think it would be helpful to become more civil. I'm serious, you think I'm joking. If we can get some extra copies of this, I'd like to send it to some citizens that I know and love.

City Attorney Hernandez: You could also adopt the most improved award and start giving those out.

Commissioner Cabrera: The most improved civility award.

City Attorney Hernandez: Yes.

Commissioner Withers: Ralph you might put the onus on them, and I mean, we have several homeowners groups, I'm not singling any out in particular, but maybe to ask them if they want to participate in this conference, it's good government.

Commissioner Cabrera: I'm serious about this; I know everybody thinks I was kidding, but I would literally give this to people and say, look this is something that is worth taking up.

Mayor Slesnick: Listen to this, Section 3, "the City of Coral Gables hereby educational partnerships between City governments and schools as well as civic groups and other organizations".

Commissioner Withers: The homeowners groups....

Commissioner Cabrera: Absolutely. I know individuals and homeowner groups that will go unnamed, but are near Riviera Day School.

Mayor Slesnick: Anyway I'd ask if you would accept this resolution or to move it.

Commissioner Anderson: I'll move it.

Commissioner Cabrera: I'll second it strongly.

**Mayor Slesnick: Ms. Anderson moves it Mr. Cabrera seconds it. Any other discussion?**

**Mr. Clerk**

**Commissioner Withers: Yes**

**Commissioner Anderson: Yes**

**Commissioner Cabrera: Yes**

**Mayor Slesnick: Yes**

**(Vote: 4-0)**

**Vice Mayor Kerdyk: Absent**

Mayor Slesnick: I have nothing else. We do have a continuation of this meeting scheduled at this moment for 9:00 a.m. on Thursday morning unless otherwise told that they can't get that information to us. We hereby adjourn - no we hereby....

Commissioner Cabrera: We are taking a break for two days; we'll be back in two days.

Mayor Slesnick: We are not adjourning the meeting but we are moving into a state of suspended animation for...

City Attorney Hernandez: We are adjourning; that item is continued.

Mayor Slesnick: That item is continued; we are adjourned. I didn't want to say the wrong thing Liz. Thank you. Thank you all for being with us today, and thank you all on Channel 77 for watching us and I understand, did you want to say anything about the computer?

Commissioner Cabrera: No, no.

Mayor Slesnick: OK. See you Thursday.

City Clerk Item No. 55

### **RESOLUTION NO. 2009-168**

Non [09-0433](#)  
Agenda

Resolution of the City of Coral Gables recognizing the "Building Citizenship in the Community: Back to Basics" initiative of the Florida League of Cities.

**Attachments:** [Signed Resolution 2009-168.pdf](#)

A RESOLUTION OF THE CITY OF CORAL GABLES RECOGNIZING THE "BUILDING CITIZENSHIP IN THE COMMUNITY: BACK TO BASICS" INITIATIVE OF THE FLORIDA LEAGUE OF CITIES, INC.; FURTHER PLEDGING SUPPORT FOR THIS STATEWIDE EFFORT.

**A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2009-168. 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. 56

**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 11:33 am on June 2, 2009. The next regular meeting of the City Commission has been scheduled for June 4, 2009, beginning 9 a.m.]

DONALD D. SLESNICK  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK