

City of Coral Gables

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



Meeting Minutes

Tuesday, December 14, 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.

THE STAR-SPANGLED BANNER

Flagami Elementary School Kindergarten Teacher Velda D. Virgil sang the Start-Spangled Banner.

INVOCATION

Reverend Laurie Kraus from Riviera Presbyterian Church gave the invocation.

PLEDGE OF ALLEGIANCE

Commissioner Ralph Cabrera led the Pledge of Allegiance.

[Note for the Record: Mayor Slesnick acknowledged Raquel Regalado on her recent August 24, 2010 Miami-Dade County Primary Election, winning the seat for School Board Representative, representing District 6, which includes the City of Coral Gables District, thereby succeeding retiring School Board member and former School Board Chairman Gus Barrera].

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. 2010-38 through Resolution No. 2010-39) (b) Resolution(s) adopted (Resolution No. 2010-256.1 through Resolution No. 2010-291); (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. 10-0748**

Presentation of a Proclamation declaring December 14, 2010 as Elizabeth Hernandez Day in Coral Gables.

[Note for the Record: Mayor Slesnick prefaced his remarks by stating that our City Attorney Elizabeth M. Hernandez has announced her retirement; further stating that it seems strange that a young woman such as Liz would announce her retirement; further informing the public that those who happened to know our City Attorney all can appreciate her desire to be properly recognized and not just slip away; further informing the public that on the occasion of her retirement that certain guest were present on this same date- again acknowledging School Board member Raquel Regalado, Ivette L. Arango, Corporate, Government and Community Relations, The Beacon Council; Miguel Diaz de la Portilla; State Senator Gwen Margolis; her son, Danny.

Ms. Hernandez requested of her staff to also join her on the dais, stating that no one individual accomplishes anything by herself or himself; further stating that she initially served as Special Counsel to the City of Coral Gables in 1985, and later became City Attorney in 1995; further pointing out that the role of the City Attorney is to serve and protect the citizens of our community, and to represent the interests of the City Commission; further stating that we have a very unique City Commission; adding that each one of them brings a special force to this state and to this country.

Ms. Hernandez further informing the viewing public that she believes in civility, noting that what makes Coral Gables different from most cities, is that even though there are disagreements, everyone is treated with respect; further pointing out that Coral Gables is a beacon that is looked to by most cities; further adding that she does not see her career in the City as an ending, but as a beginning; further noting that she has had the opportunity to work with some of the best employees; further pointing out that every single employee is important to her, and she has shown the love and respect that they deserve; finally thanking the City Commission for the opportunity to serve, adding that she has been able to balance a career with a family life.

Mayor Slesnick added that there will be a retirement event for Ms. Hernandez on Friday, December 17, 2010, at the Coral Gables Country Club, beginning 5 p.m.].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

A.-2. 10-0791 Introduction of Legislative Delegation.

[Note for the Record: Mayor Slesnick prefaced his remarks by stating that before the end of the year, that he wanted to take time to introduce our Miami-Dade County Legislative delegation that represents the City of Coral Gables; further mentioning the presence of the following herein below listed individuals:

State Senator Gwen Margolis, who previously served as President of the Florida Senate, a member of the Florida Senate, Miami-Dade County Commissioner, who currently represents the 35th District, the south end of our City;

State Senator Miguel Diaz de la Portilla, District 36, past Miami-Dade County Commissioner and former Chairman of the Miami-Dade Commission, occupying the former seat where his brother sat, in the Central Gables section of our city.; and

State Representative Erik Fresen, District 11, representing the northern and central portions of our City; the same seat which was previously held by U. S. Senator Marco Rubio, when he was a Representative in the Florida Legislature; further noting that Representative Fresen is considered to be one of the rising stars in the Legislature.

Mayor Slesnick invited the aforementioned members of the Miami-Dade County Legislative delegation to provide some input to the viewing public:

State Senator Miguel Diaz Portilla stated that he is a resident of Coral Gables, graduate of University of Miami, whereby he received degrees from undergraduate and Law School; further expressing that he is looking forward to working with the representatives in Tallahassee; further stating that what makes the Miami-Dade County Legislative delegation unique is the fact that he and the other members of the delegation know each other and they are friends; noting that in the past there was a disconnect between the state officers and the local governing officials; further pointing out that in the spirit of a new camaraderie that they understand local government, government in the trenches, and that they bring that perspective as well.

State Senator Gwen Margolis stated that she has been serving Coral Gables for a long time (i.e. over three decades), since 1980, noting that she took a two year hiatus; adding that she is delighted to be back; reiterating that she is pleased to be here, and that she can be extremely helpful; she is looking forward to serving for the next two years.

State Representative Erik Fresen added that it is always a pleasure to be back in his old stomping ground, noting that his home is here in Coral Gables, and that this is where he grew up; further pointing out that this represents an incredible opportunity to do work for the benefit of our community, to remove those obstructions that hinder our local governments; stating the goal of the state legislature should be to stay out of the way of the local governments and let them do whatever it is that they should do, and

assist them in achieving their goals].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

[Non Agenda Item: Mayor Slesnick requested of Steve Edelstein, Vice Chairman, International Affairs Coordinating Council, and Vice Chairman Kerdyk's appointee to brief the City Commission on the Sister Cities Fair which was held in Aix-en Provence, France during the Thanksgiving Holidays, further pointing out that Mr. Edelstein volunteered to use his own funds in representing the City of Coral Gables at said event; further stating that the meetings that were held covered the areas of education, culture, and commerce, and were productive; further adding that on the last day of said event, there was the 100th anniversary of the death of the gifted impressionist artist Paul Cezanne; further stating that the City of Aix-en Provence never had a statute of its favorite son Paul Cezanne; and in furtherance of same, invitations were sent out to the 17 sister cities of Aix-en-Provence to help cover the cost for the statute of Paul Cezanne, whereby only 1 sister City provided funding support, namely our City of Coral Gables, and that the City of Coral Gables through a fundraising initiative raised \$6,000 toward the cost of said statute, which was approximately \$400,000; further adding that he was requested by Andrea Ferreol, a French actress and President of the Association Aix-on-Oeuvres, said organization responsible for creating, collecting funding to defray the cost to deliver a gift of miniature statute to our City, as a symbol by the people of Aix-En Provence's commitment in furtherance of our Sister Cities program relationship between Aix-en-Provence and the City of Coral Gables into the future.

In accepting this gift from Mr. Edelstein, Mayor Slesnick informed the viewing public that it will be placed in the International Sister Cities Room in the Coral Gables Museum].

A.-3. 10-0761

Presentation of a Certificate of Recognition to the Coral Gables Fire Department for their first place finish and exemplary performance at NASCAR's Hot-and-Spicy Firefighter Cook-Off.

[Note for the Record: Chief Reed explained to the viewing public that this year NASCAR had their "First Annual Miami-Dade County Firefighter Cook-Off" December competition, which was co-sponsored by Coca-Cola; further stating that the team that represented the City was comprised of Firefighter David Drescher (absent), Firefighter Joe Fantigrassi and Firefighter Brian Millares; Firefighter Fantigrassi stated that the food categories consisted of chicken, seafood and a meat dish; said dishes were served to a six judge panel, along with an official from NASCAR who was present; further stating that with each round they had to include some creative ways of using Coca-Cola in their food preparation; following their winning of the first of the two round competition (i.e. Round One - a chicken which was won by Coral Gables over the cities of Key Biscayne and Miami Beach respectively; and Round Two - a seafood dish which was won by Miami-Dade over Hialeah and Miami) both winners of rounds one and two, respectively advanced to the final round competition, wherein they received plenty of support from the neighboring City firefighters, which resulted in their recording the final victory for the entire competition.

Commissioner Anderson inquired as to how did the team creatively use the Coca-Cola?- whereupon Firefighter Fantigrassi stated that the team reduced the coke into a glaze, and also put candy pecans until it formed a simple glaze. Commissioner Cabrera stated that they were coming up with these various recipes within a 25 minute time constraint. Mayor Slesnick added that this is a tradition for firefighters since they live together, cook together, etc. Commissioner Withers stated that it looked like a cookbook opportunity. Firefighter Fantagrassi stated that said culinary skills may present a cookbook opportunity down the line].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

A.-4. 10-0751

Congratulations to Firefighter David Vargas, recipient of the City of Coral Gables Firefighter of the Month Award for the month of December 2010.

Attachments: [Notification Letter.pdf](#)
[Cover Memo, FF of the Month, DEC 2010.pdf](#)

[Note for the Record: Fire Chief Walter Reed acknowledged Firefighter David Vargas as the recipient of the “Firefighter of the Month” Award for the month of December in connection with his outstanding display of initiative, specifically his endless drive and efforts in restarting the Child Car Seat Installation program; further stating that said program which teaches new parents about how to properly install a car seat; after being initiated by the Fire Department, requirements changed, resulting in the department not using the program; further stating that due to the sponsorship of its Local Benevolent Association in defraying the cost in having he and Firefighter Daniel Amedor trained, thus putting said program back to the forefront as a viable program; further stating that this represents the second time that Firefighter Vargas has been selected as Firefighter of the Month during a calendar year, noting that he had been selected in February of this year for his efforts in furtherance of the Haitian relief initiative.

In accepting the recognition, Firefighter Vargas thanked Chief Reed and the City Commission, adding that firefighters cannot do anything on their own, noting that this represents a joint effort; further pointing out that Firefighter Amedor went to class with him every day for four days, journeying from Coral Gables to Boca Raton for the certification in Child Car Seat Installation which is a training whereby said certification initiative resulted in restarting said service to our citizens; further adding that approximately 100 of our citizens have been assisted as a result of this retraining initiative. Firefighter Vargas also thanked Laura Rodriguez, Public Education Specialist, who took on an extra task in providing assistance with taking the phone calls received from the public and scheduling with this program].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 5

A.-5. 10-0756

Congratulations to Police Officer Edward Garcia, recipient of the City of Coral Gables Police Officer of the Month Award for the month of October 2010.

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

[Note for the Record: Interim Police Chief Joseph McNichol in recognizing Detective Edward Garcia as Officer of the Month for October stated that he in cooperation with the FDLE (Florida Department of Law Enforcement) arrested four individuals for an organized scheme to defraud, grand theft, identity theft, check fraud and forgery; further referencing said investigation as “Operation Masquerade,” which resulted in a dollar loss of over \$272,000 and over 15 victims; further noting that this scheme to defraud began in December of 2008; further stating that a certain individual namely Bribiana Montoya was apprehended and found in possession of several fraudulent driver’s licenses, numerous checks and powder cocaine; further stating that the subject had agreed to implicate numerous other defendants and their involvement; further stating that Detective Garcia gathered information and began to document with a spreadsheet, all of the individuals that were involved as well as the locations of those fraudulent checks that were cashed; further pointing out that there were ten individuals who were responsible for the check cashing; further stating that there were other individuals who committed auto burglaries, task with obtaining new victim information, and individuals responsible for acquiring the information from the auto burglaries to create the fraudulent drivers licenses; further noting that the above referenced acts were being committed all over Miami-Dade, Broward, Palm Beach and Orange Counties; as a result of said activities, Detective Garcia and FDLE Special Agent Kelly Rawson began compiling evidence of the fraud ring which has resulted in multiple defendants being arrested on October 7, 2010, said investigation is on-going.

Interim Police Chief Joseph McNichol thanked Detective Garcia for his selfless dedication during this two year investigation that has helped end one of the largest and most sophisticated organized fraud crime rings in Florida.

In accepting this recognition, Detective Garcia thanked the City Commission; further stating that it has been an honor; also thanking his partner Detective Carlos Baixauli, said individual who submitted his name into nomination for Employee of the Month recognition, who he also credits as being with him every step of the way during this investigation; further pointing out that said honor is just as much his as it is his own].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 6

A.-6. 10-0765

Congratulations to Patricia Arocha, Automotive Department, recipient of the City of Coral Gables Employee of the Month Award for the month of January 2011.

Attachments: [Cover Memo](#) [EOM January 2011](#)
[EOM Ltr.](#)

[Note for the Record: Human Resources Director Elsa Jaramillo-Velez acknowledged Patty Arocha as the Employee of the Month for the Month of January, said individual who has been with the City for over 22 years; further stating that she has distinguished herself by constantly displaying a positive attitude and a willingness to help others; further citing that Ms. Arocha recently took a large volume of work home which resulted in her name being placed in nomination for Employee of the Month.

Director of the Automotive Department, namely Steve Riley stated that the recent departure of the department's Service Writer left the Automotive Department with a void in responding timely to service request and service order processing; further stating that Patty recognizing the need to, took large volumes of work home to be processed into the department's Fleet Management System, working tirelessly in order to keep said system up-to-date,; further acknowledging that since his tenure with the City, that Ms. Arocha's workload has doubled, and that she has responded flawlessly, adding that her skills, the way she handles job related duties (i.e. including her role in planning and implementing new initiatives designed to improve productivity and efficiency in the department), her positive attitude has resulted in placing Ms. Arocha's name in nomination for this recognition.

In accepting this recognition, Ms. Arocha thanked Department Director Steve Riley for nominating her, and thanked all of her peers; further providing thanks to her family also, who were in attendance today for supporting her throughout the years].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 7

B. APPROVAL OF MINUTES**B.-1. 10-0793**

Regular City Commission Meeting of November 9, 2010

Attachments: [November 9, 2010 Meeting Minutes](#)

This Minutes was approved

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

City Clerk Item No. 8

C. CONSENT AGENDA

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

Passed the Consent Agenda

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

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

RESOLUTION NO. 2010-257**C.-1. 10-0741**

Resolution authorizing the Release of Unity of Title for Lots 8-15, Block 6, Coral Gables Coral Groves Section, 1800 S. LeJeune Road, recorded in the Plat Book 15, Page 72 of the Public Records of Miami-Dade County, Florida for the purpose of finalizing the plat for the building site separation approved by the City Commission on September 22, 2009, pursuant to Resolution Nos. 2009-269 and 2009-270.

Attachments: [Letter of Request 1800 S. Le Jeune Rd](#)
[Res Nos. 2009-269, 270](#)
[Release of Dec of Rest Cov - 1800 S Le Jeune Rd](#)
[Cover Memo 12-14-10 rev 11-18-10](#)
[Resolution 1800 S. Le Jeune Rd. rev 11-18-10](#)
[Release of Dec of Rest Cov 11-22-10](#)
[C-6 Signed Cover Memo](#)

RESOLUTION TO ALLOW RELEASE OF UNITY OF TITLE FOR LOTS 8-15, BLOCK 6, CORAL GABLES CORAL GROVES SECTION, 1800 S. LE JEUNE ROAD, RECORDED IN PLAT BOOK 15, PAGE 72 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA TO FINALIZE THE PLAT FOR BUILDING SITE SEPARATION APPROVED BY CITY COMMISSION WITH RESOLUTION NUMBERS 2009-269 AND 2009-270.

This Matter was adopted by Resolution Number 2010-257 on the Consent Agenda.

City Clerk Item No. 9

RESOLUTION NO. 2010-258**C.-2. 10-0742**

Resolution approving an Addendum to the Memorandum of Understanding between the City of Coral Gables and Fairchild Tropical Botanical Gardens for Fairchild Tropical Botanical Gardens to join the City's fiber Institutional Network operations.

Attachments: [FTBG-MOUagendaC21-12152009.pdf](#)
[ExhibitA-ComcastCity.pdf](#)
[mouFTBG-CoralGable-Inet.pdf](#)
[mouFTBG-CoralGable-Inet.pdf](#)
[Fairchild MOU Resolution](#)
[C-2 Signed Copver Memo](#)
[Signed_Addendum04142010.pdf](#)

RESOLUTION APPROVING AN ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CORAL GABLES AND FAIRCHILD TROPICAL BOTANICAL GARDENS FOR FAIRCHILD TROPICAL BOTANICAL GARDENS TO JOIN THE CITY'S FIBER INSTITUTIONAL NETWORK OPERATIONS.

This Matter was adopted by Resolution Number 2010-258 on the Consent Agenda.

City Clerk Item No. 10

RESOLUTION NO. 2010-259**C.-3. 10-0749**

Resolution appointing Rebecca Bartleson (nominated by Vice Mayor Kerdyk) to serve as a member of the Parks and Recreation Youth Advisory Board, for the unexpired balance of a two (2) year term, from December 14, 2010 through May 31, 2011.

Attachments: [R-2010 - Draft - Rebecca Bartleson - YAD](#)
[Cover Memo- Rebecca Barlteson - YAD](#)
[C-3 Signed Cover Memo](#)

RESOLUTION APPOINTING REBECCA BARTLESON (NOMINATED BY VICE MAYOR KERDYK), TO SERVE AS A MEMBER OF THE PARKS AND RECREATION YOUTH ADVISORY BOARD, FOR THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, FROM DECEMBER 14, 2010 THROUGH MAY 31, 2011.

This Matter was adopted by Resolution Number 2010-259 on the Consent Agenda.

City Clerk Item No. 11

RESOLUTION NO. 2010-260**C.-4. 10-0750**

Resolution appointing Ariel Fernandez (nominated by Vice Mayor Kerdyk) to serve as a member of the Emergency Management Division, for the unexpired balance of a two (2) year term, from December 14, 2010 through May 31, 2011.

Attachments: [R-2010 - Draft - Ariel Fernandez - EMD](#)
[Cover Memo- Ariel Fernandez - EMD](#)
[Ariel Fernandez - Resume](#)
[C-4 Signed Cover Memo](#)

RESOLUTION APPOINTING ARIEL FERNANDEZ (NOMINATED BY VICE MAYOR KERDYK), TO SERVE AS A MEMBER OF THE EMERGENCY MANAGEMENT DIVISION, FOR THE UNEXPIRED BALANCE OF A TWO (2) YEAR TERM, FROM DECEMBER 21, 2010 THROUGH MAY 31, 2011.

This Matter was adopted by Resolution Number 2010-260 on the Consent Agenda.

City Clerk Item No. 12

RESOLUTION NO. 2010-261**C.-5. 10-0754**

Resolution authorizing the waiving of the cost of parking meter rentals for the 60th Annual Beaux Arts Festival of Art.

Attachments: [Beaux Arts Festival of Arts Letter 2010](#)
[Beaux Arts Reso 2011](#)
[cover sheet Beaux Art Festival 2011](#)
[C-5 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE WAIVER OF COST FOR PARKING METER RENTALS FOR THE 60TH ANNUAL BEAUX ARTS FESTIVAL OF ART.

This Matter was adopted by Resolution Number 2010-261 on the Consent Agenda.

City Clerk Item No. 13

RESOLUTION NO. 2010-262**C.-6. 10-0758**

Resolution authorizing Amendment No. 1 to the Department of Environmental Protection Agreement No. LP8910, Sanitary Sewer Pump Station City No. 3 Rehabilitation Project, entered into between the City of Coral Gables and the Department of Environmental Protection on June 26, 2009, for the purpose of extending the completion date of the Agreement from December 31, 2010 to December 31, 2011.

Attachments: [DEP Agreement LP8910-City 3 Amendment No. 1 - DEP Agreement LP8910-City 3 RESOL](#)
[DEPAgreement AmendmentLP8910-City 3 RESOL](#)
[DEPAgreement AmendmentLP8910-City 3 COVER](#)
[Pump Station 3 Resolution](#)
[C-6 Signed Cover Memo](#)

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AGREEMENT NO. LP8910, SANITARY SEWER PUMP STATION CITY NO. 3 REHABILITATION PROJECT, ENTERED INTO BETWEEN THE CITY OF CORAL GABLES AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ON JUNE 26, 2009, FOR THE PURPOSE OF EXTENDING THE COMPLETION DATE OF THE AGREEMENT FROM DECEMBER 31, 2010 TO DECEMBER 31, 2011.

This Matter was adopted by Resolution Number 2010-262 on the Consent Agenda.

City Clerk Item No. 14

RESOLUTION NO. 2010-263**C.-7. 10-0770**

Resolution approving the University of Miami Campus Art Master Plan report in accordance with the requirements of the Art in Public Places Ordinance, Zoning Code Article 3, Division 20.

Attachments: [Commission cover 12 14 10 UM Campus Art Master Plan report](#)
[2010 UM Public Sculpture Program Report](#)
[11 CDB Minutes EXCERPT re. UM Campus Art rpt. Nov 17, 2010](#)
[2010 UM Public Sculpture Program PowerPoint Presentation](#)
[UM Art Master Plan Resolution](#)
[C-7 Signed Cover Memo](#)

RESOLUTION APPROVING THE UNIVERSITY OF MIAMI CAMPUS ART MASTER PLAN REPORT IN ACCORDANCE WITH THE REQUIREMENTS OF THE ART IN PUBLIC PLACES ORDINANCE, ZONING CODE ARTICLE 3, DIVISION 20.

This Matter was adopted by Resolution Number 2010-263 on the Consent Agenda.

City Clerk Item No. 15

RESOLUTION NO. 2010-264**C.-10. 10-0783**

Resolution authorizing Amendment No. 1 to the Department of Environmental Protection Agreement No. LP8909, Sanitary Sewer Pump Station City No. 2 Rehabilitation Project, entered into between the City of Coral Gables and the Department of Environmental Protection on March 30, 2009, for the purpose of extending the completion date of the Agreement from October 31, 2010 to June 30, 2012.

Attachments: [Amendment No. 1 - DEP Agreement LP8909 City2](#)
[DEP Agreement LP8909-City 2](#)
[DEP Agreement Amendment L8909-City 2 COVER](#)
[Pump Station 2 Resolution](#)
[C-10 Signed Cover Memo](#)

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AGREEMENT NO. LP8909, SANITARY SEWER PUMP STATION CITY NO. 2 REHABILITATION PROJECT, ENTERED INTO BETWEEN THE CITY OF CORAL GABLES AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION ON MARCH 30, 2009, FOR THE PURPOSE OF EXTENDING THE COMPLETION DATE OF THE AGREEMENT FROM OCTOBER 31, 2010 TO JUNE 30, 2012.

This Matter was adopted by Resolution Number 2010-264 on the Consent Agenda.

City Clerk Item No. 16

RESOLUTION NO. 2010-265**C.-13. 10-0760**

Resolution supporting the adoption of the Miami-Dade County Resolution approving significant modification to Building Better Communities General Obligation Bond Program Project No. 293 - "Historic Preservation Fund," to allocate funds for the Biltmore Hotel for the exterior structural rehabilitation project.

Attachments: [BiltmoreCover](#)
[BH Miami-Dade County Agenda Item](#)
[BH Draft Support Resolution](#)
[C-13 Signed Cover Memo](#)

RESOLUTION SUPPORTING THE ADOPTION OF THE MIAMI-DADE COUNTY RESOLUTION APPROVING SIGNIFICANT MODIFICATION TO BUILDING BETTER COMMUNITIES GENERAL OBLIGATION BOND PROGRAM PROJECT NO. 293 - "HISTORIC PRESERVATION FUND," TO ALLOCATE FUNDS FOR THE BILTMORE HOTEL FOR THE EXTERIOR STRUCTURAL REHABILITATION PROJECT.

This Matter was adopted by Resolution Number 2010-265 on the Consent Agenda.

City Clerk Item No. 17

RESOLUTION NO. 2010-266**C.-14. 10-0764**

Resolution granting a one-day permit to the American Lung Association in Florida - South Area - to sell alcoholic beverages on Saturday, March 26, 2011, from 6:00 p.m. to 10:00 p.m. on Ponce De Leon between Miracle Mile and Sevilla Avenue during the 8th Annual Coral Gables Wine and Food Festival, subject to Florida Department of Professional Regulation requirements.

Attachments: [Cover Memo for American Lung Association.pdf](#)
[Draft Resolution for American Lung Association.pdf](#)
[Special Events Application and Permit.pdf](#)
[C-14 Signed Cover Memo](#)

RESOLUTION GRANTING A ONE-DAY PERMIT TO THE AMERICAN LUNG ASSOCIATION IN FLORIDA - SOUTH AREA TO SELL ALCOHOLIC BEVERAGES ON SATURDAY, MARCH 26, 2011, FROM 6 P.M. UNTIL 10 P.M., ON PONCE DE LEON BETWEEN MIRACLE MILE AND SEVILLA AVENUE DURING THE 8TH ANNUAL **"CORAL GABLES WINE AND FOOD FESTIVAL"**; SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2010-266 on the Consent Agenda.

City Clerk Item No. 18

RESOLUTION NO. 2010-267**C.-16. 10-0766**

Resolution authorizing expenditures in the amount of \$150,000.00 in State Forfeited Asset Fund (F.A.F.) monies to reimburse the City of Coral Gables General Fund for expenditures associated with the Police Communications Center Project.

Attachments: [Resolution Draft - \\$150000 00 reimbursement to General Fund - 12-14-10](#)
[Item Title Cover Memo - \\$150000 00 Reimbursement to General Fund - 12-14-10](#)
[C-16 Signed Cover Memo](#)

RESOLUTION AUTHORIZING EXPENDITURES IN THE AMOUNT OF \$150,000.00 IN STATE FORFEITED ASSET FUND (FAF) MONIES TO REIMBURSE THE CITY OF CORAL GABLES GENERAL FUND FOR EXPENDITURES ASSOCIATED WITH THE POLICE COMMUNICATIONS CENTER PROJECT.

This Matter was adopted by Resolution Number 2010-267 on the Consent Agenda.

City Clerk Item No. 19

RESOLUTION NO. 2010-268

C.-17. 10-0771 Resolution approving the Fiscal Year 2010-2011 Cultural Grants.

Attachments: [11 Commission cover 12 14 10 \(Grant Recommendations\)](#)
[11 CDB Minutes EXCERPT re. FY10-11 Grants Review Nov 17 2010](#)
[20 Attachment A. FY 2010.11 Cultural Grants Allocation Recommendations](#)
[11a CDB Minutes EXCERPT re. FY10-11 Grants Nov 29, 2010](#)
[Cultural Grants Resolution](#)
[Signed Cover Memo](#)

RESOLUTION APPROVING THE FISCAL YEAR 2010-2011 CULTURAL GRANTS.

This Matter was adopted by Resolution Number 2010-268 on the Consent Agenda.

City Clerk Item No. 20

RESOLUTION NO. 2010-269

C.-18. 10-0773 Resolution accepting the donation of a Granada Shop console table from Jim and Cathy Kononoff.

Attachments: [Cover Memo](#)
[Draft Resolution - Kononoff](#)
[HPB Minutes October 21 2010 EXCERPT](#)
[Power Point Excerpt 10-21-10](#)

RESOLUTION ACCEPTING THE DONATION OF A GRANADA SHOP CONSOLE TABLE WHICH WAS RECEIVED FROM JIM AND CATHY KONONOFF.

This Matter was adopted by Resolution Number 2010-269 on the Consent Agenda.

City Clerk Item No. 21

RESOLUTION NO. 2010-270**C.-19. 10-0775**

Resolution accepting the recommendation of the Chief Procurement Officer to piggy-back a contract for the purchase of eighty (80) 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 \$702,000.00 (seven hundred and two 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: [Parking Pay Stations - Draft Agenda 121410](#)
[Parking Pay Stations - Draft Resolution 121410](#)
[Seattle 2010 Contract Extension w Pricing](#)
[Seattle - WA](#)
[C-19 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO PIGGY-BACK A CONTRACT FOR THE PURCHASE OF EIGHTY (80) 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 \$702,000.00 (SEVEN HUNDRED AND TWO 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.

This Matter was adopted by Resolution Number 2010-270 on the Consent Agenda.

City Clerk Item No. 22

RESOLUTION NO. 2010-271**C.-21. 10-0790**

Resolution authorizing the City Manager of the City of Coral Gables to execute a deed re-conveying the Fire Station property to the University of Miami in conjunction with a City of Coral Gables and University of Miami Agreement dated September 28, 2010.

Attachments: [ResolutionFireStationUM12_14_10.doc](#)
[AgendaCoverMemoFireStationUM12_14_10.doc](#)
[C-21 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF CORAL GABLES TO EXECUTE A DEED RE-CONVEYING THE FIRE STATION PROPERTY TO THE UNIVERSITY OF MIAMI IN CONJUNCTION WITH A CITY OF CORAL GABLES AND UNIVERSITY OF MIAMI AGREEMENT DATED SEPTEMBER 28, 2010.

This Matter was adopted by Resolution Number 2010-271 on the Consent Agenda.

City Clerk Item No. 23

RESOLUTION NO. 2010-272**C.-22. 10-0792**

Resolution authorizing the City Manager of the City of Coral Gables to execute a deed conveying the Internal Waterways within the University of Miami campus to the University of Miami in conjunction with a City of Coral Gables and University of Miami Agreement dated September 28, 2010.

Attachments: [ResolutionWaterwayUM12_14_10](#)
[C-22 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF CORAL GABLES TO EXECUTE A DEED CONVEYING THE INTERNAL WATERWAYS WITHIN THE UNIVERSITY OF MIAMI CAMPUS TO THE UNIVERSITY OF MIAMI IN CONJUNCTION WITH A CITY OF CORAL GABLES AND UNIVERSITY OF MIAMI AGREEMENT DATED SEPTEMBER 28, 2010.

This Matter was adopted by Resolution Number 2010-272 on the Consent Agenda.

City Clerk Item No. 24

RESOLUTION NO. 2010-273**C.-23. 10-0782**

Resolution of the City of Coral Gables, Florida indicating that the City of Coral Gables does not support proposed Amendment No. 1 offered by the Miami-Dade County School Board to the "Amended and Restated Interlocal Agreement (ILA) for Public School Facility Planning; authorizing transmittal of the School Board Response Form to the Miami-Dade County School Board; and providing for an effective date.

Attachments: [12 14 10 CC Cover Memo - ILA Amendment No 1 Not in Support](#)
[12 14 10 Exhibit A: Draft Resolution](#)
[12 14 10 Exhibit B: City of Coral Gables Adopted ILA](#)
[12 14 10 Exhibit C: SB Letter - Amendment No. 1](#)
[C-23 Signed Cover Memo](#)

RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA INDICATING THAT THE CITY OF CORAL GABLES DOES NOT SUPPORT PROPOSED AMENDMENT NO. 1 OFFERED BY THE MIAMI-DADE COUNTY SCHOOL BOARD TO THE "AMENDED AND RESTATED INTERLOCAL AGREEMENT (ILA) FOR PUBLIC SCHOOL FACILITY PLANNING;" AUTHORIZING TRANSMITTAL OF THE SCHOOL BOARD RESPONSE FORM TO THE MIAMI-DADE COUNTY SCHOOL BOARD; AND PROVIDING FOR AN EFFECTIVE DATE.

This Matter was adopted by Resolution Number 2010-273 on the Consent Agenda.

City Clerk Item No. 25

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

- C.-24. 10-0712** Coral Gables Merrick House Governing Board Meeting of October 18, 2010

Attachments: [Merrick House October 18 2010](#)
[GMNoAction10.18.10MinutesforCC12.14.10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 26

- C.-25. 10-0734** Code Enforcement Board Meeting of October 27, 2010

Attachments: [memo cover OCT 2010](#)
[ROLLCALL OCT 2010](#)
[recap oct 2010](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 27

- C.-26. 10-0738** Communications Committee Meeting of October 21, 2010

Attachments: [Microsoft Word - communicationsminutesagenddecember010.pdf](#)
[Microsoft Word - minutes october 2010.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 28

- C.-27. 10-0744** Landscape Beautification Advisory Committee Meeting of November 4, 2010

Attachments: [BC Cover Sheet 11-4-10](#)
[Minutes BC 11-4-10](#)
[LBAB Minutes 11-4-10 signed](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 29

- C.-28. 10-0753** Coral Gables Merrick House Governing Board Meeting of November 8, 2010

Attachments: [Merrick House Nov 8, 2010](#)
[GMNoAction11.08.10MinutesforCC12.14.10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 30

- C.-29. 10-0755** Code Enforcement Board Meeting of November 17, 2010

Attachments: [memo cover NOV 2010](#)
[ROLLCALL NOV 2010](#)
[nov 2010 recap](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 31

- C.-30. 10-0757** Budget/Audit Advisory Board Meeting of October 27, 2010

Attachments: [121410-Cover Memo CC Minutes 102710.pdf](#)
[102710-Minutes.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 32

- C.-31. 10-0763** Parks and Recreation Advisory Board Meeting of November 19, 2010

Attachments: [Minutes 11-19-10.pdf](#)
[Cover Sheet 12-14-10.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 33

- C.-32. 10-0767** City of Coral Gables/University of Miami Community Relations Committee Meeting of October 4, 2010

Attachments: [Cover Memo December 14, 2010 \(Commission\)](#)
[MINUTES OCTOBER 4, 2010 MEETING](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 34

- C.-33. 10-0768** Economic Development Board Meeting of November 3, 2010

Attachments: [EDB Commission cover no action 11-3-10.pdf](#)
[EDB Minutes 11-3-10.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 35

- C.-34. 10-0769** Cultural Development Board Meeting of October 18, 2010

Attachments: [10 CDB Commission cover for 10-18-10 Minutes](#)
[10 CDB a Minutes Mtg & Final Reports Review Oct 18 2010](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 36

- C.-35. 10-0776 Youth Advisory Board Meeting of November 22, 2010

Attachments: [Youth Advisory Board Minutes 11-22-10.pdf](#)
[Cover Memo Youth Advisory Board Minutes 11-22-10.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 37

- C.-36. 10-0777 Retirement Board Meeting of October 14, 2010

Attachments: [CC.12-14-10.October 14, 2010](#)
[Executive Summary.10-14-2010](#)
[Minutes.10-14-10](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 38

- C.-37. 10-0778 Historic Preservation Board Meeting of November 18, 2010

Attachments: [HPB Minutes November 18 2010](#)
[HPBMtgNoAction11.18.10.MinutesforCC12.14](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 39

Pulled from Consent Agenda**RESOLUTION NO. 2010-275****C.-8. 10-0787**

Resolution approving two (2) change orders to the Ponce de Leon Boulevard Median Installation & Roadway Improvements Phase II Project under Section 2-829 of the Procurement Code in the amount of \$303,044.82 for modifications to the median landscaping plan; further authorizing an amendment to the 2010-2011 Annual Budget for an appropriation of \$159,620 for the amount to be reimbursed from Miami- Dade County Road Impact Fees.

Attachments: [Change Orders 1 & 2](#)
[Ponce Median Resolution](#)
[C-8 Signed Cover Memo](#)

RESOLUTION APPROVING TWO (2) CHANGE ORDERS TO THE PONCE DE LEON BOULEVARD MEDIAN INSTALLATION AND ROADWAY IMPROVEMENTS PHASE II PROJECT UNDER SECTION 2-829 OF THE PROCUREMENT CODE IN THE AMOUNT OF \$303,044.82 FOR MODIFICATIONS TO THE MEDIAN LANDSCAPING PLAN; FURTHER AUTHORIZING AN AMENDMENT TO THE 2010-2011 ANNUAL BUDGET FOR AN APPROPRIATION OF \$159,620 FOR THE AMOUNT TO BE REIMBURSED FROM MIAMI DADE COUNTY ROAD IMPACT FEES.

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

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-275. The motion passed by the following vote:

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

Nays : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 41

RESOLUTION NO. 2010-276**C.-9. 10-0795**

Resolution authorizing the execution of a Solid Waste Franchise Agreement (Agreement) with Waste Management Inc. of Florida (WMIF) and authorizing a waiver of the City's Procurement Code to allow the award of the Agreement to WMIF pursuant to Section 2-583(d) of the Procurement Code.

Attachments: [Letter from R.W. Beck, Inc and redman Consulting Group, Inc..pdf](#)
[Commission Memo scanned.pdf](#)
[Solid Waste Franchise Agreement.pdf](#)
[Resolution.pdf](#)
[C-9 Signed Cover Memo](#)

RESOLUTION AUTHORIZING THE EXECUTION OF A SOLID WASTE FRANCHISE AGREEMENT (AGREEMENT) WITH WASTE MANAGEMENT INC. OF FLORIDA (WMIF) AND AUTHORIZING A WAIVER OF THE CITY'S PROCUREMENT CODE TO ALLOW THE AWARD OF THE AGREEMENT TO WMIF PURSUANT TO SECTION 2-583(d) OF THE PROCUREMENT CODE.

[Note for the Record: The verbatim transcript for Agenda Item C-9 is available for public inspection in the Office of the City Clerk and in Legistar).

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-276. The motion passed by the following vote:

Yeas : 3 - Commissioner Withers, Commissioner Anderson and Vice Mayor Kerdyk, Jr.

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

City Clerk Item No. 42

RESOLUTION NO. 2010-277**Non 10-0802
Agenda**

Resolution to reconsider the vote previously taken in connection with Agenda Item C-9.

RESOLUTION TO RECONSIDER THE VOTE PREVIOUSLY TAKEN IN CONNECTION WITH AGENDA ITEM C-9 (AUTHORIZE THE EXECUTION OF A SOLID WASTE FRANCHISE AGREEMENT WITH WASTE MANAGEMENT INC. OF FLORIDA (WMIF) AND AUTHORIZE A WAIVER OF THE CITY'S PROCUREMENT CODE TO ALLOW THE AWARD OF THE AGREEMENT TO WMIF PURSUANT TO SECTION 2-583(d) OF THE PROCUREMENT CODE).

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-277. 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. 43

RESOLUTION NO. 2010-278**Non 10-0803
Agenda**

Resolution authorizing the execution of a Solid Waste Franchise Agreement with Waste Management Inc. of Florida (WMIF) and authorizing a waiver of the City's Procurement Code to allow the award of the Agreement to WMIF pursuant to Section 2-583(d) of the Procurement Code.

RESOLUTION AUTHORIZING THE EXECUTION OF A SOLID WASTE FRANCHISE AGREEMENT (AGREEMENT) WITH WASTE MANAGEMENT INC. OF FLORIDA (WMIF) AND AUTHORIZING A WAIVER OF THE CITY'S PROCUREMENT CODE BY A FOUR-FIFTHS (4/5THS) VOTE OF THE CITY COMMISSION, IN ACCORDANCE WITH SECTION 2-825 OF THE PROCUREMENT CODE ENTITLED, "MULTI-YEAR CONTRACTS," TO ALLOW THE AWARD OF THE AGREEMENT TO WMIF PURSUANT TO SECTION 2-583(d) OF THE PROCUREMENT CODE.

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-278. The motion passed by the following vote:

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

Nays : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 44

RESOLUTION NO. 2010-279**C.-11. 10-0788**

Resolution accepting the recommendation of the Chief Procurement Officer to award the Segovia Streetscape Improvements Project to McBayne's Construction and Renovation, Inc. pursuant to Section 2-828 of the Procurement Code, Invitation For Bid (IFB) 2010.09.27 and the Community Small Business Enterprise (CSBE) Sixteen Percent (16%) Subcontractor Goal, in the amount of \$696,262.50 (six hundred ninety-six thousand two hundred sixty-two dollars and fifty cents); further authorizing an amendment to the 2010-2011 Annual Budget for an appropriation of \$696,262.50 (six hundred ninety-six thousand two hundred and sixty-two dollars and fifty cents).

Attachments: [Draft Reso.pdf](#)
[Tabulation Sheet.pdf](#)
[Bid Response.pdf](#)
[C-11 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER TO AWARD THE SEGOVIA STREETSCAPE IMPROVEMENTS PROJECT TO MCBAYNE'S CONSTRUCTION AND RENOVATION, INC. PURSUANT TO SECTION 2-828 OF THE PROCUREMENT CODE, INVITATION FOR BID (IFB) 2010.09.27 AND THE COMMUNITY SMALL BUSINESS ENTERPRISE (CSBE) SIXTEEN PERCENT (16%) SUBCONTRACTOR GOAL, IN THE AMOUNT OF \$696,262.50 (SIX HUNDRED NINETY-SIX THOUSAND TWO HUNDRED SIXTY-TWO DOLLARS AND FIFTY CENTS); FURTHER AUTHORIZING AN AMENDMENT TO THE 2010-2011 ANNUAL BUDGET FOR AN APPROPRIATION OF \$696,262.50 (SIX HUNDRED NINETY-SIX THOUSAND TWO HUNDRED SIXTY-TWO DOLLARS AND FIFTY CENTS).

[Note for the Record: Following the pulling of Agenda Item C-11 out of the Consent Agenda, there being no further public testimony given, nor there being any further deliberation by any member of the City Commission, a motion was made by Vice Mayor Kerdyk and seconded by Commissioner Anderson, whereby Mayor Slesnick instructed the City Clerk to call the roll on said item].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-279. The motion passed by the following vote:

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

Nays : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 45

RESOLUTION NO. 2010-280**C.-12. 10-0789**

Resolution accepting the recommendation of the Chief Procurement Officer pursuant to Section 2-583 to waive the Procurement Code to award a contract to Cherry Lake Tree Farm for the purchase and installation of 202 (two hundred and two) container grown oak trees (300 gallon size) as part of the Segovia Streetscape Improvement Project in the amount of \$113,928.00 (one hundred thirteen thousand nine hundred twenty-eight dollars).

Attachments: [Draft Resolution.pdf](#)
[C-12 Signed Cover Memo](#)

RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CHIEF PROCUREMENT OFFICER PURSUANT TO SECTION 2-583 TO WAIVE THE PROCUREMENT CODE TO AWARD A CONTRACT TO CHERRY LAKE TREE FARM FOR THE PURCHASE AND INSTALLATION OF 202 (TWO HUNDRED AND TWO) CONTAINER GROWN OAK TREES (300 GALLON SIZE) AS PART OF THE SEGOVIA STREETSCAPE IMPROVEMENT PROJECT IN THE AMOUNT OF \$113,928.00 (ONE HUNDRED THIRTEEN THOUSAND NINE HUNDRED TWENTY-EIGHT DOLLARS).

[Note for the Record: Following the pulling of Agenda Item C-12 out of the Consent Agenda, there being no further public testimony given, nor there being any further deliberation by any member of the City Commission, a motion was made by Vice Mayor Kerdyk and seconded by Commissioner Anderson, whereby Mayor Slesnick instructed the City Clerk to call the roll on said item].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-280. The motion passed by the following vote:

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

Nays : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 46

RESOLUTION NO. 2010-281**C.-15. 10-0725**

Resolution authorizing the City to reduce permit fees associated with the replacement of Chinese drywall, and providing for an effective date.

Attachments: [Chinese Drywall Resolution](#)
[C-15 Signed Cover Memo](#)

RESOLUTION WAIVING THE INITIAL PERMIT FEES ASSOCIATED WITH THE REPLACEMENT OF CHINESE DRYWALL MATERIAL; FURTHER PROVIDING THAT THE WAIVER IS NOT APPLICABLE TO ALL OTHER PERMIT FEES ASSOCAITED WITH THE BUILDING AND ZONING PERMITTING PROCESS; PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Commissioner Cabrera prefaced his remarks by stating that he is uncertain whether any of his colleagues had the pleasure of living in a property with Chinese drywall; further conveying that he did so for 8 months, and did not know until late during that day when he was to move back into his property; further relaying the discomfort, particularly to his son, who suffers from asthma; further adding that the sulfur content of Chinese drywall is difficult on everyone; further stating that he believes that the City should not have to charge for permitting fees in these instances due to the hardship that it imposes on those families faced with the difficult task of tearing up the insides of their homes; further requesting of the City Commission to consider the waiver of all permitting fees; further requesting that the applicant should still be required to go through the permitting process in order that he/she may meet the City's oversight process, but nonetheless he would request the waiver of any and all fees associated with Chinese drywall.

Questions, Inquiries, Comments and Concerns from the City Commission: Mayor Slesnick inquired of Commissioner Cabrera as to what about those people who have already paid their permitting fees?[- whereby Commissioner Cabrera responded that he did not know; further adding that he is basing his commentary on what has happened; further adding that as a community and as a City, we have a moral obligation in this matter, and in his opinion to charge people for something like this is inappropriate.

Mayor Slesnick stated that the City Manager's Office did respond to the request made by inquiring parties for the City to reduce all fees. Commissioner Withers stated that although he agrees in principle with this matter, he would like further clarification as to whether we are talking about all fees (i.e. inspection, etc.)?- whereby Commissioner Cabrera stated he was only talking about permitting fees].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-281. 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. 47

C.-20. 10-0794

Resolution pursuant to Section 2-26 of the City Code, entitled "Regular Meetings, Special Meetings" setting forth the City Commission meeting date for January 2011, on Tuesday, January 25, 2011.

Attachments: [C-20 Signed Cover Memo](#)
[January Meeting Resolution](#)

This Resolution was Withdrawn

City Clerk Item No. 40

D. PERSONAL APPEARANCES

None

City Clerk Item No. 48

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 r](#)
[11 09 10 Exhibit B - 10 28 10 Applicant's proper 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](#)

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.

[Note for the Record: Planning Director Eric Riel prefaced his remarks by stating that

the City Commission had previously deferred this matter on Second Reading to allow our City Attorney time to research a means of validating the owners proffered condition; further stating that the City Attorney opined that with the initiation and approval of a Restricted Covenant specifying that the property owners proffered condition is sufficient enough to allow the City Commission to evaluate the future use of the property and to review the site plan for the subject property and review the site plan for the property in accordance with the Zoning Code.

There was one member from the public providing public testimony, namely "Rip" Holmes," 928 Sevilla Avenue, who urged the Coral Gables residents to oppose high rise development downtown, stating that it goes against the best interests of Coral Gables-wealthy, high achieving residents; further urging that this matter be made a political campaign issue.

Questions, Answers, Inquiries and Comments from the City Commission: Commissioner Anderson stated that the time to have made a change regarding this matter of high rise development was in Calendar Year 1961, when they voted out the members of the City Commission for not having the political will to lower the height requirement; further stating if the right to pursue high rise development was provided to other people, then everyone should be given the same right; further pointing out that the commercial area pays a lion's share of taxes that keeps our residential area moving; further stating that the commercial area provides incredible service at a relatively low tax rate.

Mayor Slesnick informed the viewing public that he is torn here regarding this matter because Sanford Rakofsky is a great citizen of Coral Gables, a good friend, who served with him in the army; further mentioning that he has expressed feelings that the City has not been at this long enough along the Andalusia corridor to determine what is going to happen at this corridor?- how it is going to happen at said corridor?- further expressing his concern that at every meeting the Commission opens up with a new proposal for a new piece of land; therefore he indicated that he will probably vote no on this matter].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2010-38. The motion passed by the following vote:

Yeas : 3 - Commissioner Cabrera, Jr., Commissioner Withers and Commissioner Anderson

Nays : 2 - Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

City Clerk Item No. 49

ORDINANCE NO. 2010-39**E.-2. 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 Reading](#)
[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 Reading](#)
[E-2 Signed Cover Memo](#)

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.

[Note for the Record: Following the reading of the title to Agenda Item E-2 into the public record, Commissioner Withers inquired of City Attorney Hernandez as to whether in the proposed legislation in ordinance form, to amend the Official Zoning Code, Article 5, "Development Standards," Division 14, "Parking, Loading, and Driveway Requirements," Section 5-1504, "Materials, construction and drainage," does the definition of vehicles include trailers, and boats or just cars?- further inquiring as to whether it would be practical when people park their boats along the sides of their yards or on the grass, does the City want them to be parking on the approved surface?- whereby City Attorney Hernandez responded that the proposed provision does not apply to that matter.

Commissioner Withers requested to have his concerns forwarded to the Planning and Zoning Board for its consideration, review and recommendation; further stating that said matter should be done independent of any action taken in connection with Agenda Item E-2. Mayor Slesnick further inquired of Planning Director Eric Riel through the City Manager, whether he understood Commissioner Withers request. Mr. Riel responded in the affirmative].

A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Ordinance Number 2010-39. The motion passed by the following vote:

Yeas : 3 - Commissioner Withers, Commissioner Cabrera, Jr. and Mayor Slesnick II

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

City Clerk Item No. 50

RESOLUTION NO. 2010-282**E.-3. 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)

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](#)

A RESOLUTION TO DEFER CONTINUANCE OF AGENDA ITEM E-3

[SUBJECT MATTER: ORDINANCE TO REQUEST 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; UNTIL THE JANUARY 25, 2011 CITY COMMISSION MEETING.]

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

A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be deferred by Resolution Number 2010-282. 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. 51

ORDINANCES ON FIRST READING

- E.-4. 10-0739** Abandonment and Vacation of Non-Fee Interests. An Ordinance of the City Commission of Coral Gables, Florida, pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations", providing for the abandonment and vacation of non-fee interests of the City for the following public rights-of-way identified as: Theo. Dickinson Drive, Wm. E. Walsh Avenue, George E. Merrick Street, Henry King Stanford Drive, Pavia Street and Levante Avenue, all within the University of Miami campus, Coral Gables, Florida; providing for severability, repealer, codification, and an effective date (Mapping and legal descriptions on file for review within the Planning Department). (Passed on First Reading December 14, 2010)

Attachments: [12 14 10 CC Cover Memo - UM right-of-way vacations - 1st Reading](#)
[12 14 10 Exhibit A: Ordinance - UM Vacation and Abandonment- 1st Reading](#)
[12 14 10 Exhibit B: 11 30 10 PZB Staff Report w attachments](#)
[12 14 10 Exhibit C: 11 30 10 PZB Meeting Minutes](#)
[12 14 10 Exhibit D: Public Comments](#)
[E-4 Signed Cover Memo](#)
[01 11 11 CC Cover Memo - UM right-of-way vacations - 2nd Reading](#)

[Note for the Record: Following the reading of the title to Agenda Item E-4 by the City Manager into the public record, Planning Director Eric Riel informed the viewing public that the proposed ordinance resulted from an application by the University of Miami for abandonment and vacation of non-fee interests of the City for certain public-rights-of way; further stipulating that all of the roadways are within the campus of UM; there are no external roadways; further adding that said request went before the Development Review Committee; further pointing out that there are two processes involved, that which is outlined in our City Code and our City's Zoning Code (i.e. Public Works Department provides recommendations; Planning Department recommends to the Development Review Board; the Development Review Board recommends to the Planning Department.)

Questions, Issues Inquiries and Concerns from the City Commission: Commissioner Withers inquired of Mr. Riel through City Manager Salerno, as to whether the issue involving the responsibility for maintenance of the storm sewers had been addressed?-further inquiring as to the status of the lift stations? Mr. Riel responded that the storm sewers will be located under the roads; as for the lift stations, Mr. Riel responded that he does not know. Mayor Slesnick asked if the University understands that it has responsibility for same?- whereby Mr. Riel responded in the affirmative.

Mayor Slesnick reminded the viewing public that this matter was before the City Commission on this same date as a result of the passage of the UM Development Agreement; further stating that now it is being brought back to consider each and every individual subject.

Mr. William Hartnett, 510 Marmore Avenue, during public testimony expressed his

opposition to the transfer of the property, that portion of Miller Road; further stating that Item # 9 should be added to the recommendation, which reads as follows: “No transfer of this property or abandonment shall be done until the interior road is completed;” further explaining that since 1955, a portion of Miller Road was dedicated until there is an exchange for an interior road; further stating that since 1975, UM has maintained drawings with 2 choices for an interior road; further noting that the citizens of Coral Gables did not get a chance to vote on the give away of land to UM without compensation for same, adding that now is the time that the UM should fulfill their agreement of 1955.

In response to the statements made by Mr. Hartnett, Mayor Slesnick stated that there is a significant compensation to the City by UM for not just the transfer of land, but the entire development agreement, which is based on certain things that are helping the UM; further adding that the interior road is part of said agreement; further adding that the City expects UM to be diligent in honoring the development agreement].

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

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

Absent : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 52

E.-5. 10-0772

Conditional Use. An Ordinance of the City Commission of Coral Gables, Florida, granting conditional use site plan approval pursuant to Zoning Code Article 3, Development Review, Division 4, Conditional Uses, for a bank drive-through facility within the Commercial Limited (CL) District on the property legally described as Lots 23-34, Block 3, Biltmore Section (595 Biltmore Way - Northern Trust Bank), Coral Gables, Florida; providing for severability, repealer, codification, and an effective date. (Passed on First Reading December 14, 2010)

Attachments: [12 14 10 CC Cover Memo - Northern Trust Bank - 1st Reading](#)
[12 14 10 Exhibit A: Ordinance - Northern Trust Bank - 1st reading](#)
[12 14 10 Exhibit B: 11 03 10 PZB Staff report](#)
[12 14 10 Exhibit D: 11 03 10 PZB Meeting Minutes](#)
[12 14 10 Exhibit E: Updated Public Comments](#)
[12 14 10 Exhibit C: Applicant's submittal package](#)
[E-5 Signed Cover Memo](#)
[01 11 11 CC Cover Memo - Northern Trust Bank - 2nd Reading](#)
[01 11 11 Exhibit A - Ordinance re Northern Trust Bank - 2nd reading](#)

[Note for the Record: The verbatim transcript for Agenda Item E-5 is available for public inspection in the office of the City Clerk and in Legistar].

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

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

Nays : 1 - Commissioner Anderson

City Clerk Item No. 53

RESOLUTIONS**RESOLUTION NO. 2010-283****E.-6. 10-0745**

Resolution electing to use the uniform method of collecting non-ad valorem special assessments for fire protection services levied within the incorporated area of the City; stating a need for such levy; providing for the mailing of this Resolution; and providing for an effective date.

Attachments: [Agenda cover sheet - Resolution to Use Uniform Method of Collection and include Resolution electing to use uniform method of collecting including past due fire fees](#)
[E-6 Signed Cover Memo](#)

RESOLUTION OF THE City COMMISSION ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS FOR FIRE PROTECTION SERVICES LEVIED WITHIN THE incorporated AREA OF THE City; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following the reading the title of Agenda Item E-6 into the public record by City Manager Salerno, the City Manager explained the proposed legislation is an administrative action giving the City's intent to Miami-Dade County's Property Appraiser that our City will continue using the uniform method of collecting non-ad valorem special assessments for fire protection services in the future; further stating that it does not deal with the rights, it provides the ability to collect delinquent amounts in prior years.

Questions, Comments, Inquiries and concerns from the City Commission: Vice Mayor Kerdyk inquired of the City Manager that the proposed legislation merely sets up the methodology for collecting the non-ad valorem special assessments for fire protection services?- whereby the City Manager responded in the affirmative].

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-283. The motion passed by the following vote:

Yeas : 3 - Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

Nays : 1 - Commissioner Cabrera, Jr.

Absent : 1 - Commissioner Anderson

City Clerk Item No. 54

RESOLUTION NO. 2010-284**E.-7. 10-0746**

Resolution electing to use the uniform method of collecting solid waste collection non-ad valorem assessments levied within the incorporated area of the City; stating a need for such levy; providing for the mailing of this resolution; and providing for an effective date.

Attachments: [Agenda cover sheet - Resolution to Use Uniform Method of Collection - Waste Resolution electing to use uniform method of collecting solid waste](#)
[E-7 Signed Cover Memo](#)

RESOLUTION ELECTING TO USE THE UNIFORM METHOD OF COLLECTING solid waste collection NON-AD VALOREM ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE City; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the title to Agenda Item E-7 into the public record by City Manager Salerno, the City Manager stated that the proposed legislation also is another administrative matter, that the City Commission will consider at a future date, as to whether or not to use this uniform method of collecting solid waste non-ad valorem assessments on the residents of the incorporated areas of our City; further stating that it is projected that the collection rate will go up by an estimated 100 percent; further stating that notice must be given of our City's intent by January 1, 2011; further adding that the non ad valorem assessments for solid waste collection services to residential properties within the City will begin with the Fiscal Year beginning October 1, 2011.

Questions, Answers, Inquiries and Concerns by the City Commission: Vice Mayor Kerdyk confirmed with the City Manager that that the proposed matter does not contain any billing whatsoever; further confirming that there are no substantive matters regarding the proposed legislation?- whereby the City Manager confirmed same].

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-284. 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. 55

F. CITY COMMISSION ITEMS**RESOLUTION NO. 2010-256.1**

- F.-1. 10-0762** Resolution accepting retirement of City Attorney Elizabeth M. Hernandez effective December 31, 2010. (Commission-as-a-Whole)

Attachments: [R-2010 - Draft - City Attorney Retirement](#)
[Cover Memo- City Attorney Retirement](#)
[F-1 Signed Cover Memo](#)

A RESOLUTION ACCEPTING RETIREMENT OF CITY ATTORNEY ELIZABETH M. HERNANDEZ, EFFECTIVE DECEMBER 31, 2010.

[Note for the Record: Following Mayor Slesnick's reading the title to Agenda Item F-1 into the public record, there being no further deliberation by any member of the City Commission, on a motion being made by Commissioner Withers and seconded by Commissioner Anderson, Mayor Slesnick instructed the City Clerk to call the roll on Agenda Item F-1].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2010-256.1. 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. 2

RESOLUTION NO. 2010-285

- F.-2. 10-0785** Resolution appointing Lourdes Alfonsin Ruiz as Interim City Attorney of the City of Coral Gables. (Commission-as-a-Whole)

Attachments: [AgendaCoverMemoInterimCityAttorney12_14_10](#)
[ResolutionInterimCityAttorney12_14_10](#)
[F-2 Signed Cover Memo](#)

A RESOLUTION APPOINTING LOURDES ALFONSIN RUIZ AS INTERIM CITY ATTORNEY OF THE CITY OF CORAL GABLES.

[Note for the Record: Following the reading of the title to Agenda Item F-2 into the public record, Mayor Slesnick confirmed that the appointment of Lourdes Alfonsin into the public record will be effective as of midnight December 31, 2011. There being no further deliberation by any member of the City Commission, on a motion being made by Commissioner Withers and seconded by Commissioner Anderson, Mayor Slesnick instructed City Clerk Walter Foeman to call the roll on Agenda Item F-2].

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2010-285. 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. 56

RESOLUTION NO. 2010-286**F.-3. 10-0759**

Resolution granting approval for a one-hour courtesy parking program for on-street parking meters within the Business Improvement District each year from December 15 through December 25. (Commissioner Rafael "Ralph" Cabrera, Jr.)

Attachments: [Holiday Courtesy Notices Reso](#)
[Sample Holiday Courtesy Notice](#)
[cover sheet Holiday Courtesy Notices](#)
[F-3 Signed Cover Memo](#)

RESOLUTION GRANTING APPROVAL FOR A ONE HOUR COURTESY PARKING PROGRAM FOR ON-STREET PARKING METERS WITHIN THE BUSINESS IMPROVEMENT DISTRICT FOR CALENDAR YEAR 2010, COVERING A PERIOD FROM DECEMBER 15TH THROUGH DECEMBER 26TH; FURTHER PROVIDING FOR AN EXTENSION OF SAID TIME PERIOD FROM TEN (10) CALENDAR DAYS TO TWENTY (20) DAYS FOR EACH YEAR THEREAFTER.

[Note for the Record: Commissioner Cabrera informed his colleagues that he would like to request of the City Commission to consider making the Courtesy Parking Program a 20-day program, which would provide the merchants and businesses downtown, citizens and visitors, along with those that use the downtown area as a destination to our City to expend a little more time downtown; further providing a chronology of the Courtesy Parking Program as follows:

Commissioner Cabrera further reiterated that he would like to propose that the Courtesy Parking Program this year begin on December 15th through December 25th; and thereafter extend from 10 days to 20 days for future years. Mayor Slesnick proffered an amendment that since Christmas this year comes on a Saturday, and we will not be charging for parking on Christmas, that we extend the time period until December 26th, 2010.

Commissioner Withers informed Commissioner Cabrera that there is a program in Melbourne, Australia that dovetails the one that he is proposing wherein metermaids travel through the downtown area and feed the meters, to prevent people from getting tickets].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-286. 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. 57

G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 58

H. CITY MANAGER ITEMS

None

City Clerk Item No. 59

I. CITY ATTORNEY ITEMS**RESOLUTION NO. 2010-287****I.-1. 10-0779**

Resolution directing the City Attorney to proceed with filing an action for injunction, abatement of public nuisance, foreclosure of a Code Enforcement Lien and other relief against Jose Baez, owner of 4145 Pinta Court; and further authorizing the City Attorney to take all action necessary to represent the interests of the City.

Attachments: [AgendaCoverMemoJoseBaez12_14_10](#)
[ResolutionJoseBaez12_14_10.doc](#)
[I-1 Signed Cover Memo](#)

RESOLUTION DIRECTING THE CITY ATTORNEY TO PROCEED WITH FILING AN ACTION FOR INJUNCTION, ABATEMENT OF PUBLIC NUISANCE, FORECLOSURE OF A CODE ENFORCEMENT LIEN AND OTHER RELIEF AGAINST JOSE BAEZ, OWNER OF 4145 PINTA COURT; FURTHER AUTHORIZING THE CITY ATTORNEY TO TAKE ALL ACTION NECESSARY TO REPRESENT THE INTERESTS OF THE CITY.

[Note for the Record: City Attorney Hernandez prefaced her remarks by stating that Agenda Item I-1 comes before the City Commission as a result of a code enforcement matter that has been on-going; further stating that the Code Enforcement Division had posted a notice of violation for a house, said property located at 4145 Pinta Court, that is in a state of disrepair; more specifically the roof was in disrepair; further noting that neighbors complained to the City about the condition of the house, noticing that there was a tarp on the roof; that there was mold, dirty pool water; tadpoles, etc; said property was located across the street from Mr. Parker, a gentleman who has complained about living under these conditions for a while; further stating that another neighbor lives next door to said property, namely Mr. Tom Gamba, who has taken upon himself to do some minimum maintenance on the property in question; further adding that the condition of said property is getting out of control; further requesting of the City Commission to direct the City Attorney's Office to file an action for injunctive relief, abatement of public nuisance, foreclosure lien and other relief against Mr. Jose

Baez, owner of the property located at 4145 Pinta Court; further stating that the City Attorney's office will give notice the property owner within 30 days to come into complete settlement; further stating that the City will ensure that the exterior of the property is secured; further stating that if the owner fails to resolve said matter within the 30-day time frame allowed, then her office will proceed with a lawsuit.

Questions, Inquiries, Comments and Concern from the City Commission: Commissioner Anderson stated she supports moving forward on this issue to help other neighbors, as well

1. Commissioner Cabrera stated, it is a shame, because where said property is located is on a pretty street].

A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2010-287. 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. 60

RESOLUTION NO. 2010-288

**Non 10-0804
Agenda**

Resolution granting authority to the City Attorney's Office and the City Manager's Office to take appropriate action in connection with the Warranty Deed and Reverter Provision for the property located at 45 Almeria Avenue.

RESOLUTION GRANTING AUTHORITY TO THE CITY ATTORNEY'S OFFICE AND THE CITY MANAGER' OFFICE TO TAKE ANY AND ALL APPROPRIATE ACTION (I.E. INCLUDING TAKING ACTION AGAINST THE INSURANCE POLICY AND DOING WHATEVER IS APPROPRIATE IN FURTHERANCE OF PROTECTING THE CITY AND THE CITIZENS THAT CONVEYED THE PROPERTY, ETC.), IN CONNECTION WITH THE WARRANTY DEED AND REVERTER PROVISION FOR PROPERTY LOCATED AT 45 ALMERIA AVENUE.

[Note for the Record: City Attorney Hernandez informed the City Commission that the matter before them involves a warranty deed and reverter provision for property located at 45 Almeria; further stating that she had recently learned that as of April of this year, that the property at said location had been sold for commercial purposes; further stating that the warranty deed contained a reverter provision from 1959; said property which was conveyed by citizens of Coral Gables to the Veterans of Foreign Wars was subject to the following reverter provision, which reads as follows:

“This conveyance is made to the grantee herein upon the specific covenant and agreement by and between the parties that the property herein conveyed is to be used by the grantee for a Post Home and Community Building; and if at any other time said

property is to be used for any other purposes, the title thereto shall revert to the grantor automatically and absolutely and without the payment of any competition.”

City Attorney Hernandez further stated that at this time that she was requesting of the City Commission to grant authority to the City Attorney’s Office and the City Manager’s Office to take appropriate action to include exercising the reverter provision and going against the title insurance policy, whatever is appropriate to protect the interest of the City of Coral Gables and the citizens who conveyed this property.

Vice Mayor Kerdyk stated that he believes the title insurance company will have big exposure.

Mayor Slesnick stated that this was a tough matter for him; noting that he is a veteran and a lifetime member of the VFW (Veteran of Foreign Wars), as well as a member of the Chapter of the Viet Vets Association that meets in the same building; further pointing out that he respects greatly what the veterans have done for this country; however, being a veteran means being a good citizen, and to sell a building in this particular instance without giving notice to the City certainly is something that the City has to look into; further pointing out that veterans who occupy buildings are citizens, and need to follow the law; and follow what the responsibilities are thereto; further requesting legislative action in the form of a resolution to authorize the City Attorney to take those necessary steps, and whatever recourse to ensure that the City’s rights are protected.

Commissioner Anderson expressing reluctance about any initial legal action stated that she just wanted to be upfront about this matter, there is no legal action, just info?-whereby City Attorney Hernandez stated that she is asking for authority to put them on notice.

Commissioner Withers stated that at the end of the day, the City is looking for compensation from the title company].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2010-288. The motion passed by the following vote:

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

City Clerk Item No. 61

- I.-2. 10-0784 Pending Litigation Report

Attachments: [PENLIT12_14_10.doc](#)

[Note for the Record: City Attorney Hernandez stated that Florida Power and Light has been going through an on-going process of expanding its Turkey Point site, as well as hardening and expanding its transmission lines along its preferred route, which is U.S. 1; further stating that its next deadline (filing of an alternate Corridor Report) is January 14th, 2011; further reminding the City Commission that it had previously authorized the City Attorney to represent the interest of the City and hire the appropriate consultant; further noting that various other municipalities have hired the same consultant as the City of Coral Gables; further informing the City Commission that the alternate corridor at this time appears to be the Turnpike through I-836 versus the large transmission poles that go along I-836 through our residential neighborhoods; further adding that the filing of an Alternative Corridor Proposal is due on January 14th, 2011; finally adding that next week there is a scheduled meeting with the City Administration and FP&L representatives to continue with any conditions of approval associated therewith].

City Clerk Item No. 62

J. CITY CLERK ITEMS

None

City Clerk Item No. 63

K. DISCUSSION ITEMS

Mayor Slesnick: Mrs. Anderson?

Commissioner Anderson: Well I want to know...also there is a meeting in January that I will be missing, because, well I had asked for it to be canceled, but the Mayor...

Commissioner Withers: We pulled that off the (inaudible) didn't we?

Commissioner Anderson: Right.

Commissioner Cabrera: You all need to cancel it on your behalf.

Mayor Slesnick: Well (inaudible) different things, but I told Mrs. Anderson that any item that she wishes not to consider in her absence we will....

Commissioner Anderson: This particular one we just discussed would be the primary one. (Laughter)

Mayor Slesnick: OK

Commissioner Anderson: Anything major that would require a policy decision.

Mayor Slesnick: I mean the school issue is scheduled for the 2nd, I mean...

Commissioner Anderson: Yes, that's fine I won't be here, but I'll send you my greetings.

Mayor Slesnick: Did you want us to take care of that...(inaudible)...?

Commissioner Cabrera: Which one?

Mayor Slesnick: The Gulliver issue...

Commissioner Cabrera: Oh the Gulliver issue.

Mayor Slesnick: Did you want us to take care of that before you came back?

Commissioner Anderson: No I am glad to vote on that, I hopefully will bring us back something that we could all chew on.

Commissioner Withers: When are you graduating?

Commissioner Anderson: 2013, a month after my last Commission meeting.

Commissioner Withers: OK, so we're going to still go January 11th right?

Commissioner Anderson: Yes. Have fun.

Mayor Slesnick: That's all?

Commissioner Anderson: No, I have 2 things, - one is a very happy one, Mayor I made you aware of that too, and I am sure everybody does. There's a young man from Coral Gables whose father actually works in our Building Department, Daniel Lage? He won a Rhode Scholar, he's in Harvard and he got a Rhode Scholarship, and I think in an appropriate time before he heads off to Oxford, that we should bring him in because it's quite a big deal to be named a Rhode Scholar. He's a very nice young man, and we met him before when you brought him, I think, in 2007 or whenever he graduated from, I think Gulliver, so that would be nice. And the second thing was, there was an issue with a huge bee hive that had attached itself to a tree in the South Gables. It was an issue of both concern of safety, but then when the City was asked to look at it, they killed the bees. They destroyed the hive. So I would like to, in the future...I don't want to condemn anybody who did it, or decision that was made in the past; but I would I would like to do...this is a huge anomaly.

Commissioner Withers: They're not allowed to do that unless you get proof that they're African or Endangered.

Commissioner Anderson: Right, well I don't know what the circumstances were, so I hesitate, I'll just say this is what happened, and so that in the future that we maybe treat the situation, we can look at firms to have on contract that will do that work for us that might be able to do, you know, determine obviously if it's going to be African bees or whatever it is. This whole bee colony is now gone, and it was huge, I saw the bee hive. And I understand there was a concern for safety because it was, but I think it might have been able to be handled a different way, and if we could have a firm that could remove it more humanly that would be...anything like that ever happens, with any other animal that would be great. So that's it for me.

Commissioner Cabrera: You know Mrs. Anderson, my best friend is a bee keeper, and I've learned a lot about bees because I own a small portion of his business. And it's virtually impossible to relocate a hive, the bees, the queen bee doesn't accept it, the drones don't accept it...

Commissioner Anderson: Oh.

Commissioner Cabrera: And it actually creates even a worse environment, because

what happens is they become angry and discontent.

Commissioner Anderson: Oh, OK.

Commissioner Cabrera: They literally go out and look for things to sting.

Commissioner Anderson: OK, well then thank you, I appreciate that.

Commissioner Cabrera: It's a sad situation, it's a really, I mean, they are such a unique being and they are so set in their ways, that they take all their orders from the queen bee.

Commissioner Anderson: As well, they should.

City Attorney Hernandez: As they should.

Commissioner Cabrera: Yes,

Commissioner Withers: Now that's not a sexist remark.

(Inaudible all talking at once)

Commissioner Anderson: No, but I appreciate the information

Commissioner Cabrera: They're the stronger sex, its cause they're the stronger sex.

Commissioner Anderson: And that's why we have so many problems because there is no queen bee up in the Washington DC.

Commissioner Cabrera: That's right, and the ones that bite you are females also, the ones that sting you....

Commissioner Anderson: Cool, I like that.

Commissioner Cabrera:...And then they die within 20 minutes...

Commissioner Anderson: Oh, I don't like that.

Commissioner Cabrera: It just doesn't happen.

Commissioner Anderson: Well I appreciate the information because that changes the whole scenarios. So I appreciate that.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: One last comment about the bees. (Laughter) You can't transport them when they are in self-contained bee hives.

Commissioner Anderson: OK

Commissioner Cabrera: That they actually get moved, like when they are tied to a tree.

Commissioner Anderson: No. Nasty stuff.

Commissioner Cabrera: Don't wear black around them; they don't like that color either. The other day I learned that when a roof repair is completed in our city, according to this resident we do not require an inspection. Could we look into that? So, this is what is told to me. I got a permit for a roof repair, I received the approvals for the repair, the contractor completed the repair, but then there was no final inspection from the City. So if that's incorrect just someone you know shoot me a message, so I can send that out to the resident. Also, there is an intersection in our City that looks literally like a third world country, and that could be found on the northwest corner of LeJeune and South Dixie Highway. There used to be a gas station there years ago, it's next to a hardwood store, and...

Mayor Slesnick: Poes?

Commissioner Cabrera: Poes exactly, and the gas station was demolished and it literally looks like a wasteland, very unkempt, and I am just wondering if the City could do anything to get that property owner to clean up that particular corner because it's a real eye sore to our City, and I was hoping that staff would look into that. And on a more macro issue, we're getting lots and lots of activity in our downtown area. I don't know if it's because of the holidays, or I don't know if it's the new restaurants that have come to the downtown area, but there is just lots and lots of activity there, and I would just want to know if we're doing anything to be able to clean up, on the weekends? What are our cleanup activities from public service on the weekends?- because I know the Public Service crews are out there first thing Monday morning picking up and cleaning up as much as possible, but between Friday and Monday the downtown area really takes a beating. Our trash receptacles become full, there are all kinds of debris on sidewalks, there is all kinds of debris on the street, and I am just curious if we have any plans to try to tidy up the downtown area on the weekends?- which is really a time when most of the visitors, and restaurant patrons, and those that shop in the downtown are most affected. And speaking of the downtown area, I am wondering if this City has any interest in coming up with some sort of creative solution to help some of these new restaurants that are opening in our downtown area?- Not only our new restaurants, but our old restaurants, for example, Houston's restaurant,

do you know that at any given shift they have in excess of 70 employees?

All: Yes

Commissioner Cabrera: Now Seasons 52, over 85 employees in any one given shift. And these people are number one, to some extent, low wage earners, and to another great extent having to park in our public spaces. In our on street parking, in our garage parking, and now they are spilling over to west of LeJeune Road, and our residential neighborhoods are starting to feel the impact of some of those employees where they are parking; and I am just wondering if there is something that we could do working with some of the commercial buildings, that are closed or excuse me, that are fairly open at night.

Commissioner Withers: Weren't we allowing people to park at the Merrick Garage for like \$50 a month, and then taking the trolley in?- I mean the Merrick Park Garage.

Commissioner Cabrera: I don't know that...

Commissioner Anderson: Oh, that was back and forth.

Commissioner Cabrera: They are paying \$90.

Commissioner Anderson: Yes I think that is it.

Commissioner Cabrera: They're paying I think \$90, upwards of the \$90 when they are not parking on, on-street, and some of them have gotten kind of wise and they are parking into residential neighborhoods just west of us, and they are walking. They don't mind the walk, because it's nice and at the same time they don't have to pay for parking; and this is becoming a growing problem, and we're getting more of these great restaurants into the downtown area, but surely we've got to take some responsibility to help out with the parking.

Commissioner Anderson: The only way I was able to solve it on mine, because we used to park 5-6-7-8 deep, was put signs, unfortunately those ugly signs, no parking between certain hours, because yes they would park 5, 6 deep on Almeria on the 500 block.

Vice Mayor Kerdyk: You know, I don't know if we'd have this discussion now, this is a major discussion....

Commissioner Cabrera: It is...

Vice Mayor Kerdyk:....I think this is something you slate, because I think you are

going in the right direction, because I am just thinking, I was going to say something, but since it's 2 o'clock I was going to get to the point where, you know, they're bringing the Ale House. All hell is going to break because of the Ale House.

Commissioner Cabrera: Because there are no parking requirements.

Vice Mayor Kerdyk: Right. I think that's what it spins to, something like that where, you know, maybe we need to look at that a little bit more.

Commissioner Cabrera: I don't disagree. I am not suggesting that between now and January.

Vice Mayor Kerdyk: I am saying that you have a very good point here, and I think it merits substantial discussion, and I don't think it merits it at 2 o'clock. I think it merits it at 10 o'clock one morning when we could just sit down and talk back and fourth and start brainstorming before we even give it to...(inaudible).

Commissioner Cabrera: I concur. I would even ask you to bring the bid in formally, the bid in and new...

Vice Mayor Kerdyk: I think it's a good idea.

Commissioner Cabrera:...I am sorry Mr. Manager did you want to say something?

City Manager Salerno: Yes but, I will wait for you to finish.

Commissioner Cabrera: No, go ahead.

City Manager Salerno: Yes. I was trying to get the Mayors attention. I wanted to point out that Kevin Kenny is working on this issue. He has met with the manager of Seasons 52. I had asked him to prepare a flyer to give out to all of their employees pointing out where they could park in a City parking lot at a discount. He has already scheduled a meeting, he has contacted Mari Galet, and they've agreed that there is going to be a meeting. That Kevin will address all the restaurateurs that notice will be given so that he can provide information prior (inaudible) to them so that they could give them to their employees on this specific matter, recognizing that it is something that we should be paying attention to. I just wanted to share that Kevin is working on this in conjunction with the B.I.D. staff.

Commissioner Cabrera: There you go Bill,

Vice Mayor Kerdyk: Yes, but it's a bigger item than just the, it's a bigger item than I think just the employees. Its an item about downtown walking traffic, and parking

traffic, in our garages and I'm just...I'm very concerned about some of these big restaurants going in here, which is a great thing for the City of Coral Gables. I could enumerate 5 other ones that we are not even talking about here that are going to be impacting our parking, and that's OK, if we have a game plan; and everybody might say, yes well we'll go park in Parking Lot 4, we'll do this, and do that, but the problem is as we know not most people do that, they want an immediate fix and they want to find something right there. So, I just, I think it's a bigger discussion that merits discussion and a bigger issue that merits discussion, and I think that we should do it at either the next meeting or the second meeting in January, so that we could talk about this.

Commissioner Cabrera: Well, I agree with you. So what about if we ask the Manager to give us the situational analysis of what he just talked about that he's currently doing...

Vice Mayor Kerdyk: Right.

Commissioner Cabrera:...And then we could start moving this process further...

Vice Mayor Kerdyk: That's fine.

Commissioner Cabrera:...Is that acceptable to you?

Mayor Slesnick: Do that the 11th of January.

Commissioner Cabrera: Is that the direction of this, Commission as a whole? I see lots of nodding heads OK. Last but certainly not least for me, yes I've got one more I'm going to...yes let me wish everyone out there on T.V. land and here in the audience a very joyous and happy and safe holiday season. Happy Kwanza, Happy Hanukkah and Merry Christmas and last but not least Happy Festivus for the rest of us. But now that I have extended my warm wishes to all I'd like to also take this opportunity to do something that this government has done for its constitutional officers as a tradition and as a courtesy and as a recognition for their outstanding service while serving the City of Coral Gables and ask you all to approve the issuance of a lifetime parking permit from the City of Coral Gables to Mrs. Liz Hernandez for her 16, 17 years of valuable service to its government.

Vice Mayor Kerdyk: I'm good with that.

Commissioner Anderson: Naah.

Commissioner Withers: I don't know. I was thinking of driving in the City anymore, I was kind of looking forward to it.

Commissioner Anderson: I'm thinking about it.

Mayor Slesnick: It's been moved by Mr. Cabrera, and seconded by Mr. Kerdyk; we approve a continuing orange disc if you will for City Attorney giving her parking privileges in our City.

Commissioner Cabrera: And the Clerk has as usual prepared a resolution to support this proposed resolution. So, I thank you Mr. Clerk.

City Attorney Hernandez: Not the blue light though right?

Commissioner Cabrera: You don't get the blue light; you have to turn back the guns...

Mayor Slesnick: All those in favor say aye.

All Together: Aye.

Mayor Slesnick: Like sign for all those opposed. It passes unanimously.

City Attorney Hernandez: Thank you.

Commissioner Cabrera: Thank you.

Vice Mayor Kerdyk: Yes Mayor just very briefly. I have a couple of items I want to bring up you know it's getting a little late in the day. I just wanted to personally thank Liz for her great guidance and the fact that she always protected the integrity of this institution, and I am certainly going to be able to say a little bit more on Friday, but I did want to say that in a public setting. To each one of you, I wish you each a Merry Christmas and a Happy New Year, and I look forward to working with you next year. Thank you.

Commissioner Withers: I too reserve my comments about Liz till Friday, (Laughter). But I have two quick items. Item number one is, I received a couple of e-mails about citations for lawn watering. Evidently some of the residents turned their water on yesterday in anticipation of the freeze, and they were cited, so I think we may want to slide a little bit on that one, I don't know how you all feel about that?

Vice Mayor Kerdyk: Yes, but I don't think it's our issue.

Commissioner Withers: Well we issued the citations.

Vice Mayor Kerdyk: There is another problem with that. Ladies did you...when we

issue tickets, because I've dealt with this issue before, for watering on the wrong day...

(Inaudible)

City Manager Salerno: We should be...On a watering issue, it's my understanding we are giving warnings first.

Vice Mayor Kerdyk: Yes.

City Manager Salerno: If that's different we'll check, but if somebody did it and they got caught they should have received a warning. That's our practice.

Commissioner Withers: OK, fine. Secondly, as you know the Coral Gables Museum no longer has an Executive Director. The good news is they have a ton of events scheduled. There were some great events last week, they've got a couple of weddings this weekend and their number one person on hand is on vacation for a couple of weeks. So I didn't know if the City could offer some administrative help in some way? I don't even know what's involved, but maybe reach out to them and say, "how could we help you?" you know the momentum is starting to build, and I know they are having some financial issues, which will be maybe a discussion in a future meeting on once we get the contract signed. I know that's going to be up I think next...

City Manager Salerno: Next meeting.

Commissioner Withers:...Next meeting, so I don't know if we could do anything there Pat?- How the Commission feels?- But they need some administrative oversight to help them get through the next.

City Manager Salerno: OK, without any vote, unnecessary for a vote, but I'll take that if you are all in agreement to find a way that we could help them in an administrative, but yet unofficial capacity. We could do that.

Commissioner Withers: I think that's all it is. Other than that, I wish you all a Merry Christmas, and a very Happy New Year. I look forward to seeing you for the next couple of days. See you Friday, hopefully. Have you picked an outfit out Liz?

City Attorney Hernandez: Not yet, I was waiting to go shopping with you Chip.

(Laughter)

Mayor Slesnick: Mr. Manager?

City Manager Salerno: Nothing Mayor.

Mayor Slesnick: This is just some brief quick ones. First of all, we've talked about the different businesses and restaurants that are beginning to open in Coral Gables. I can tell you how proud I am, some of you have taken part in these, but we have done about 9 ribbon cuttings in the past month. That's 9 new businesses in Coral...some restaurants some shops, there are some still closed and some closing maybe, but there seems to be a new vim and vigor out there in the economy and a new desire to have business starting again. So, we've seen this, I've been there, and it's a wonderful thing. Other people can preach jobs, we're actually having businesses open that are providing jobs and as it was talked about before, some of these restaurants are providing lots of jobs, they have become a problem with parking, but they are jobs, and that is important to us. One of those new restaurants just got a nice write up in the Miami Herald the other day, the POC Restaurant, which is up on Ponce, the letters stand for the Port of Call. They got a nice write up and I thought that was great. And by the way Chip, the Baptist Health Systems had an anniversary party at the museum it was an incredible event, and it made the museum look like a...I mean, the Biltmore could not have been prettier, absolutely telling you the Biltmore could not have been prettier, and that's not a slam, that's a compliment both to Biltmore and to the museum.

Commissioner Withers: It looked great.

Mayor Slesnick: And then, yesterday in Mondays Business Monday, that party got written up as part of a special article about catering. So it wasn't about the museum, it was about catering, and there were about 3 pictures from that party and it identifies the museum as being the place where it was.

Commissioner Withers: That's good news.

Mayor Slesnick: A compliment to one of our residents that you all know, and you all know very well Lynn Bauer. Lynn Bauer was named; this was in the paper the other day. Lynn Bauer was named the "Kiwanis Woman of the Year," by the Kiwanis Club of Key Biscayne. As a matter of fact, and she is a member of the Kiwanis Club of Coral Gables, and she got that for her work with the orphanage she supports in India, and other things that she does. So congratulations Lynn. I would like to say thank you to the citizens of Gables Estates, I was awarded the Presidential Award by the Gables Estates Home- owners Association, and it's a beautiful award that they gave me for the various times that I've spent worrying about their issues, and talking to them; and it was anyways it was presented to me in a formal setting and it was a very lovely award. So, thank you to the Gables Estates people for that, it was very nice. The final thing is, I just want to join you all in saying goodbye Liz, but it's not really goodbye. We will be I am sure interacting in the future in your new role as an attorney for Ackerman

Senterfit, and we look forward to that. We look forward to the last goodbyes on Friday night, and again join my fellow Commissioners who have each wished everybody a Merry Christmas and Happy Hanukkah, Happy Holidays, and I join them. And with that we close for 2010.

City Clerk Item No. 64

RESOLUTION NO. 2010-289

**Non 10-0805
Agenda**

Resolution in furtherance of the recruitment of a new City Attorney for the City of Coral Gables.

RESOLUTION IN FURTHERANCE OF THE RECRUITMENT OF A NEW CITY ATTORNEY FOR THE CITY OF CORAL GABLES, FLORIDA; FURTHER PROVIDING THAT EACH MEMBER OF THE CITY COMMISSION FORWARD THROUGH THE CITY MANAGER TO THE DIRECTOR OF THE CITY'S DEPARTMENT OF HUMAN RESOURCES, NAMELY ELSA JARAMILLO-VELEZ, HIS/HER NAMES (UP TO 7) OF THOSE INDIVIDUAL ATTORNEYS OBTAINED FROM THE APPLICATION/RESUME LISTINGS THAT HAD BEEN PREVIOUSLY SUBMITTED TO OUR HUMAN RESOURCES DEPARTMENT; FURTHER INSTRUCTING THE CITY MANAGER TO DIRECT THE CITY'S HUMAN RESOURCES DEPARTMENT DIRECTOR TO THEN COMPILE A LIST OF THE CONSENSUS TOP 7 (SEVEN) APPLICANTS FOR THE CITY COMMISSION'S CONSIDERATION AND REVIEW.

A motion was made by Mayor Slesnick II, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2010-289. The motion passed by the following vote:

Yeas : 3 - Commissioner Cabrera, Jr., Vice Mayor Kerdyk, Jr. and Mayor Slesnick II

Nays : 2 - Commissioner Anderson and Commissioner Withers

City Clerk Item No. 65

RESOLUTION NO. 2010-290

**Non 10-0806
Agenda**

Resolution establishing a deadline of December 31, 2010 as the deadline for any interested attorney to submit a resume for the position of City Attorney for the City of Coral Gables.

RESOLUTION ESTABLISHING A DEADLINE OF DECEMBER 31, 2010 AS THE DEADLINE FOR ANY INTERESTED ATTORNEY TO SUBMIT HIS/HER APPLICATION/RESUME FOR THE POSITION OF CITY ATTORNEY FOR THE CITY OF CORAL GABLES.

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-290. The motion passed unanimously.

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

City Clerk Item No. 66

RESOLUTION NO. 2010-291

**Non 10-0807
Agenda**

Resolution authorizing issuance of a lifetime parking permit from the City of Coral Gables to Elizabeth M. Hernandez.

RESOLUTION AUTHORIZING ISSUANCE OF LIFETIME PARKING PERMIT FROM CITY OF CORAL GABLES, FLORIDA TO ELIZABETH M. HERNANDEZ, UPON HER RETIREMENT EFFECTIVE DECEMBER 31, 2010.

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2010-291. The motion passed unanimously.

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

City Clerk Item No. 67

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 December 14, 2010. The next regular meeting of the City Commission has been scheduled for January 11, 2011, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK