

City of Coral Gables

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



Meeting Minutes

Tuesday, November 9, 2010

9:00 AM

City Hall, Commission Chambers

City Commission

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

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

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

[Note for the Record: Mayor Slesnick requested of Reverend Thom Shafer, First Methodist Church of Coral Gables and his father, Reverend Carl Shafer to join he and the members of the City Commission on the dais, whereupon those in attendance joined in for the singing of happy birthday to the senior Shafer, on the occasion of his 91st birthday. Carl Shafer told those members of the public that he was glad to be here in our beautiful City, with Thom and his family].

PLEDGE OF ALLEGIANCE

Commissioner Withers led the Pledge of Allegiance.

[Note for the Record: Mayor Slesnick informed the viewing audience that he had made a bet with his cousin Steve Slesnick, who is a member of the Ohio State Legislature, that in the event that Ohio State University defeats the University of Miami's Football Team, that he would supply him with an order of stone crabs, and also wear an Ohio State University football jersey; further acknowledging that in recognition of September 11, 2010 loss by UM at the hands of Ohio State, by a score of 36-24, that he would momentarily put on a Ohio State University football jersey].

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. 2010-37) (b) Resolution(s) adopted (Resolution No. 2010-249 through Resolution No. 2010-256); (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. [10-0722](#)**

Presentation of a Certificate of Appreciation to Dr. James R. Jude, in honor of the 50th Anniversary of his invention of CPR.

[Note for the Record: Mayor Slesnick recognized Dr. Jim Jude and Sally Jude, as two of our City's finest residents, said couple who has given to many causes; further sharing with members of the viewing public that he personally had represented nurses for over 35 years, and that once when he was in Shands Hospital in Gainesville, Florida, he had mentioned to said group that he had recently received a communication from Mrs. Sally Jude, the wife of Dr. Jim Jude, whereupon said nurses in the Hospital conveyed to him that Dr. Jim Jude was an incredible person, adding that he was also the doctor who had invented CPR (cardio pulmonary resuscitation), thereby reading into the public record a proclamation proclaiming Tuesday, November 9, 2010 as "Dr. James Jude Day ," in further recognition of his outstanding achievements in the medical field, particularly as it relates to CPR; further noting that he is one of the great heart surgeons in the nation."

In accepting this protocol document, Dr. Jude informed those in attendance that he is probably one of the few people in Coral Gables, who knew both Chip Withers and Bill Kerdyk and their fathers, when they were on the City Commission, Mayor Slesnick further noticed that on behalf of the citizens of the world, that the City salutes Dr. Jude].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

A.-2. [10-0720](#)

Presentation of a Proclamation declaring November 9, 2010, as "Agustin J. Barrera Day" in Coral Gables, in recognition of his retirement as a member of the Miami-Dade County Public Schools Board.

[Note for the Record: Mayor Slesnick informed the viewing public that Gus Barrera is about to retire, following his tenure of public service on the Miami-Dade County School Board; further noting that he has represented District 6, which includes our City of Coral Gables; further recalling how serious Gus Barrera has represented our District, noting such achievements as rededication of the new wing at Coral Gables Senior High School; reopening of the Historic Administration Building at Ponce Middle School; expansion of Coral Gables Elementary School now Kindergarten to 8th Grade Preparatory Academy; further acknowledgement that under construction on Madruga Avenue is the new International Studies High School, Ponce Science Building and Middle School; also pointing out that Gus Barrera led the fight for the restoration of Miami High School, thereby reading the proclamation proclaiming November 9th,

2010 as “Augustin J. Barrera Day” in Coral Gables.

In accepting this accolade, Mr. Barrera stated that it was an honor being in attendance today, being recognized for something for which one is supposed to do; further noting that as a School Board member, that one serves the residents of Coral Gables; further stating that he has represented a diverse segment of our community (i.e. from Key Biscayne to East Kendall); adding that as a result of an Educational Compact that was negotiated with the city, that the Miami-Dade County School Board has kept its commitments; further informing the City Commission that this is an exciting time, and that he is anticipating that the City Commission can tour the new International High School facility when it opens in the fall.

May Slesnick characterized Mr. Barrera as an architect].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

A.-3. [10-0721](#)

Congratulations to Lt. Thad Ovcarrich, recipient of the City of Coral Gables Firefighter of the Month Award for the month of November 2010.

Attachments: [Notification Letter.pdf](#)
[Cover Memo - FF OF THE MONTH - NOV 2010.pdf](#)

[Note for the Record: City Manager Salerno requested of Chief Walter Reed to approach the dais in connection with the presentation of the Firefighter of the Month Award for the Month of November; further elaborating on the justification for this month’s selection, stating that Lt. Thad Ovcarrich was chosen for his acts of concern and consideration in dealing with the public, fellow employees, and supervisors, specifically his endless dedication to the departments, its members, its members families, by being the “go to guy” whenever anyone needs assistance, as noted by Captain David Wiesinger, who nominated him for said honor; further noting that whether it was the pink T-Shirts for Cancer Awareness Month; support to the Coral Gables Museum project, or simply the coordination of certain charitable events, Lt. Ovcarrich has distinguished himself as one who always demonstrates a 24-hour dedication to the City and to the Fire Department; further pointing out that he currently serves as the Treasurer to the Coral Gables Firefighters Benevolent Association Board, and has served on this organization for a two year period].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

A.-4. [10-0733](#)

Presentation of a Certificate of Appreciation to Interim Police Chief Richard Naue, Jr., on the occasion of his retirement.

[Note for the Record: City Manager Salerno acknowledged that shortly before the City's next City Commission Meeting of December 14, 2010 Interim Police Chief Richard Naue will retire, following 33 years of service. In accepting the Certificate of Appreciation, Interim Police Chief Naue stated that said protocol document was not for him, but for his wife and family for all they have done in putting up with him; further stating that he has strived to provide fair and impartial service to the citizens of Coral Gables; further thanking the City for giving him the opportunity to serve.

Mayor Slesnick on behalf of the City Commission stated that from their hearts, it is appreciated what Interim Police Chief Naue has given us regarding service; further elaborating that Interim Police Chief Naue has also served our community in different ways, being Vice President of the Junior Orange Bowl Committee, as being one example of how he has been part of our community].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

A.-5. [10-0706](#)

Congratulations to Margarita Berg, Police Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of December 2010.

Attachments: [EOM Dec 2010](#)
[Cover Memo](#) [EOM December 2010](#)

[Note for the Record: Human Resources Director Elsa Jaramillo-Velez acknowledged the recipient of the City of Coral Gables Employee of the Month for the month of December Award recipient Margo Berg; further referring to her nomination letter submitted by Ana Sierra, Police Department, who provided the following description of her colleague:

“Margo Berg is a hardworking, self-starter who invaluablely understands what a project is all about from start to finish and how to get it accomplished quickly and effectively. She demonstrated this through the United Way Campaign with her resourcefulness and creative approach in making this event a complete success; further stating that on the interpersonal side, that Margo has superior written and verbal communications skills and performs her job with dedication and enthusiasm; adding that Margo has a pleasant easy going disposition, both professional and social, and is cheerful, positive and friendly.”

During the videotaped segment, Interim Police Chief Naue noted that Margo has been with the Department for 11 years, as an Administrative Assistant to Chief Skinner, Chief Harley, Chief Hammerschmidt, as well as himself; further describing her as an

individual possessing a mature attitude, with a structured approach to her duties, and as one who has worked with other state, local and federal law enforcement agencies; further characterizing her as a hard worker, as well as a self-starter who understands what a project is all about from start to finish; further citing her initiative during the United Campaign project, particularly her resourcefulness and her creative approach, which made this year's project a success.

Interim Chief Naue stated that Margo's dedication, enthusiasm and professional interaction in keeping the office prepared was greatly appreciated.

In accepting this recognition, Margo stated that she was proud to be in attendance; further thanking her co-workers, Anna Sierra for nominating her, as well as the Nominating Committee for choosing her; further stating that she has been with the City for 12 years and that she is proud to be a part of this community; further thanking the Interim Chief for the opportunity to have worked on the United Way Campaign project; further stating that said project was a lot of fun; adding that she gave it her best and that it was a lot of fun and it proved to be successful; further thanking everyone involved for this honor].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 5

B. APPROVAL OF MINUTES

B.-1. [10-0729](#) Regular City Commission Meeting of October 26, 2010

Attachments: [Meeting Minutes October 26, 2010](#)
[Verbatim Transcript - Agenda Item E-1 - Lawn Maintenance Equipment - Leaf Blo](#)
[Verbatim Transcript - Agenda Item E-3 - Change of Land Use](#)

[Note for the Record: Commissioner Anderson stated that she found two errors in the minutes documents-more particularly on Page 5 (3rd line) of the minute document, change Carol Sewell to Carol Fewell; and on Page 10 of the verbatim transcript in connection with Agenda Item E-3, it reads: "I respect your principle (add ed) stand on it].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be approved as amended. The motion passed by the following vote:

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

City Clerk Item No. 6

C. CONSENT AGENDA

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

Passed the Consent Agenda

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

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

RESOLUTION NO. 2010-249

C.-1. 10-0700

Resolution amending Resolution 2010-155 by adding an alternative event date in case of inclement weather conditions for the "Tour of Kitchens Luncheon" granting the request made by Coral Gables @ Home to reserve use of Country Club Prado for the Tour of Kitchens luncheon event from 1:30 p.m. to 3:00 p.m. on Saturday, February 5, 2011 as a contingency rain date and to serve alcoholic beverages, subject to Florida Department of Professional Regulation requirements.

Attachments: [Special Events Application & Permit.pdf](#)
[Resoulution 2010-155.pdf](#)
[Cover Sheet Coral Gables at Home Amendment.pdf](#)
[Coral Gables at Home Tour of Kitchens Draft Resolution Amendment.pdf](#)
[C-1 Signed Cover Memo](#)
[Signed Resolution 2010-249](#)

RESOLUTION AMENDING RESOLUTION NO. 2010-155 BY ADDING AN ALTERNATIVE EVENT DATE IN CASE OF INCLEMENT WEATHER CONDITIONS, TO CORAL GABLES COMMUNITY FOUNDATION FOR THE CORAL GABLES @ HOME "TOUR OF KITCHENS" LUNCHEON TO USE COUNTRY CLUB PRADO FROM 1:30 P.M. TO 3 P.M. ON SATURDAY, FEBRUARY 5, 2011 AS A CONTINGENCY RAIN DATE AND TO SERVE ALCOHOLIC BEVERAGES, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2010-249 on the Consent Agenda.

City Clerk Item No. 10

RESOLUTION NO. 2010-250**C.-2. [10-0702](#)**

Resolution accepting and authorizing the execution of a grant award in the amount of \$8,461.00 (eight thousand four hundred sixty-one dollars) from the FY 2011 Drug Control and System Improvement Grant Program Award to fund the Coral Gables Record Improvement Project to purchase a records kiosk, printers, and digital cameras.

Attachments: [COMMISSION COVER MEMO - \\$8,461. - IMPROVEMENT GRANT](#)
[RESOLUTION - \\$8,461. - IMPROVEMENT GRANT](#)
[C-2 Signed Cover Memo](#)
[Signed Resolution 2010-250](#)

RESOLUTION ACCEPTING AND AUTHORIZING THE EXECUTION OF A GRANT AWARD IN THE AMOUNT OF \$8,461.00 FROM THE FISCAL YEAR 2011 DRUG CONTROL AND SYSTEM IMPROVEMENT GRANT PROGRAM AWARD TO FUND THE CORAL GABLES RECORD IMPROVEMENT PROJECT TO PURCHASE A RECORDS KIOSK, PRINTERS, AND DIGITAL CAMERAS.

This Matter was adopted by Resolution Number 2010-250 on the Consent Agenda.

City Clerk Item No. 11

RESOLUTION NO. 2010-251**C.-3. 10-0715**

Resolution authorizing the extension of a contract with Downtown Towing Company, pursuant to Section 2-834 (d) of the Procurement Code for an additional six (6) months from the expiration date of the current contract until such time that a new towing contract is executed.

Attachments: [Towing Contract Extension Resolution 110210-1200](#)
[Towing Contract Extension Agenda Cover 110310-1200](#)
[C-3 Signed Cover Memo](#)
[Signed Resolution 2010-251](#)

RESOLUTION AUTHORIZING THE EXTENSION OF A CONTRACT WITH DOWNTOWN TOWING COMPANY, PURSUANT TO SECTION 2-834 (D) OF THE PROCUREMENT CODE FOR AN ADDITIONAL SIX (6) MONTHS FROM THE EXPIRATION DATE OF THE CURRENT CONTRACT UNTIL SUCH TIME THAT A NEW TOWING CONTRACT IS EXECUTED.

This Matter was adopted by Resolution Number 2010-251 on the Consent Agenda.

City Clerk Item No. 12

C.-4. 10-0718

Resolution accepting the recommendation of the Chief Procurement Officer to piggy-back a contract for the purchase of one hundred (100) parking pay stations from Parkeon, Inc., from the City of Seattle, Washington contract, pursuant to Section 2-978 of the Procurement Code in the amount of \$870,000 (eight hundred-seventy thousand dollars); further providing the option to purchase an extended warranty at a cost of \$540.00 (five hundred forty dollars) per pay-station per year.

Attachments: [Seattle 2010 Contract Extension w Pricing](#)
[Seattle - WA](#)
[Parking Pay Stations - Draft Agenda 110310-1545](#)
[Parking Pay Stations - Draft Resolution 110310-1422](#)
[C-4 Signed Cover Memo](#)

This Resolution was Deferred

City Clerk Item No. 7

RESOLUTION NO. 2010-252

C.-5. [10-0719](#)

Resolution authorizing an increase in professional service fees in the amount of \$300,000.00 for Hazen and Sawyer, Environmental Engineering Consultants for additional services through the end of the contract period which expires April 25, 2011.

Attachments: [CurrentProjectsFY2011HS](#)
[Resolution.pdf](#)
[Agenda Cover.pdf](#)
[C-5 Signed Cover Memo](#)
[Signed Resolution 2010-252](#)

RESOLUTION AUTHORIZING AN INCREASE IN PROFESSIONAL SERVICES FEES IN THE AMOUNT OF \$300,000.00 FOR HAZEN AND SAWYER, ENVIRONMENTAL ENGINEERING CONSULTANTS, FOR ADDITIONAL SERVICES THROUGH THE END OF THE CONTRACT PERIOD WHICH EXPIRES APRIL 25, 2011.

This Matter was adopted by Resolution Number 2010-252 on the Consent Agenda.

City Clerk Item No. 13

RESOLUTION NO. 2010-253**C.-6. [10-0703](#)**

Resolution rescinding Resolution No. 2010-138 wherein the parties (namely, Biltmore Hotel Limited Partnership "Biltmore," the Lessee, Operator of the Biltmore Hotel and the City), were directed to negotiate an Interim Agreement, as presented by the City and Special Counsel, and as amended by the City Commission during the Public Hearing regarding said matter on July 19, 2010.

Attachments: [AgendaCoverMemoBiltmoreHotelInterimAgreement11_9_10.doc](#)
[ResolutionBiltmoreInterimAgreement11_9_10](#)
[C-6 Signed Cover Memo](#)
[Signed Resolution 2010-253](#)

RESOLUTION RESCINDING RESOLUTION NO. 2010-138 WHEREIN THE PARTIES (NAMELY, BILTMORE HOTEL LIMITED PARTNERSHIP "BILTMORE," THE LESSEE, OPERATOR OF THE BILTMORE HOTEL AND THE CITY), WERE TO NEGOTIATE AN INTERIM AGREEMENT, AS PRESENTED BY THE CITY AND SPECIAL COUNSEL, AND AS AMENDED BY THE CITY COMMISSION DURING THE PUBLIC HEARING REGARDING SAID MATTER ON JULY 19, 2010.

This Matter was adopted by Resolution Number 2010-253 on the Consent Agenda.

City Clerk Item No. 14

RESOLUTION NO. 2011-16**C.-7. [10-0730](#)**

Resolution authorizing the execution of a Museum Development Funding Agreement by and between the Coral Gables Museum Corporation, the Coral Gables Community Foundation, Inc., Donald D. Slesnick, II, as former personal representative of the Estates of Harry and Mary Perrin and as a designated donor representative of the Perrin Charitable Fund, and the City of Coral Gables.

Attachments: [Resolution - 1 25 11 Slesnick donation to Museum .pdf](#)
[Perrin Agreement rev clean.pdf](#)
[Commission cover 1 25 11 Slesnick Donation to Museum .pdf](#)
[C-4 Signed Cover Memo](#)
[Richard Namon regarding C-4-C-5 and C-6](#)
[Signed Resolution 2011-16](#)

This Resolution was Deferred

City Clerk Item No. 8

RESOLUTION NO. 2011-17**C.-8 [10-0731](#)**

Resolution authorizing the execution of a Museum Development Funding Agreement by and between the Coral Gables Museum Corporation, Wayne "Chip" Withers, and the City of Coral Gables.

Attachments: [Commission cover 1 25 11 Withers Donation to Museum .pdf](#)
[Resolution - 1-25-11 Withers donation to Museum .pdf](#)
[Withers Agreement rev.pdf](#)
[C-5 Signed Cover Memo](#)
[Richard Namon regarding C-4-C-5 and C-6](#)
[Signed Resolution 2011-17](#)

This Resolution was Deferred

City Clerk Item No. 9

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

C.-9. [10-0696](#) Youth Advisory Board Meeting of October 19, 2010

Attachments: [YAB Cover Sheet Minutes 10-19-10.pdf](#)
[Youth Advisory Board Minutes October 19 2010.pdf](#)
[Corrected - Youth Advisory Board Minutes October 19 2010](#)

[Note for the Record: Commissioner Anderson stated that the Youth Advisory Board minutes of October 19, 2010 contained a reference to a her former board appointee (i.e. Leigh Cooper-Peabody) who has not served on the board in two years; further requesting that the next set of minutes correctly clarifies said misprinting].

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

C.-10. [10-0697](#) Senior Citizens Advisory Board Meeting of September 13, 2010

Attachments: [Min 09-13-2010 draft.pdf](#)
[Cover Sheet Minutes 09-13-10.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

C.-11. [10-0698](#) Senior Citizens Advisory Board Meeting of October 4, 2010

Attachments: [Min 10-04-2010 draft.pdf](#)
[Cover Sheet Minutes 10-04-10.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

C.-12. [10-0704](#) Parks & Recreation Advisory Board Meeting of October 22, 2010

Attachments: [Cover Sheet.Minutes 10-22-10.pdf](#)
[Minutes 10-22-10 draft.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

- C.-13. [10-0710](#) Coral Gables Merrick House Governing Board Meeting of October 4, 2010

Attachments: Merrick House October 4, 2010
[GMNoAction10.04.10MinutesforCC11.09.10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 19

- C.-14. [10-0711](#) Pinewood Cemetery Advisory Board Meeting of September 13, 2010

Attachments: [Pinewood Minutes September 13 2010](#)
[NoAction09.13.10CCMtg11.09.10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 20

- C.-15. [10-0714](#) Historic Preservation Board Meeting of October 21, 2010

Attachments: [HPB Minutes October 21 2010](#)
[HPBMtgNoAction10.21.10.MinutesforCC11.09.10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 21

- C.-16. [10-0728](#) Property Advisory Board Meeting of November 2, 2010

Attachments: [PAB Commission Cover 11-9-10.pdf](#)
[PAB 11-02-10 Mtg Minutes.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 22

RESOLUTION NO. 2010-254

Non [10-0747](#)
Agenda

Resolution appointing Nicole Marcos (nominated by Commissioner Anderson), to serve as a member of the Parks and Recreation Youth Advisory Board.

Attachments: [Signed Resolution 2010-254](#)

RESOLUTION APPOINTING NICOLE MARCOS (NOMINATED BY COMMISSIONER ANDERSON), TO SERVE AS A MEMBER OF THE PARKS AND RECREATION YOUTH ADVISORY BOARD, FOR THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, SAID APPOINTMENT PERIOD WHICH BEGINS ON NOVEMBER 9, 2010 THROUGH MAY 31, 2011.

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-254. 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. 23

D. PERSONAL APPEARANCES

Items D.-1. and H.-1. are related

D.-1. [10-0732](#)

Mario J. Garcia-Serra, of Greenberg Traurig, PA on behalf of the previously approved Gables Gateway Project located at 4585 Ponce De Leon Boulevard for an amendment of condition D.3., titled Attainable (Affordable) Housing of Resolution No. 2008-58.

Attachments: [11 09 2010 Gables Gateway Personal Appearance](#)
[11 09 2010 Exhibit A - 11 04 2010 Letter - Final Property Owner Proposal](#)
[11 09 2010 Exhibit B - 09 27 2010 Letter - Preliminary Property Owners Proposal](#)

[Note for the Record: Please be advised that the verbatim transcript for Agenda Item D-1 available for public inspection in the Office of the City Clerk and in Legistar].

This Agenda Item was Discussed

City Clerk Item No. 25

E. PUBLIC HEARINGS

ORDINANCES ON SECOND READING

ORDINANCE NO. 2010-38

E.-1. [10-0674](#)

Change of Land Use. 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 a 0.6 acre parcel legally described as Lots 1-10, Block 7, Crafts Section (246-296 Andalusia Avenue), Coral Gables, Florida; and providing for severability, repealer, codification and an effective date. (PZB recommended approval, vote: 5-0) (Passed on First Reading October 26, 2010)

Attachments: [10 26 10 Exhibit A - Ordinance: 246-296 Andalusia Avenue CP amendment 1st re](#)
[10 26 10 CC Cover Memo - 246-296 Andalusia Avenue CP change - 1st Reading](#)
[10 26 10 Exhibit B - 10 13 10 PZB Staff report w attachments - 246-296 Andalus](#)
[10 26 10 Exhibit C - 10 13 10 PZB Meeting Minutes](#)
[10 26 10 Exhibit D - Public Comments](#)
[E-3 Signed Cover Memo](#)
[11 09 10 CC Cover Memo - 246-296 Andalusia Avenue CP change - 2nd Reading](#)
[11 09 10 Exhibit A - Ordinance: 246-296 Andalusia Avenue CP amendment 2nd re](#)
[11 09 10 Exhibit B - 10 28 10 Applicant's profer letter](#)
[11 09 10 Exhibit C - Land Use graphic](#)
[E-1 Signed Cover Memo](#)
[12 14 10 CC Cover Memo - 246-296 Andalusia Avenue CP change - 2nd Reading](#)
[12 14 10 Exhibit A: Ordinance - 246-296 Andalusia CP amendment - 2nd reading](#)
[12 14 10 Exhibit B: Existing v Proposed Land Use graphic](#)
[12 14 10 Exhibit C: 10 28 10 Applicant's Proffered Letter](#)
[12 14 10 Exhibit D: Draft Restrictive Covenant](#)
[12 14 10 Exhibit E: Public Comments](#)
[E-1 Signed Cover Memo](#)
[Signed Ordinance 2010-38](#)
[Signed Resolution 2010-256](#)

RESOLUTION TO DEFER AGENDA ITEM E-1 [SUBJECT MATTER: PROPOSED ORDINANCE CONSIDERATION TO AMEND 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 A 0.6 ACRE PARCEL LEGALLY DESCRIBED AS LOTS 1-10, BLOCK 7, CRAFTS SECTION (246-296 ANDALUSIA AVENUE), CORAL GABLES, FLORIDA.]

[Note for the Record: Please be advised that the verbatim transcript for Agenda Item E-1 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 deferred by Resolution Number 2010-38. The motion passed unanimously.

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

City Clerk Item No. 28

ORDINANCE NO. 2010-37**E.-2. [10-0675](#)**

Change of Zoning. City initiated Change of Zoning for privately owned properties within the University of Miami Campus boundaries. An Ordinance of the City Commission of Coral Gables, Florida requesting a Change of Zoning from University of Miami Campus Area Development (UMCAD) or Single Family Residential (SFR) to University Campus District (UCD) for the privately owned properties located within the University of Miami Coral Gables Campus, being the area generally bounded by Levante Avenue, Red Road (SW 57th Avenue), Mataro Avenue, and San Amaro Drive, Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (PZB recommended approval, vote: 5-0) (Passed on First Reading October 26, 2010)

No.; Legal Description; Property Address; Change of Zoning From-To

1. Lots 13-18, Block 184, Riviera Section #6; 5800 San Amaro Drive, Coral Gables, FL 33146; SFR-UCD
2. Lots 13-18, Block 188, Riviera Section #6; 6000 San Amaro Drive, Coral Gables, FL 33146; SFR-UCD
3. Lots 13-18, Block 189, Riviera Section #6; 6100 San Amaro Drive, Coral Gables, FL 33146; SFR-UCD
4. Lots 13-18, Block 186, Riviera Section #6; 5900 San Amaro Drive, Coral Gables, FL 33146; SFR-UCD
5. Lots 7-9 & 22-24, Block 188, Riviera Section #6; 1530 Liguria Avenue, Coral Gables, FL 33146; SFR-UCD
6. Lots 10-12 & 19-21, Block 188, Riviera Section #6; 1520 Liguria Avenue, Coral Gables, FL 33146; UMCAD-UCD
7. Lots 7-9 & 22-24, Block 186, Riviera Section #6; 1531 Liguria Avenue, Coral Gables, FL 33146; SFR-UCD
8. Portion of Tract 6, University of Miami Main Campus; 1150 Stanford Drive, Coral Gables, FL 33146; UMCAD-UCD
9. Portion of Tract 7, University of Miami Main Campus; 1210 Stanford Drive, Coral Gables, FL 33146; UMCAD-UCD
10. Portion of Tract 7, University of Miami Main Campus; 1115 Levante Street, Coral Gables, FL 33146; UMCAD-UCD
11. Portion of Tract 6, University of Miami Main Campus; 1100 Stanford Drive, Coral Gables, FL 33146; UMCAD-UCD
12. Portion of Tract 7, University of Miami Main Campus; 1200 Stanford Drive, Coral Gables, FL 33146; UMCAD-UCD

Attachments: [10 26 10 CC Cover Memo - UM private properties - 1st Reading](#)
[10 26 10 Exhibit A - Ordinance: UM private properties change in zoning map ord-1](#)
[10 26 10 Exhibit B - 10 13 10 PZB UM private properties change of zoning staff re](#)
[10 26 10 Exhibit C - UCD ZC provisions](#)
[10 26 10 Exhibit D - 10 13 10 PZB Meeting Minutes](#)
[10 26 10 Exhibit E - Public Comments](#)
[E-4 Signed Cover Memo](#)
[11 09 10 CC Cover Memo - UM private properties - 2nd Reading](#)
[11 09 10 Exhibit A - UM private properties change in zoning map ord-2nd Reading](#)
[E-2 Signed Cover Memo](#)
[Signed Ordinance 2010-37](#)

[Note for the Record: Immediately following the reading of the title to Agenda Item E-2 into the public record, Mayor Slesnick stated that one of the concerns that could

be immediately answered for Mr. Jim Hartnett, was the issues of why were the streets being closed?-whether or not the City was just changing the zoning for the privately owned properties located within the University of Miami Coral Gables Campus, that is all?- and what does the change of zoning accomplish?

First of all, Mayor Slesnick stated that he did not believe that any streets were being closed. City Manager Salerno concurred. City Manager Salerno stated that the change of zoning is being done consistent with all University of Miami, City of Coral Gables campus privately owned properties. Mayor Slesnick added that the City changed the Master Plan; further stating that the City had changed the designations of the different areas of the campus as part of the master plan; further presuming that the City will change each of the areas that are specific areas of the campus to abide by the different designations of the campus.

Mr. Hartnett further inquired as to whether or not the City would lose control regarding what goes on there?- whereby both the Mayor and the City Manager responded in the negative.

Mr. Riel further explained to the viewing public that previously, the privately owned properties within the University of Miami campus had single family and UMCAAD zoning. Said request makes the zoning consistent with the remainder of the campus; further stating that they still need to go through the same review process they had previously (i.e. Board of Adjustment; Development Review Committee; all of the city's review processes).

Mr. Hartnett further inquired as to whether the privately owned properties within the University of Miami Coral Gables campus were owned by individuals or the university ?- whereby Mr. Riel stated that said properties are privately owned by attorney and religious institutions.

Mr. Hartnett queried whether or not this was an attempt to get rid of the fraternities/sororities on campus ?- whereby Mr. Riel responded that he cannot answer that; further stating that said matter before the City Commission ensures that everything within the University of Miami campus has consistent zoning with the land use, which is a requirement in accordance with the state law.

Mr. Hartnett stated that he would recommend to the City Commission that approval of each of the privately owned properties be specific to the site; further expressing his concern that there might be an attempt via the change of zoning, to eliminate the ownership of the fraternities houses from the campus, that were started in 1946. Mayor Slesnick responded that the City will not be taking ownership of the fraternity houses away; further noting that whoever owns said houses now, will still own the property after the proposed zoning is completed.

Mr. Hartnett inquired of the City Attorney as to whether the change he is desirous of

to a privately owned property that is site specific would not affect the remaining privately owned properties? - whereby City Attorney Hernandez informed him that there are severability provisions within sections of our Zoning Code that is being adopted that applies only to the site specific properties that he will be challenging.

Mr. Hartnett further inquires that if in the future there is a challenge to the action of the City Commission to one of the site specific properties that are privately owned, resulting in a change of zoning, will that represent an example of spot zoning?- whereby City Attorney Hernandez rephrase said inquiry stating that if Mr. Hartnett means that if a piece of property exists wherein there is a request being contemplated for a change to that zoning is up for consideration for a future date, a hypothetical for a hypothetical, then the sitting City Attorney will decide same.

Mr. Hartnett further asked whether one of the privately owned pieces of property taken was Sigma Alpha Epsilon Fraternity House?-and if the owners of same requested a change of zoning to High Rise, can said owner request a change of zoning on said privately owned property now?- whereby City Attorney Hernandez stated that the City will try to make it in conformance with what is there now.

Commissioner Anderson reiterated that it is the land use the City will try and conform it to the property; adding that the City is trying to match the land use to the zoning. City Attorney Hernandez informed Mr. Hartnett that if he were to look at the chart, it references from Single Family Residential to University Campus District-adding that Single Family Residential has a very specific limitation of what one can do; pointing out that it is not High Rise, it is Residential].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2010-37. The motion passed by the following vote:

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

City Clerk Item No. 29

ORDINANCES ON FIRST AND SECOND READING**ORDINANCE NO. 2011-04****E.-3. [10-0727](#)**

An Ordinance of the City Commission of Coral Gables authorizing entering into an Amended and Restated Agreement for Operation of the Coral Gables Museum with Coral Gables Museum Corp., with regard to city-owned property at 285 Aragon Avenue, Coral Gables, Florida; and providing for severability, repealer, codification and an effective date. (Passed on First Reading January 11, 2011) (Deferred from the January 25, 2011 Meeting)

Attachments: [PAB 11-02-10 Mtg Minutes Excerpt.pdf](#)
[Museum Cover Memo.pdf](#)
[Museum Ordinance.pdf](#)
[Museum - Amended and Restated Lease.pdf](#)
[Museum Global Comparison.pdf](#)
[E-4 Signed Cover Memo](#)
[Richard Namon's Correspondence](#)
[Commission cover 1 25 11 \(Museum\).pdf](#)
[Ordinance - 1 25 11 _Museum_.pdf](#)
[Amended and restated agreement 1 25 11.docx.pdf](#)
[Museum Mission Statement - revised 1 25 11.docx.pdf](#)
[E-3 Signed Cover Memo](#)
[David A. Doheny dated 01-24-2011](#)
[Changes between First and Second Reading 2 8 11.pdf](#)
[Commission Cover 2-8-11 \(Museum\).pdf](#)
[Ordinance - 2 8 11 _Museum_.pdf](#)
[Amended and restated agreement 2 8 11.pdf](#)
[E-1 Signed Cover Memo](#)
[E-1 - Dolly MacIntyre Letter](#)
[Signed Ordinance 2011-04](#)
[Signed Resolution 2011-22](#)

This Ordinance was Deferred

City Clerk Item No. 24

ORDINANCES ON FIRST READING**ORDINANCE NO. 2011-01****E.-4. [10-0707](#)**

An Ordinance of the City Commission of Coral Gables providing for text amendments to the code of the City of Coral Gables, Chapter 74, Article III, Division 1, 2, 3, and 4 entitled "Stopping, Standing and Parking", providing for updates to the parking provisions and procedures, changes to valet parking provisions, enactment of a new Division 5 to provide for a "Parking Replacement Assessment", containing a repealer provision, a new Division 6 to provide for oversight of public use parking within a private development, and providing for severability, repealer, codification and an effective date. (Passed on First Reading November 9, 2010)

Attachments: [cover sheet Title 74 11-09-10](#)
[Excerpts from Planning and Zoning Board Presentation](#)
[Excerpts from Planning and Zoning Board Minutes](#)
[Draft Ordinance](#)
[Draft Ordinance Clean Copy](#)
[E-4 Signed Cover Memo](#)
[Draft Ordinance Version 2](#)
[cover sheet chapter 74 01-11-11](#)
[E-2 Signed Cover Memo](#)
[Signed Ordinance 2011-01](#)

[Note for the Record: Please be advised that the verbatim transcript for Agenda Item E-4 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 Anderson, that this motion be approved as an Ordinance on First Reading. 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. 30

ORDINANCE NO. 2010-39**E.-5. 10-0716**

Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida, amending the Official Zoning Code, Article 5, "Development Standards," Division 14, "Parking, Loading, and Driveway Requirements," Section 5-1404, "Materials, construction and drainage", to clarify language used to cite for vehicles parked on unapproved surfaces; and, providing for severability, repealer, codification, and an effective date. (Passed on First Reading November 9, 2010)

Attachments: [11 09 10 CC Cover Memo - Zoning Code text amendment - Parking surfaces - 1st](#)
[11 09 10 Exhibit A: Ordinance - ZC Text Amendment - Parking surfaces - 1st Re](#)
[11 09 10 Exhibit B: 10 13 10 PZB Meeting Minutes](#)
[11 09 10 Exhibit C: 10 13 10 PZB Staff Report and attachments](#)
[E-5 Signed Cover Memo](#)
[12 14 10 CC Cover Memo - ZC text amendment - Parking surfaces - 2nd Reading](#)
[12 14 10 Exhibit A: Ordinance - ZC Text Amendment - Parking surfaces - 2nd Re](#)
[E-2 Signed Cover Memo](#)
[Signed Ordinance 2010-39](#)

[Note for the Record: Following the reading of the title to Agenda Item E-5 into the public record by the City Attorney, Planning Director Eric Riel stated that the proposed legislation is before the City Commission for the purpose of amending the Zoning Code to add language to clarify the Code used to cite vehicles parked on unapproved surfaces on private property. The Zoning Code language is ambiguous and does not specifically state that vehicles cannot park on unapproved surfaces on private property.

Vice Mayor Kerdyk inquired about why was there a Dissension Vote?- whereby Mr. Riel stated that it was a matter of philosophy- as to if one can park on the swale, why should you tell owners what kind of surfaces they shall have?- City Attorney Hernandez stated there was a feeling by a couple of members on the PAB, that people shall be able to park wherever they want on their private property.

Commissioner Withers, responding by stating that if this were the case, then posing a hypothetical pondering if people wanted to park on their front yard and throw gravel down on their own yard, is the City going to allow this?-whereby the City Attorney responded that said request has to be approved. It has to be an approved surface.

Commissioner Withers further queried that if we approved certain surfaces (i.e. asphalt Chattahoochee gravel, clay/cement, decorative concrete, wood block, etc.)- Vice Mayor Kerdyk stated that it would still be necessary to meet the requirements of our Zoning Code.

Mr. Riel added that there still are other provisions of our Zoning Code such as landscaping, lot coverage, setbacks- a whole number of provisions. City Attorney stated that said matter comes before the City Commission as a result of a whole number of Code Enforcement issues that have been occurring.

Withers further inquired as to how about the Cocoplum Women's Club?- whereby Mr. Riel stated that he did not know the answer to that. Withers responded that the City is going to have an issue regarding same].

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

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

City Clerk Item No. 31

TIME CERTAIN: 10:00 A.M.

ORDINANCE NO. 2011-06 (As Amended)

E.-6. 10-0717

Planned Area Development, Site Plan, Encroachment, and Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida, requesting the following for Gulliver Academy, located on Tract No. 7, Avocado Land Company Subdivision (12595 Red Road), Coral Gables, Florida:

- 1) Planned Area Development (PAD) assignment, pursuant to Zoning Code Article 3, Division 5;
- 2) Site plan review and an amendment to the previously approved Gulliver Academy Master Campus Site Plan to allow for new classrooms, pavilion building, gymnasium, baseball field house, natatorium and other miscellaneous improvements;
- 3) Encroachment into the Campamento Drive, Old Cutler Road and Red Road rights-of-ways; and,
- 4) Zoning Code Text Amendment to the Official Zoning Code, Appendix A, Site Specific Zoning Regulations;

providing for severability, repealer, codification, and an effective date. (PZB recommended approval, Vote: 6-0) (Passed on First Reading November 9, 2010) (Deferred from the January 25, February 8 and March 8, 2011 Meetings)

Attachments: [11 09 2010 CC Cover Memo: Gulliver Academy 1st reading](#)
[11 09 2010 Exhibit A - Gulliver Academy ordinance 1st reading](#)
[11 09 2010 Exhibit B - Gulliver amended conditions clean version](#)
[11 09 2010 Exhibit C - Gulliver amended conditions strikeout version](#)
[11 09 2010 Exhibit D - Gulliver Academy Application \(Cover & Table of Contents\)](#)
[11 09 2010 Exhibit D - \(Tab 1 - Letter of Intent\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 2 - Settlement Agreement\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 3 - Request to encroach\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 4 - Zoning Code Site Specific Standards\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 5 - Gables By-The-Sea Road Closing District\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 6 - Land Use & Zoning Map\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 7 - Aerial Photos\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 8 - Site Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 9 - Landscape & Vegetation Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 10 - Encroachment Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 11 - Elevation Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 12 - Building Plans\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 13 - Survey\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit D - \(Tab 14 - Traffic Reports\) - Gulliver Academy Application](#)
[11 09 2010 Exhibit E - PZP Staff Report](#)
[11 09 2010 Exhibit F - B&Z Preliminary Zoning Analysis](#)
[11 09 2010 Exhibit G - BOA Preliminary Review Comments](#)
[11 09 2010 Exhibit H - City Consultant Marlin Memorandum - Review of Gulliver T](#)
[11 09 2010 Exhibit I - City Consultant Marlin Memorandum - Review of Gulliver Ac](#)
[11 09 2010 Exhibit J - 07.14.10. Planning and Zoning Board meeting minutes](#)
[11 09 2010 Exhibit K - 07.21.10 Planning and Zoning Board meeting minutes](#)
[11 09 2010 Exhibit L - 09 15 10 Planning and Zoning Board meeting minutes](#)
[11 09 2010 Exhibit M - Public comments](#)
[E-6 Signed Cover Memo](#)
[12 14 2010 CC Cover Memo: Gulliver Academy - 2nd reading](#)
[12 14 10 Exhibit C: Add'l Public Comments since 1st Reading](#)
[12 14 10 Exhibit A: Ordinance -Gulliver Academy - 2nd reading](#)
[12 14 10 Exhibit B: Applicant's revised application package, dated 12 07 10](#)
[E-3 Signed Cover Memo](#)
[Signed Resolution 2010-282](#)
[01 25 2011 CC Cover Memo: Gulliver Academy continuance](#)
[01 25 2011 Exhibit A: 01 11 2011 and 01 02 2011 applicants letters](#)
[01 25 2011 Exhibit B: Resolution 2010-282 continuance](#)
[01 25 2011 Exhibit C: 12 14 10 CC Mtg Minutes Agenda Item E-3 - Gulliver - PAD](#)
[E-4 Signed Cover Memo](#)
[02 08 2011 CC Cover Memo: Gulliver Academy 2nd reading](#)
[02 08 2011 Exhibit A: Gulliver Academy ordinance 2nd reading](#)
[02 08 2011 Exhibit C: 12 14 10 CC Mtg Minutes Agenda Item E-3 - Gulliver - PAD](#)
[02 08 2011 Exhibit B: 01 28 11 Letter to Eric Riel re Gulliver Academy](#)
[02 08 2011 Exhibit E: GBTS HOA and Gulliver Schools Settlement Agreement](#)
[02 08 2011 Exhibit D: Gulliver Academy Site Plans](#)
[01-25-11 - City Clerk Memo to City Commission](#)
[E-2 Signed Cover Memo](#)
[E-2 - Request to Defer item until March 8, 2011](#)
[Letter dated 02-03-11 - Laura L. Russo - Gulliver Schools - Request for Continuan](#)
[03 08 2011 CC Cover Memo re : Gulliver Academy 2nd reading](#)
[03 08 2011 Exhibit A: Gulliver Academy ordinance 2nd reading](#)
[03 08 2011 Exhibit B: 01 28 11 Gulliver Academy Letter](#)
[03 08 2011 Exhibit C: 12 14 10 CC Mtg Minutes - Gulliver - PAD - Site Plan - Encl](#)
[03 08 2011 Exhibit E: GBTS HOA and Gulliver Schools Settlement Agreement](#)

[03 08 2011 Exhibit D: Gulliver Academy Site Plans](#)
[E-1 Signed Cover Memo](#)
[03 22 2011 CC Cover Memo re: Gulliver Academy 2nd reading](#)
[03 22 2011 Exhibit A: Gulliver Academy ordinance 2nd reading](#)
[03 22 2011 Exhibit B: 03 16 11 Gulliver Academy Letter](#)
[03 22 2011 Exhibit C: GBTS HOA and Gulliver Schools Settlement Agreement](#)
[E-1 Signed Cover Memo](#)
[Signed Resolution 2011-45](#)
[Signed Ordinance 2011-06](#)

[Note for the Record: Please be advised that the verbatim transcript for Agenda Item E-6 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 approved as an Ordinance on First Reading as Amended. The motion passed by the following vote:

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

Nays : 1 - Commissioner Cabrera, Jr.

Abstentions : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 27

F. CITY COMMISSION ITEMS

None

City Clerk Item No. 32

G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 33

H. CITY MANAGER ITEMS

Items H.-1. and D.-1. are related.

RESOLUTION NO. 2010-255**H.-1. 10-0726**

Resolution of the City Commission of Coral Gables, Florida providing for an amendment to a previously approved mixed-use project (approved via Resolution No. 2008-58) referred to as "Gables Gateway", located on property legally described as Lots 1-23 and Lots 76-88, Block 17, Industrial Section (intersection of LeJeune Road, Granello Avenue and Ponce de Leon Boulevard), Coral Gables, Florida; providing for an amendment to the previously required attainable/affordable housing condition; providing for an alternative condition of approval; providing for severability, repealer, codification, and an effective date.

Attachments: [11 09 2010 Exhibit B - 11 04 2010 Letter - Final Property Owner Proposal](#)
[11 09 2010 Exhibit C - 09 27 2010 Letter - Preliminary Property Owners Proposal](#)
[11 09 2010 Exhibit D - Resolution No. 2008-58 \(Gables Gateway\)](#)
[11 09 2010 CC Cover Memo - Gables Gateway Resolution amendment for attainable/affordable housing](#)
[11 09 2010 Exhibit A - Resolution Gables Gateway amending affordable housing](#)
[H-1 Signed Cover Memo](#)
[Signed Resolution 2010-255](#)

RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR AN AMENDMENT TO A PREVIOUSLY APPROVED MIXED-USE PROJECT (APPROVED VIA RESOLUTION NO. 2008-58) REFERRED TO AS "GABLES GATEWAY", LOCATED ON PROPERTY LEGALLY DESCRIBED AS LOTS 1-23 AND LOTS 76-88, BLOCK 17, INDUSTRIAL SECTION (INTERSECTION OF LEJEUNE ROAD, GRANELLO AVENUE AND PONCE DE LEON BOULEVARD), CORAL GABLES, FLORIDA; PROVIDING FOR AN AMENDMENT TO THE PREVIOUSLY REQUIRED ATTAINABLE/AFFORDABLE HOUSING CONDITION; PROVIDING FOR AN ALTERNATIVE CONDITION OF APPROVAL; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Please be advised that the verbatim transcript for Agenda Item H-1 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 Anderson, that this motion be adopted by Resolution Number 2010-255. The motion passed by the following vote:

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

City Clerk Item No. 26

- H.-2.** [10-0737](#) Discussion regarding recruitment process for obtaining the services of a City Attorney.

Attachments: [H-2 Signed Cover Memo](#)
 [City Attorney Recruitment Process Outline](#)

[Note for the Record: The verbatim transcript for Agenda Item H-2 is contained within the Discussion Items in Agenda Item K].

This Agenda Item was Discussed and Filed

City Clerk Item No. 37

I. CITY ATTORNEY ITEMS

- I.-1.** [10-0736](#) Pending Litigation Report

Attachments: [PENLIT11_9_10.doc](#)

[Note for the Record: City Attorney Elizabeth Hernandez informed the City Commission that as an update to the Pending Litigation Report that the City Commission had received, that the City on Friday, November 5, 2010 did receive a preliminary injunction against Trolinet; further conveying to the City Commission that Mr. Higaldo had continued to sell advertisements; and that the City's legal team appeared before Judge Langer who granted the City's motion for a temporary injunction, as the City proceeds forward with said case.

Regarding the matter with Florida Power and Light, it is presently pending before the Florida Department of Administrative Hearings; further informing the City Commission that on January 14th, 2011 the City will have its Alternate Corridor Report due before said agency, which is the report the City has been working on along with several other municipalities-the initial report is for the corridor to go along the Florida Turnpike and along the 836, as well; further stating that the representatives from the City of Coral Gables met with Miami-Dade County Expressway Authority, including their engineers as well as the Florida Department of Transportation on said matter, and that the final agency report will be due in February of 2011, adding she has been working with certain City departments in connection therewith.

Finally, regarding the matter of George Merrick's Boy Scout Troop 7 and said groups' disagreement in connection with the lease agreement with the City of Coral Gables, City Attorney Hernandez' stated that the City has entered into discussions

with the Boy Scout leadership to alleviate these lease related issues in the future, so that said issues will not represent a reoccurring experience; further informing the City Commission that her office will report back to the governing body when the City and George Merrick 's Boy Scout Troop 7 are able to resolve these issues].

This Resolution was Discussed and Filed

City Clerk Item No. 34

J. CITY CLERK ITEMS

None

City Clerk Item No. 35

K. DISCUSSION ITEMS

Mayor Slesnick: OK we have discussion items from the City Commission, Madam Anderson...

Commissioner Anderson: You know I can't remember if I had one or not, so I will pass (laughter).

Mayor Slesnick: Mr. Cabrera?

Commissioner Anderson: Actually, I do have a question...

Mayor Slesnick: OK.

Commissioner Anderson: When do you anticipate...I was asked by a resident, the start of the Green Task Force? Sometime...When is that going to happen?

City Manager Salerno: I expect that the first meeting will be in December.

Commissioner Anderson: OK, thank you, that's good for me thank you.

Commissioner Cabrera: Was the Commission aware of the Code Enforcement Officer's ability to cite parking violations? They can issue a parking ticket, I wasn't either. Let me tell you what happened, a resident parked their vehicle in their driveway, but clearly blocking the section of sidewalk, and the next morning when he awakened and went to his vehicle, he had a violation there. I did not know this but, our parking off- excuse me our Code Enforcement Officer's can handle it two different ways. -One is a warning, for blocking the sidewalk. Or the -second one is a parking violation. When you get a warning you at least learn, that you are not to park any part of your vehicle on the sidewalk. When you get a parking violation you are stuck paying

it. I don't know how much it is? If it's \$30? Maybe...

Vice Mayor Kerdyk: I've had a couple of people complain about this...

Commissioner Cabrera: Yes, My concern is I want to make sure that our sidewalks are free and clear for all pedestrian traffic. I really do, I want to make sure that those that run in the morning, or take their walks early in the morning have complete access to their sidewalks, or to the City's sidewalks. In this particular case though, anyone walking in front of that vehicle would have had access to the persons driveway because it was clearly open to any and all pedestrians that walk through it. But instead this resident that was even unaware of the fact that he could not have his vehicle, or any part of it on the sidewalk received this parking violation. So when I told him that he was disappointed because he said "well look, you know I didn't get a warning OK? but I don't even have the right to fight this, it's a done deal." So I wanted to make you aware of it, maybe it doesn't mean anything to you, but in these days and times...this individual happens to be a real estate professional, I believe they're struggling quite a bit. So he said, "you know my wife and I both work, and to fine us early in the morning and not even get the courtesy of a warning, really stinks." You know...

Mayor Slesnick: I am always for warnings; I think it's a nice way to educate them.

Commissioner Cabrera: Exactly, you're informing and you are educating rather than you know, penalizing someone at the start of their day...

Vice Mayor Kerdyk: Well I think that's what code enforcement is, for education to get it right, it's not for punitive actions.

Commissioner Cabrera: It was just unfortunate I wanted to share this with you, and obviously none of us have anything to do with it, but if we could find officers that would use some sensitivity to the fact that you know if this is a habitual offender, I could see us going after them for that reason; but this guy assured me that he had never received any kind of a warning, and so I don't know what could come out of it. I don't know if anyone is going to take a note of this, and try to remedy it, so that we don't seem so punitive in our actions. It made me feel really bad, I could tell you that right now, I mean he's not even watching, he doesn't even know that I am having this discussion with you, I'm going to ask him for the ticket and I'm going to pay it, just because I think it's the right thing to do. Anyway, on a more serious note, last week I think it was the 27th of October, so that was about a week or so ago? The five of us in our Friday afternoon package received a letter from Bryant Miller Olive; and the purpose of the letter was to give the Commission an update on the City's proposals regarding the negotiation process with the City of Coral Gables and the FOP Lodge No.7; and I took great interest in the letter and went through it, and read all the points

that were made on the City's side, because incidentally according to the letter and it came from Mr. Crosland, our legal representative with the collective bargaining units. According to the letter, the FOP did not present any proposal, so it was a one sided presentation, I am assuming based upon his letter, by the City. Which we addressed things like work week, overtime, shift differential. We also addressed... I'm going to tell you all the major items, wages, vehicles, and safety equipment. We went on to address our holidays. We talked about sick leave or we addressed sick leave, and we last but certainly not least we talked about the employee organization, and the office of the President for that collective bargaining. I am mistaken, I left out group health. Group Health was another item that was part of the negotiations. I think it's time for this Commission to have an Executive Session, to provide further direction on this matter to the City Manager's Office, I don't know how the rest of you feel? I'll tell you what compels me, if you don't feel like talking that's fine...

Mayor Slesnick: No...I am thinking, you raised a question...

Commissioner Cabrera: Well let me tell you what really compels me. I've decided to just do a little bit of research. I went to the Florida Statutes, and specifically Chapter 447 of the Florida Statutes, that has to do with labor negotiations, or labor organizations, and more specifically Section 447.309, which addresses collective bargaining, approval or rejection of that process. And if you read the entire chapter, which you don't have to, but there was a sentence in the first paragraph that really caught my eye, and I'd like to read it to the members of the Commission, it says: "In conducting negotiations with the bargaining agent, the chief executive officer or his or her representative shall consult with and attempt to represent the views of the legislative body of the public employer." So I would assume we're the legislative body? And I would further assume that the chief executive officer is the City Manager. But I have to tell the four of you that prior to the letter that I received on the 27th, that I literally went through that weekend, I have not given the Manager any kind of direction on any of the points that are addressed in this letter. And I have received absolutely no reviews; updates, other than this letter, and therefore I think it's our responsibility to provide that direction. If you don't feel like believing me just read the statute. I'll make it available to all of you, we are supposed to, it's not we should think about it, it's we shall do this. And so, I just think it's high time we give some direction on this matter because quite frankly, again I am repeating myself, but quite frankly many of these issues were a surprise to me. And I am not saying that I don't agree with them, I agree with some of them and I agree with some of the approaches, but I disagree with some others; but I haven't been given the luxury of any kind of an update other than this letter from Mr. Crosland. So with that I don't think I have anything more to say, no comment?

Mayor Slesnick: Does anybody have an objection to scheduling a Shade Meeting?

Vice Mayor Kerdyk: Yes I think we should, I am OK with that.

Mayor Slesnick: ...Talk to the Manager about our collective bargaining...

Commissioner Anderson: I don't have any problem with that, but I actually read, that same letter, I didn't have any concerns at all. Actually I was looking, I was hopeful of some of those things coming about because those are kind of toward that; but no, that is fine as far as meeting, But I am good...

Commissioner Cabrera: Well let me ask you this, if you don't mind, in reading that letter did you feel that you had given the appropriate direction for the City Manager to take that particular approach to negotiations?

Commissioner Anderson: Pension reform? Yes.

Commissioner Cabrera: It's not in there.

Commissioner Anderson: No, but this is part of a larger picture for me, that's just for me...

Commissioner Cabrera: I know, but it's not in there. Wages are in there, but Pension Reform is not, wasn't in that letter...

Commissioner Anderson: This is part of a larger picture, that's what I am saying. For me there was a larger part, these smaller subparts are part of a larger issue of Pension Reform, which I was comfortable with that direction; but like I said, I am not objecting to having a Shade Meeting, that's not a problem...

Commissioner Cabrera: No, no and I hear you because I think all five of us want to see the pension reformed. I mean we've already done that with the general employees. I guess what I'm trying to get to is I am trying to drill down on this issue; and I am just wondering if you'd given some direction or you've been given updates on this, then by all means I understand your position; but look you don't have to believe me, I just read from a Florida Statute. Don, I think you are somewhat familiar with the statute?

Mayor Slesnick: I am, I mean let me say this, I assume that that Manager sends us those letters to continue to inform us so we could raise issues and questions, and sense you have, and have asked for a Shade Meeting, then let's do it...

City Manager Salerno: That is exactly the reason why they are sent.

Mayor Slesnick: Let's do it

Commissioner Cabrera: I didn't get a cover from the City Manager, I got a letter from Mr. Crosland. I didn't get one from the City Manager.

City Manager Salerno: I understand, Mr. Crosland wrote those at my request, and that is not the first letter that you received, that is the second letter since we started the bargaining.

Commissioner Cabrera: I understand that this is the second letter, I am well aware of it, and it's high time that you'd be given direction from this elected body and whether...

City Manager Salerno: That's the reason for soliciting the input, which is to make you aware of it. It's my understanding...

Commissioner Cabrera: This letter does not solicit input. This letter is very direct and it says the following...

City Manager Salerno: If you don't OK, OK...

Commissioner Cabrera: I don't want to be interrupted when I am speaking...

City Manager Salerno: OK

Commissioner Cabrera: Today the City met with the FOP Bargaining team and negotiations. This was our second bargaining session for 2010-2011. Attached, please find the City's proposal to date. The additional proposal submitted by the City today concerns group health coverage. The City will be submitting additional proposals as the negotiations progress. Again, the FOP did not present any proposal. That doesn't ask, what is your position on this matter? Would you like a review of the items discussed? Would you like any kind of update? Would you recommend an Executive Session? Nothing like that, it's just an F.Y.I. letter...

City Manager Salerno: OK

Commissioner Cabrera: And it had no cover to it. It simply came from Bryant, Miller Olive. So if the Manager would like to some how peddle back, that's his prerogative, but that is what the letter says.

City Manager Salerno: No, I know what it says.

Commissioner Cabrera: Good!

City Manager Salerno: I asked it to be written; I approved it before it went into your

box. I had my, Pilar put it in your box. It is the second letter which is to inform you of the status. I am also aware that in the past, with the prior Manager, he did not provide you updates of every single negotiating session. Every time we have negotiated with any union, you have received a status report, as to what was presented at that meeting. That is a change from the way things were handled in the past. That is because I believe you should be informed of what's transpiring after the negotiating sessions. I perfectly have no problem with having an Executive Session for that purpose, but you are getting more information now about what transpires in negotiations than you have in 8 years.

Commissioner Cabrera: I respectfully disagree.

City Manager Salerno: That's fine, but that's the fact.

Mayor Slesnick: OK, well Mr. Manager if we could arrange.

Commissioner Cabrera: That's not a fact, because I had a relationship with the former City Manager and in spite of my criticisms, that City Manager went way out of his way to communicate with this government, and these elected officials, in a transparent fashion. Whether it was a crafted letter based on your direction, the bottom line is the former City Manager took the time to brief this Commission on each and every item regarding collective bargaining.

City Manager Salerno: I disagree with you Commissioner...

Commissioner Cabrera: Well you weren't here, you were in Sunrise, Florida.

City Manager Salerno: But the staff has informed me that the Manager did not provide briefings of each bargaining session in the past that's...

Mayor Slesnick: OK, we will work on sitting at the Commissioners request, sitting in a Shade Meeting.

Commissioner Anderson: I have limitations, Monday's through Wednesday's are the only days I am available, So within that range, I am good.

Mayor Slesnick: Commissioner Cabrera?

Commissioner Cabrera: That's it for me.

Mayor Slesnick: OK, Mr. Kerdyk?

Vice Mayor Kerdyk: No, nothing Mayor.

Mayor Slesnick: Mr. Chip Withers?

Commissioner Withers: I have two real quick, well one is quick...I was in a neighborhood Halloween event a street behind me, and 2 kids disappeared into a trash pit. So I don't know if we...I was thinking, I don't know if we have something on our website, or even what the City's program is to...I knew at one point we had a crew going around filling these up...

Mayor Slesnick: Right.

Commissioner Withers: ...Is it only at the request, if a neighbor requests it?-Or are we proactively going through looking at these (inaudible).

City Manager Salerno: I'll be glad to check Commissioner on that...

Commissioner Withers: I know it's not a big deal, it's a little humorous because the kids bounced up, but they did disappear from site (laughter). If it would have been me, I would have probably broke my legs, but it was... The other thing is, I saw some scouts walk in here and I know you briefly touched on it in the report. I don't know if you all heard Liz's report, because you know my only comment to that is this thing is taking on a life of it's own, and its way overblown. I don't know how the rest of you Commissioner's feel, but the last thing in the world we would want to do is evict the Boy Scouts from Troop 7 out of their Boy Scout hut. That was you know never my intent. I don't think it was the intent of...and it's really I think a disservice to scouting that has been permeated with the E-mails that I've gotten from folks. Thinking that we, we're going to be evicting George Mericks Boy Scout Troop out of the Boy Scout hut. I think there are some issues, I think some of these issues have to be resolved. I think we...so I don't know if you all want to comment on it, but that's basically...

Commissioner Anderson: Yes I'm happy to comment. I think it's more issue about the adults involved in the issue.

Commissioner Withers: The Boy Scouts.

Commissioner Anderson: Not the children, right?-and that is where I have the real problem. And I hate dissemination of lies in the original E-mail that was sent to us was lies and it didn't really go to the issue which was, that particular...our City land which is allowed by a dollar-a-year I think was it? Was being used for other than it was supposed to, and so that's where I had the problem and that's where I would like for the situation to be corrected. I don't have any desire to throw anybody out you know, that would be like "apple pie, and mom," and all that stuff. You know, so that's where I would...that's my biggest concern, is the adults involved in the situation.

Vice Mayor Kerdyk: I mean yes, I mean I have a past history there, I was a scout there, and my son just became a Boy Scout, a Eagle Scout, so I have a lot of history and I don't think any of us want to throw out the Boy Scouts of the City of Coral Gables. I mean that's just not going to happen.

Commissioner Cabrera: I was district chairman of the...

Commissioner Withers: (inaudible) But that scout that was here today was from Troop 336.

Commissioner Anderson: That was yours right?

Commissioner Withers: This is my Troop, so I just want to let you know that this is a prime example of what scouting is from Troop 336. I don't know about Troop 7, but I could always speak for troop 336.

(laughter)

Commissioner Withers: How many times did we used to just school Troop 7 at the campboree? -at the gymborees and stuff like that, but I am not going to mention any right now.

Mayor Slesnick: We just had a very positive interaction with the Scout Troop from St. Theresa's also. And a ceremony here presented a City flag at their request to St. Theresa troop. I mean this Commission and this City Government have always gone out of their way to include scouting and ceremonies and things. I just released 1,500 lady bugs at a garden that was helped being built by Troop 7; and I mean to raise this as it has been as an issue of the City versus scouting has been very much a disservice to all of us and it's regretful; and I hope that as the City Attorney said that there will be responsible people who will work with us on straightening the issue out and moving forward, that's all.

Commissioner Cabrera: Can I?

Mayor Slesnick: Yes, Mr. Cabrera had another thing to bring up...

Commissioner Cabrera: I forgot to and I apologize to all of you, but you all got a copy of the City of Coral Gables City Attorney job description. I have some changes that I would like to recommend to the 5 of us for consideration, may I?

Mayor Slesnick: Yes.

Commissioner Cabrera: Under Qualifications, it reads: that a minimum experience of 5 years serving as a City/County Attorney or Assistant City/Assistant County Attorney in the state of Florida. I obviously understand the State of Florida part, but why are we excluding private sector attorneys, that may have municipal experience? Any thoughts on that?

Mayor Slesnick: No, it would be fine with me to include them, to compete.

Commissioner Cabrera: We are the hiring body right?

Mayor Slesnick: No, no I said it would be fine with me to include them.

Commissioner Cabrera: OK, how do you feel Commissioner Withers?

Commissioner Withers: I think we should open up, let's discuss it. I mean what do we lose from at least discussing it?

Commissioner Cabrera: Right, yes look our last City Attorney came from a private sector.

Commissioner Withers: Yes.

Commissioner Cabrera: The one before that, Mr. Zahner came from the City of Miami.

Commissioner Withers: Yes, but the only problem I have Ralph is that, and I am not saying it's going to happen.

Commissioner Cabrera: Right.

Commissioner Withers: is...I don't know what Liz is...no I know what Liz is...do I know what Liz is doing after the 1st of the year?

City Attorney Hernandez: Yes we do know what I am doing (laughter).

Commissioner Withers: I just don't want anything that would come back to say that a selection was made in order to improve the possibility of someone getting business or something like that you know.

Commissioner Cabrera: OK.

Commissioner Withers: And I am not saying it's going to happen, but unfortunately, well I should say fortunately the firm that Liz is going to work with is a firm that we you

know, use now and let's say the new attorney comes in and Liz is involved in the (inaudible), and all of a sudden this firm is getting business again. The impropriety of that to me is just I want to stay so clear of that, and I am being as basic and as straight forward as I possibly can.

Commissioner Cabrera: But what about if there is a superstar out there that just has not worked in the municipal, in the public sector. Why eliminate that potential candidate from raising the bar of candidates?

Mayor Slesnick: I think though that you said a private attorney with municipal experience.

Commissioner Withers: Yes.

Commissioner Cabrera: Yes...that's the only reason I am including that. I just don't want to, I don't want to put us in a position that if that's the minimum experience that rules out a bunch of good people that are out there, that have been doing municipal work for quite some time and may not have served for a municipality either as an Assistant City Attorney or as a City Attorney. If you want to go ahead and do that, that's fine.

City Manager Salerno: Mayor, Could I add something Mayor?-Just so you all know where that stands, the recruitment process...at the result of the last meeting, I think specific...I think Mayor you said, you wanted to get the process going?

Mayor Slesnick: Yes.

City Manager Salerno: There was a minimum qualification that was included in the last meeting, there was at that time no discussion about changing it. I think Mayor you suggested that we run the advertisement past the City Attorney? Which we did, it has subsequently been released already. We can do our best to make changes, but...

Commissioner Cabrera: Gee, I guess I missed my deadline for submitting is what the City Manager is saying...

City Manager Salerno: No I am following the directions of the Commission and the Mayor specifically who said, run it past the City Attorney and get her input I'd like to see it moved...

Commissioner Cabrera: What do we do?

Mayor Slesnick: Well for future reference, we have to add that.

City Manager Salerno: ...and the recruitment process starts right away, so that's exactly what we did.

Commissioner Cabrera: For Future? Not for this process?

Mayor Slesnick: No, I meant as we release more information, we could amend it.

Commissioner Cabrera: But not if you are not comfortable with it, you all would have to be comfortable with this.

Mayor Slesnick: I am fine.

Commissioner Anderson: That's fine; yes, I am fine with it City or private with municipal experience.

Mayor Slesnick: Well wait, lets give credit where credit is due and so we don't have to make this...the Manager followed our instructions, he got it out, he got it going, the process is started, the City Attorney reviewed it; but now I'm happy...

Commissioner Cabrera: I never suggested that no one didn't follow the process. I am suggesting that I looked at this.

Mayor Slesnick: OK...No but I meant is I am happy now for as we go forward we could add that phraseology.

Commissioner Cabrera: I also think that we should seriously consider taking out the section that says, "the position shall remain open until filled." I see no reason for that being there.

Mayor Slesnick: Mr. Manager or Elsa, could you explain that? -I am not sure what that means...

City Manager Salerno: What that means, that is standard recruitment language in the public sector to allow for-if you put a closing date, you are basically saying as of that date, if you haven't applied, you can't apply. This provides, since you just talked about having the, throwing the broadest net possible, if somebody comes in at the last minute or after the last minute, this provides for the ability for them to be considered. That's what open till filled means.

Commissioner Cabrera: And you could do that without having those words in there. That could be done at any time by the selected body so I so I don't understand the wording for it, but if you don't feel like taking it out, that's fine. I think it's silly I think it makes no sense, and I think it's archaic, but that's alright if you all want to leave it.

Mayor Slesnick: You want to leave it in, or take it out?

Commissioner Cabrera: It doesn't matter.

Mayor Slesnick: Well, if you would take it under advisement.

Commissioner Cabrera: That's alright, just leave it there; don't bother to waste everyone's time. Let's just leave it there.

Mayor Slesnick: Mr. Withers will you?

Commissioner Withers: It should stay...

Mayor Slesnick: OK. I have just two, three quick things. Mr. Manager on the Biltmore Hotel, I guess we are still waiting for the final report from Price Waterhouse?

City Manager Salerno: Correct Mayor; Price Waterhouse has concluded their data gathering. Essentially, I believe they have concluded their analysis. I will be having a discussion with them tomorrow. Following that discussion, the plan had been based on prior directions is to schedule individual meetings with Commissioners. So that you at that point hear their information; a verbal presentation to each of you individually, with as much time as you'd like, with the opportunity to ask whatever questions you'd like. And then following that, we would like to see what direction the Commission would like to give staff at that particular time. We're at that point right now, so as soon as we can get with you all to schedule those sessions they will take place. I'll have better information tomorrow.

Mayor Slesnick: OK.

City Manager Salerno: I can inform each of you about that and schedule those.

Mayor Slesnick: OK, thank you.

City manager Salerno: You're welcome.

Mayor Slesnick: I look for...I encourage all the Commissioners have...to try and make themselves available if possible, to do that. Mr. Hartnet did you?

Mr. Hartnet: Mr. Mayor, there is an answer to the selection of an attorney (inaudible)

Mayor Slesnick: That's very sweet, that's very sweet of you Mr.

Commissioner Withers: Lunch.

City Attorney Hernandez: (laughter) I have a fan, Chip don't say a word.

Commissioner Anderson: My dad was always a fan, too.

City Attorney Hernandez: Yes, Chip can't help himself (inaudible)

Mayor Slesnick: I suggested that she not leave, but that was met with the same disdain as some of my other suggestions.

Commissioner Withers: She is going to do a calendar (laughter).

Mayor Slesnick: I have 2 quick announcements of 2 activities that are coming up. I hope that other members of the Commission and citizens will take part. There's a Veterans Day Ceremony at 10 a.m. this Thursday morning, on Veterans Day, at the University of Miami. It will be in front of the R.O.T.C. Detachment, where they will be unveiling a model of the F-22; and President Shalala will be part of this as well as General Frasier of SouthCom. So, I would urge all of you who are interested in veterans or are veterans or would like to show respect for veterans, to come out. And secondly, as is our tradition, we have that this Commission actually started about 8 years ago, we have a Non Denominational, All Faith Thanksgiving service to thank God for the many blessings of this life here in Coral Gables, at 7 p.m. on Wednesday the 24th, the night before Thanksgiving; and it will be occurring at the Riviera Presbyterian Church this year. It moves around and this is our 1st year at the Riviera Presbyterian Church, 7 p.m. Wednesday the 24th. So I hope you'll take part in that, and again a wonderful Veterans Day. I hope that the veterans of this City know that we appreciate their service. And those who gave their lives, we certainly appreciate what their families gave for this country as well as those persons themselves. And for Thanksgiving, thank you Lord, we're concluded.

City Clerk Item No. 36

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 1:49 pm on November 9, 2010. The next regular meeting of the City Commission has been scheduled for December 14, 2010, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK