

City of Coral Gables

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



Agenda

Tuesday, September 8, 2009

9:00 AM

REVISED AGENDA

City Hall, Commission Chambers

City Commission

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

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

INVOCATION

The Reverend Arnold Perry, St. Mark's Lutheran Church

PLEDGE OF ALLEGIANCE**A. PRESENTATIONS AND PROCLAMATIONS**

A.-1. [09-0603](#) Presentation of Certificates of Appreciation to Juan Reyes, Justin Bruton, and Issac Silva, in recognition of their heroic efforts at the Biltmore Golf Course, in rescuing a female and her dog out of a submerged vehicle.

B. APPROVAL OF MINUTES

B.-1. [09-0623](#) Regular City Commission Meeting of August 25, 2009

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.

C.-1. [09-0554](#) Resolution authorizing Fritz and Franz Bierhaus to sell alcoholic beverages at the plaza located at 60 Merrick Way from Friday, October 2, 2009, through Monday, October 12, 2009, during the OKTOBERFEST event, subject to Florida Department of Professional Regulation requirements.

C.-2. [09-0521](#) Resolution authorizing the execution of an amendment to the agreement between American Traffic Solutions and the City of Coral Gables setting forth conditions for encroachments upon the right-of-way and/or the easement area, consisting of poles, foundations, camera systems and related infrastructure at several locations throughout the City of Coral Gables, Florida.

C.-3. [09-0560](#) Resolution authorizing the City to enter into an agreement with City College to allow for EMT/Paramedic students to ride on rescue units. (Deferred from 8/25/09 City Commission Meeting)

C.-4. [09-0561](#) Resolution authorizing the City to enter into an agreement with the Florida Medical Training Institute to allow for EMT/Paramedic students to ride on rescue units. (Deferred from 8/25/09 City Commission Meeting)

C.-5. [09-0562](#) Resolution authorizing the City to enter into an agreement with Technical Career Institute to allow for EMT/Paramedic students to ride on rescue units. (Deferred from 8/25/09 City Commission Meeting)

C.-6. [09-0609](#) Resolution authorizing an amendment to an existing lease agreement between the City and Robert Maguire, Operator of the Granada Snack Shop (Burger Bob's) providing for a one (1) year extension under the same terms and conditions; further stipulating that said lease agreement shall be reviewed for future renewal consideration on an annual basis.

C.-7. [09-0621](#) Resolution authorizing an expenditure of \$45,000.00 from State Forfeited Assets Funds for the Coral Gables Citizen's Crime Watch, Inc. Program.

C.-8. [09-0592](#) Resolution appointing Carlos Nuñez (Nominated by Commissioner Cabrera) to serve as a member of the Construction Regulation Board, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.

C.-9. [09-0593](#) Resolution confirming the reappointment of Carol Brock (Board-As-A-Whole Appointment) by the Senior Citizens Advisory Board, to serve as a member of the said Advisory Board, for a two (2) year term appointment, beginning June 1, 2009 through May 31, 2011.

C.-10. [09-0598](#) Resolution appointing Thomas Korge (Nominated by Commissioner Withers) to serve as a member of the Planning and Zoning Board for a two (2) year term, beginning June 1, 2009 through May 31, 2011.

C.-11. [09-0599](#) Resolution appointing Patricia "Pat" Clarke (Nominated by Mayor Slesnick) to serve as a member of the Pinewood Cemetery Advisory Board for a two (2) year term, beginning June 1, 2009 through May 31, 2011.

C.-12. [09-0607](#) Resolution appointing Linda Scarcell (Nominated by Mayor Slesnick) to serve as a member of the Coral Gables Advisory Board on Disability Affairs for a two (2) year term, beginning June 1, 2009 through May 31, 2011.

C.-13. [09-0622](#) Resolution appointing Sandy Mannis (Nominated by Commissioner Anderson) to serve as a member of the Coral Gables Advisory Board on Disability Affairs, for a two (2) year term beginning June 1, 2009 through May 31, 2011.

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

C.-14. [09-0557](#) Economic Development Board Meeting of August 5, 2009

C.-15. [09-0594](#) Senior Citizens Advisory Board Meeting of August 3, 2009

C.-16. [09-0596](#) Parks and Recreation Advisory Board Meeting of August 14, 2009

C.-17. [09-0597](#) Library Advisory Board Meeting of August 19, 2009

D. PERSONAL APPEARANCES**None****E. PUBLIC HEARINGS***All Individuals desiring to give testimony shall be sworn in.*

E.-1. **09-0595** Board of Adjustment Appeal - Application No. 8701-Z.

Nelson De Leon, AIA; Applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment at its regular meeting of August 3, 2009, wherein it denied an application for variances for the property located at 475 South Dixie Highway pursuant to Ordinance No. 2007-01, as amended and known as the "Zoning Code" (Board of Adjustment Vote: 5-0)

1. Grant a variance to allow the tenant "Starbucks Coffee" located at 475 S. Dixie Hwy, Coral Gables, to have two (2) signs versus only one (1) sign permitted per street level, per street right-of-way frontage, as stipulated by Section 5-1904 of the Coral Gables "Zoning Code."
2. Grant a variance to allow the tenant "Starbucks Coffee" to have a cabinet sign vs. cabinet signs are prohibited, as stipulated by Section 5-1902 (D) (4) of the Coral Gables "Zoning Code."

ORDINANCES ON SECOND READING**None****ORDINANCES ON FIRST READING**

E.-2. **09-0564** Ordinance amending Chapter 74 of the Code of the City of Coral Gables, Florida, entitled "Traffic and Vehicles" in particular, Section 74-352, entitled "Use of Image Capture Technology" by providing further clarification; Section 74-353, entitled "Definitions" by adding definitions for further clarification; Section 74-356, by changing the title from "Ninety-Day Notice; Introductory Period" to "Thirty-Day Notice; Introductory Period"; thereby increasing the notification period from ninety (90) days from the adoption of the Ordinance (on November 12, 2007) to thirty (30) days following the notification from the Police Chief indicating that the red light camera system is operational at the initial location established; Section 74-359, entitled "Vehicle Owner Responsibilities" by providing further clarification; providing for a severability clause, repealer provision; codification, and provision for an effective date.

E.-3. 09-0608 Ordinance amending Chapter 26, entitled "Emergency Services," in particular, Section 26-1 "Fees for Emergency Rescue Services" and Chapter 30, entitled "Fire Prevention and Protection," in particular, Section 30-6 "Fees for Emergency Rescue Services," of the Code of the City of Coral Gables, allowing for fees to be assessed to all persons transported via City Fire Department vehicle; repealing all Ordinances inconsistent herewith and providing for an effective date.

E.-4. 09-0624 Ordinance amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions", revising the contributions for employees who are not included in any bargaining unit; providing for an effective date; and repealing all ordinances herewith.

F. CITY COMMISSION ITEMS

F.-1. 09-0620 Discussion regarding the adopted policy of unearned annual and sick leave from employees' leave banks.
Commissioner Rafael "Ralph" Cabrera, Jr.

G. BOARDS/COMMITTEES ITEMS

None

H. CITY MANAGER ITEMS

None

I. CITY ATTORNEY ITEMS

None

J. CITY CLERK ITEMS

None

K. DISCUSSION ITEMS

This time is for informal discussion among the City Commissioners, the City Manager and the City Attorney

ADJOURNMENT**NOTE**

Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.

Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Interested persons should, therefore, take the necessary steps to ensure that a verbatim record of the proceedings is made which contains the testimony and evidence upon which the appeal is based.

Any person making impertinent or slanderous remarks or who become boisterous while addressing the Commission, shall be barred from further audience before the Commission by the Chair, unless permission to continue or again address the Commission is granted by the majority vote of the Commission Members present. Clapping, applauding, heckling or verbal outbursts or any remarks in support or opposition to a speaker shall be prohibited. Signs or placards shall not be permitted in Commission Chambers.

Any person requiring special accommodations for participation in the meeting should contact R. Alberto Delgado, Public Works Director, at 305-460-5001, with requests for auxiliary aids or services at least one business day before the meeting.

**Patrick G. Salerno
City Manager**