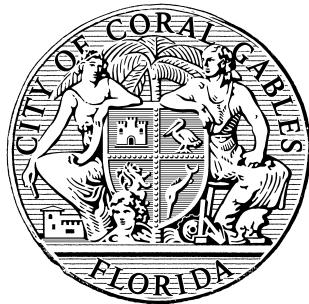


City of Coral Gables

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



Meeting Minutes

Thursday, June 26, 2008

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*

*David L. Brown, City Manager
Elizabeth M. Hernandez, City Attorney
Walter J. Foeman, City Clerk*

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

INVOCATION

[Note for the Record: Mayor Slesnick thanked Father Mark Reeves, of the Archdiocese of Miami for his attendance; further acknowledging that Father Reeves is a city resident, an attorney, an architect, and a Catholic Priest; further stating that both he and his mother are residents of the City of Coral Gables].

PLEDGE OF ALLEGIANCE

LEGISLATIVE SUMMARY

The following minutes summary includes all presentations made, and actions taken which information is supplemented by the following exhibits on file in the Office of the City Clerk, and which are by reference made a part of the record herein: (a) Ordinance(s) adopted (Ordinance 2008-14 through Ordinance 2008-16); (b) Resolution(s) adopted (Resolution No. 2008-85 through Resolution No. 2008-99); (c) Video; (d) Audio Recording; (d) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

A. PRESENTATIONS AND PROCLAMATIONS

A.-1. 08-0464 Presentation of a Proclamation declaring June 26, 2008 as Marco Rubio Day in Coral Gables

[Note for the Record: Mayor Slesnick acknowledged State of Florida House of Representatives Speaker Marco Rubio, as representing a great portion of the City of Coral Gables; further acknowledging House Speaker Rubio upon completion of the second term of his speakership in the House, as having both a game plan and a vision, even though, he pointed out that sometimes said vision differs from that shared by local governments; further noting that House Speaker Rubio pursues said vision with great candor; further stating that although both he and House Speaker Rubio have disagreed publicly; however, he continues to have a great deal of esteem for the House Speaker and for his personal dedication and devotion to the residents of Florida; further pointing out that at the end of this year's legislative session House Speaker Rubio fought for and made sure that the City of Coral Gables was awarded \$1.2 million for our water projects, and our sewer and systems projects, and our lift station projects, and our pump station project; further noting that critically needed infrastructure money is still needed; further stating that House Speaker Rubio is the only Hispanic legislator to hold said post in the history of the state legislature; further thanking him, by stating that he appreciates the fact that House Speaker Rubio remembered our community; whereby Mayor Slesnick proceeded to read said proclamation into the public record, thus declaring June 26th, 2008 as "Marco Rubio Day" in Coral Gables.

In accepting said protocol document, House Speaker Rubio conveyed that he will put the document on his dashboard, since he has to park in the business district of Coral Gables; further noting that it has been an honor and a privilege to serve the City of Coral Gables, his residents and the district in Tallahassee; further stating that he has a tremendous amount of respect for local government, even though he may share different viewpoints; further noting that the economic forecast will be even worse than it has been in the current year, with consumer confidence being the worst that it has been in 25 years; further acknowledging the City of Coral Gables, with its law enforcement standards, the ambience of the area, as being an attractive place to live and work, as well as being a municipality for others to emulate in addressing the forthcoming challenges; further emphasizing that as long as he remains as speaker, from now until November, that the citizenry can count on him to help restart this economy; further stressing that we need economic revitalization; further thanking the citizenry for their service].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 1

A.-2. [08-0446](#) Presentation of 30 year service pin to Margaret Hill, Parks and Recreation Department

Attachments: [CM_MHIII2](#)

[Note for the Record: City Manager David L. Brown presented Margaret Hill with her 30 years service pin; further stating that she began her long career with the City as a part-time Day Camp Leader in June 1978, later becoming a Clerk Typist in March 1981; maintaining that position until receiving a promotion to Recreation Specialist I in August 1988; completing a Bachelor's Degree in Sports Administration from St. Thomas University; was reclassified in November 1993 to Recreation Specialist II, was promoted to Recreation Supervisor in February 1997; was again promoted to Venetian Pool Supervisor in August 2003, which is the position she maintains to this day. Among her many recognitions included being awarded Employee of the Month for both December 1988 and in January 2005.

City Manager Brown further described Ms. Hill as an outstanding employee who accepts any challenge given to her and completes it without fail; who always goes the extra mile to get the job done; and who has also been instrumental in the department's leadership team in creating a new Mission Statement and first ever Vision Statement and Strategic Plan].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 2

B. APPROVAL OF MINUTES

B.-1. 08-0433 Regular City Commission Meeting of May 27, 2008

Attachments: [CCMtg May 27 2008 agenda item D-3 - Development of Parking Garage at 245 Alton Rd.pdf](#)
[CCMtg May 27 2008 agenda item E-1 - Board of Architects Appeal.pdf](#)
[CCMtg May 27 2008 agenda item F-1 - Annexation Update.pdf](#)
[CCMtg May 27 2008 agenda item F-2 Coral Gables Country Club Update.pdf](#)
[CCMtg May 27 2008 agenda item H-1 - Florida Retirement System.pdf](#)
[Meeting Minutes.pdf](#)

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be approved. 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. 3

B.-2. 08-0434 Regular City Commission Meeting of June 3, 2008

Attachments: [CCMtg June 3 2008 agenda item H-1 - Resolution for Country Club of Coral Gables.pdf](#)
[CCMtg June 3 2008 agenda item D-1 - Dr. Andy Gomez, UM Cuban-American Studies.pdf](#)
[Meeting Minutes.pdf](#)

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be approved. 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. 5

Non-Agenda Item

08-0486 Discussion regarding Commissioner Cabrera's comments in local newspaper.

[Note for the Record: A copy of the verbatim transcript of the Non-Agenda Issue in connection with Commissioner Cabrera's Letter to the Editor of the Miami Herald is available for public inspection in the City Clerk's Office and in Legistar].

This Communication was Discussed

City Clerk Item No. 4

C. CONSENT AGENDA

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

Passed the Consent Agenda

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

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

RESOLUTION NO. 2008-85**C.-1. 08-0453**

A resolution authorizing the City Manager to extend the contractual agreement of Dr. Jim Hirschman to provide consulting as Medical Director of the Fire Department on a month-to-month basis for a maximum of six months.

Attachments: [Cover Memo - Dr. Hirschman Resolution](#)
[RESOLUTION JIM HIRSCHMAN](#)
[Resolution 2008-85 Signed.pdf](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXTEND CONTRACTURAL AGREEMENT WITH JIM HIRSCHMAN, M.D., ON A MONTH-TO-MONTH BASIS, FOR A MAXIMUM OF SIX MONTHS TO PROVIDE CONSULTING SERVICES AS MEDICAL DIRECTOR FOR THE CORAL GABLES FIRE DEPARTMENT.

This Matter was adopted by Resolution Number 2008-85 on the Consent Agenda.

City Clerk Item No. 6

Presentation of Boards and/or Committees minutes requesting no action from the City Commission:**C.-2. 08-0408**

Economic Development Board Meeting of May 7, 2008

Attachments: [Minutes 5-7-08](#)
[Commission cover no action 6-26-08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 7

C.-3. [08-0410](#) Coral Gables Merrick House Governing Board Meeting of May 5, 2008

Attachments: [MerrickHouseBoardMinutes-May5.2008.pdf](#)
[CGMHNoAction05.08Minutes.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 8

C.-4. [08-0411](#) Landscape Beautification Advisory Board Meeting of June 5, 2008

Attachments: [BC Cover Sheet 6-5-08 na](#)
[Minutes BC 6-5-08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 9

C.-5. [08-0430](#) Pinewood Cemetery Advisory Board Meeting of May 12, 2008

Attachments: [NoAction05.12.08MinutesforCC06.26.08.pdf](#)
[Pinewood minutes May12,2008.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 10

C.-6. [08-0437](#) Traffic Advisory Board Meeting of May 20, 2008

Attachments: [Cover for traffic](#)
[PDF Traffic](#)
[May Final](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 11

C.-7. [08-0412](#) Cultural Development Board Meeting of May 5, 2008

Attachments: [Commission cover no action 6-26-08](#)
[CDBMinutesMay 5 2008](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 12

C.-8. [08-0449](#) Historic Preservation Board Meeting of May 22, 2008

Attachments: [HPB May 22, 2008.pdf](#)
[NoAction05.22.08MinutesforCC06.26.08.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 13

C.-9. [08-0450](#) Senior Citizens Advisory Board Meeting of June 2, 2008

Attachments: [Cover Memo 06-02-08 Summary](#)
[Min 06-02-2008 Draft](#)
[Memo Paul Hunt to Fred Couceyro dated 11-30-07](#)
[Letter Carol Brock to Paul Hunt dated 6-2-08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 14

C.-10. [08-0451](#) School and Community Relations Committee Meeting of May 21, 2008

Attachments: [may](#)
[summary of may 08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

C.-11. [08-0452](#) Library Advisory Board Meeting of June 11, 2008

Attachments: [LB Cover Sheet 6-11-08na](#)
[Final Library Advisory Board Minutes.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

C.-12. [08-0455](#) City of Coral Gables/University of Miami Community Relations Committee Meeting of May 5, 2008

Attachments: [U of M . CRM May 5, 2008](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

C.-13. [08-0456](#) Retirement Board Meeting of May 8, 2008

Attachments: [CC.06-26-08.May](#)
[Minutes.05-08-08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

C.-14. [08-0458](#) Parking Advisory Board Meeting Meeting of May 22, 2008

Attachments: [cover.pab.05-22-08](#)
[pab.minutes.05-22-08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 19

C.-15. [08-0463](#) Code Enforcement Board Meeting of June 18, 2008

Attachments: [memo coverjune08](#)
[ROLLCALL JUNE08](#)
[june 08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 20

D. PERSONAL APPEARANCES**D.-1. 08-0427**

Jim Redyke, President of Dykon, to provide information on the implosion at the 2801 Ponce de Leon Boulevard building scheduled for Saturday, June 28, 2008, at approximately 7:30 a.m.

[Note for the Record: Mr. Jim Redyke, President of Dykon, addressed the City Commission regarding information on the two-day process in connection with the implosion at 2801 Ponce de Leon Boulevard building, who conveyed to the Commission the following chronology:

Everything is moving along nicely; further stating that Dykon has started to load the explosives this morning; tomorrow Dykon will continue with its initiatives to protect the adjoining neighborhood; further stating that on Saturday morning, Dykon will ensure that the area is secure; further stating that Dykon will sound a series of sirens, extending a pre-blast survey of the existing conditions of all of the surrounding structures until they are on the ground; further stating that the first step will be the first noise, a series of boom/boom sounds; next will be the lighting of the nine second fuses; next will be the elimination of the columns to create a failure in the center core of the structure, to drive the structure to the east; ten (10) seconds in duration, the approximate length of time for all of the sequential events to occur between columns (roughly three minutes).

Commissioner Cabrera reminded the City Manager that he had previously brought up the matter of the good work performed by the crews that were cleaning up the harmful chemicals at the 2801 building location, and had also requested DERM confirmation before the switch is pulled for the implosion to occur; whereupon Assistant City Manager Maria Jimenez, on behalf of City Manager Brown stated the City has received all of the clearances, from federal, including DERM, to local agencies; further stating that they are all set; further pointing out that Dykon has met with representatives from Police, Fire, along with our Building Structural Engineer, and that they are ready to go. In closing Mayor Slesnick wished them the best, stating that they "do well, and be safe."]

This Agenda Item was Discussed

City Clerk Item No. 21

RESOLUTION NO. 2008-86**D.-2. 08-0442**

Jeffrey E. Lehrman, Esq., on behalf of the applicant, Giralda PB, LLC., for permission to allow existing encroachments into the right-of-way, consisting of a soakage pit, including a slab covered trench and a manhole for building drainage purposes, to remain, adjacent to 2222 Ponce de Leon Boulevard, Coral Gables, Florida.

Attachments: [M222Ponce resolution](#)
[pdf222Ponce](#)
[signed 2222](#)
[Good 2222](#)
[Resolution 2008-86 Signed.pdf](#)

A RESOLUTION APPROVING EXISTING ENCROACHMENTS INTO THE RIGHT-OF-WAY TO REMAIN, ADJACENT TO 2222 PONCE DE LEON BOULEVARD, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT.

[Note for the Record: Jeffrey E. Lehrman, Esq., general counsel for Giralda PB, LLC, addressed the City Commission for permission to allow existing encroachments into the right-of-way, consisting of a soakage pit (including a slab covered trench and a manhole for building drainage purposes, etc) at 222 Ponce de Leon Blvd; further noting that said matter came about as a result of the renovations currently underway at said location; further pointing out that over the past 40 years, there has never been a formal encroachment application/right-of-way, declaration of restrictive covenants, until the Public Works Department brought said matter to their attention; further stating that said matter was being recommended, subject to the requirements of the Public Works Department, which have been made part of the public record. Following the aforementioned brief presentation by Mr. Lehrman, said matter being moved by Vice Mayor Kerdyk, and seconded by Commissioner Withers, the Mayor instructed the City Clerk to call the roll on Agenda Item D-2].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-86. 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. 22

D.-3. 08-0444

Priscilla M. Morales, P.E., Project Manager, Miami-Dade County Public Works Department, to make a presentation to the City Commission on the proposed Commodore Trail Bicycle Facility Improvements, MDCPWD Project No. 20070687.

[Note for the Record: Priscilla Morales, P.E., Project Manager, Miami-Dade County Public Works Department addressed the City Commission, at the invitation of the City's Public Works Department, regarding the Commodore Trail Bicycle Facility Improvements Project; further focusing her presentation on three key segments, namely the scope; funding sources and interested parties involved with said project, as more particularly outlined herein below:

Scope: Commodore Trail is that portion of Bike Route One (1), that Miami-Dade County has had in place since the 1970s; further noting that said trail begins at Cocoplum Circle, follows LeJeune Road, crosses LeJeune Bridge, transverses Edgewater Drive to Douglas Road, to Main Highway down to MacFarlane Road, down to South Bayshore Drive; further identifying the eight-foot ride shared use path that is used by pedestrians and bike riders; further pointing out that the largest part of said project is the construction of a bicycle pedestrian bridge; further presenting to the Commission a rendering of what she perceives people would want regarding the crossing of the Coral Gables Waterway.

Funding for Project: Ms. Morales stated that funds had been accelerated for said project; further noting that \$1 million would provide funding in the outer years for the project, as well as for the bike bridge and the resurfacing of the project; further stating that there was also a federal earmark in the amount of \$212,000. Ms. Morales conveyed to the Commission that there were certain constraints, particularly as it pertains to the delineation of the right-of-way that is in and out of the corridor; further pointing out that there are no funds to purchase an existing right-of-way. Ms. Morales further explained that the Miami-Dade County will try and make as many improvements as it can in the existing right-of-way, while trying to maintain as much continuity as possible.

Interested Parties: Ms. Morales identified the following governmental entities and clubs: Everglades Bicycle Club; City of Coral Gables; Miami-Dade County; and Miami-Dade County District 7 (Miami-Dade County Commissioner Carlos Gimenez' District).

Questions by the City Commission: Improvement of the crossing at LeJeune, along the east side of Old Cutler Road: Vice Mayor Kerdyk queried Ms. Morales regarding the improvement of the crossing, in the vicinity of LeJeune Road at the light (where the bike path is on the east side of Old Cutler Road); whereupon Ms. Morales stated that she would try to improve said crossing; further informing Vice Mayor Kerdyk that the County's improvements will not go beyond the east side; however, she did commit to looking for any root obstructions in the area of the existing asphalt

path.

Location of the Bicycle Trail: Commissioner Withers queried Ms. Morales whether the bike trail is on the east side, whereupon Ms. Morales stated that it was, further pointing to same on her visual overview: "Commodore Bike Trail, Conceptual Overview." Ms. Morales added that she would talk to our Public Works Department in an attempt to gain consensus in her desire to resurface the existing trail throughout the park; further noting that there is funding for resurfacing of the existing trail; widening portions of the trail, and improvement for way finding signage. **Trail (which rides through the perimeter of Ingraham Park) that wanders through the park:** Mayor Slesnick asked Ms. Morales to possibly consider into her design the idea of a path that wanders through the park, whereupon Ms. Morales conveyed to him that she is amenable to incorporating that perspective into the design, subject to a consensus by the governing body. Light Area: Vice Mayor Kerdyk suggested to Ms. Morales that there should be an attempt to improve the light area; further stating that people should have already met with the Board of Architects regarding same]. **Crosswalk at the Youth Center:** Mayor Slesnick questioned Public Works Director Delgado regarding funding for said crosswalk at the Youth Center (including sensor activated flashlights embedded into the pavement), whereupon Mr. Delgado stated that the City is still awaiting response from the Department of Transportation; Mayor Slesnick further pointed out that he noticed that another crosswalk had been completed in the vicinity of Ponce de Leon Blvd. and Suarez Avenue, whereupon Mr. Delgado acknowledged that said project, which was approved by DOT was jointly undertaken along with Miami-Dade County. Commissioner Withers questioned the City Administration regarding why not move forward with the Youth Center Crosswalk Project; further questioning the efficacy of compromising safety issues, in constructing the crosswalk for the blinking lights].

This Agenda Item was Discussed

City Clerk Item No. 23

E. PUBLIC HEARINGS

ORDINANCES ON SECOND READING

ORDINANCE NO. 2008-14 (As Amended)

E.-1. [08-0429](#)

An Ordinance amending City Code Chapter 86, entitled "Waterways", Division 2, entitled "Anchoring, Mooring, etc.>"; in particular, Section 86-59, entitled "To Abutting Property", by restricting the placement and projection of boats or watercraft when anchored, moored, or tied up to waterfront property; Section 86-60, entitled "other than abutting property" by allowing anchoring or mooring of boats or watercraft to others during dock construction or improvements, subject to sufficient access for safe navigation; Section 86-61, entitled "enforcement by Chief of Police" by further authorizing code enforcement officers to enforce certain provisions of the Code; adding Section 86-62, entitled "Definitions"; Division 3, entitled "Ocean and Waterway Regulations", modifying the title of Section 86-84, to "watercraft as hazards; unobstructed waterways", in addition within the same section, declaring it unlawful to position a boat or watercraft in such a way to interfere with the navigation through the City waterways; and further amending Section 86-86, entitled "hurricane procedure- regulations", by declaring it unlawful to moor a boat or watercraft to private property without consent; providing for severability, repealer, codification, and an effective date. (Passed on First Reading on May 13, 2008)

Attachments:

[Ordinance Backup Material.pdf](#)
[062608-Waterways-COVER MEMO](#)
[062608-Waterways-DRAFT ORDINANCE](#)
[062608-Waterways-DRAFT ORDINANCE Highlighted Changes](#)
[062608-Waterways-CHART PROPERTIES](#)
[062608-Waterways-LTR TO PROPERTY OWNERS](#)
[062608-Waterways-CHART LOCAL AGS. BOAT MOORING REGS](#)
[Ordinance 2008-14 Signed.pdf](#)

AN ORDINANCE AMENDING CITY CODE CHAPTER 86, ENTITLED "WATERWAYS", DIVISION 2, ENTITLED "ANCHORING, MOORING, ETC.>"; IN PARTICULAR, SECTION 86-59, ENTITLED "TO ABUTTING PROPERTY", BY RESTRICTING THE PLACEMENT AND PROJECTION OF BOATS OR WATERCRAFT WHEN ANCHORED, MOORED, OR TIED UP TO WATERFRONT PROPERTY; SECTION 86-60, ENTITLED "OTHER THAN ABUTTING PROPERTY" BY ALLOWING ANCHORING OR MOORING OF BOATS OR WATERCRAFT TO OTHERS DURING DOCK CONSTRUCTION OR IMPROVEMENTS, SUBJECT TO SUFFICIENT ACCESS FOR SAFE NAVIGATION; SECTION 86-61, ENTITLED "ENFORCEMENT BY CHIEF OF POLICE" BY FURTHER AUTHORIZING CODE ENFORCEMENT OFFICERS TO ENFORCE CERTAIN PROVISIONS OF THE CODE; ADDING SECTION 86-62, ENTITLED "DEFINITIONS"; DIVISION 3, ENTITLED "OCEAN AND WATERWAY REGULATIONS", MODIFYING THE TITLE OF SECTION 86-84, TO "WATERCRAFT AS HAZARDS; UNOBSTRUCTED WATERWAYS", IN ADDITION WITHIN THE SAME SECTION, DECLARING IT UNLAWFUL TO POSITION A BOAT OR WATERCRAFT IN SUCH A WAY TO INTERFERE WITH THE NAVIGATION THROUGH THE CITY WATERWAYS; AND FURTHER

AMENDING SECTION 86-86, ENTITLED "HURRICANE PROCEDURE-REGULATIONS", BY DECLARING IT UNLAWFUL TO MOOR A BOAT OR WATERCRAFT TO PRIVATE PROPERTY WITHOUT CONSENT; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[Note for the Record: Following the reading by the City Manager of the title of Agenda Item E-1 into the public record, Assistant City Manager Maria Jimenez addressed the Commission, stating that a modified version of the proposed ordinance was presented and approved on first reading on May 13, 2008, which was amended to provide for a 10-foot setback for properties with a waterfront length of 150' or more; further noting that said amendment was considered following a request from Gables Homeowner Association to impose such a setback to maintain a clear visual path to the waterway for neighborhood properties; further mentioning that the Commission instructed the City Manager to direct staff to further evaluate existing conditions along City waterways, in particular, existing boathouses and slips, northwest of the LeJeune Road bridge and the Mahi Canal; further noting that said evaluation revealed an existing conflict with the proposed 10-foot side setback requirement, as well as existing docks, davits and other lifts constructed at a 10-foot side setback, resulting in the bow or stern of the boat protruding into the proposed 10-foot side setback area.

Ms. Jimenez informed the Commission that the proposed ordinance on Second Reading will prohibit the mooring, anchoring or tying up of any boat or watercraft in such a position that the length of the boat or watercraft extends beyond the side of the property line, unless the adjoining property owner agrees to such an extension in a form acceptable to the City; further recommending that the Gables Estate Homeowners Association pursue establishing the 10-foot side setback requirement by requesting to amend the Zoning Code, establishing site specific amendments for Gables Estates.

Ms. Jimenez proffered the following modification to the proposed Second Reading Ordinance, which was accepted by the movant and the seconder of said motion:

-that on page 4 of 5 of the aforementioned proposed ordinance, that the clause appearing under Sec. 86-84(b), second from the last line after the word "waterways," be stricken].

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted as amended by Ordinance Number 2008-14. 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. 24

ORDINANCE NO. 2008-15**E.-2. 08-0395**

An Ordinance of the City of Coral Gables amending the Zoning Code Section 1-108, "Transitional rules", providing for the granting of one six (6) month extension to the eighteen (18) month transition period approved prior to the adoption of the new Zoning Code; providing for repeal, providing severability, providing for codification thereof, an effective date, and repealing all Ordinances inconsistent herewith. (Passed on First Reading on June 3, 2008)

Attachments: [06 03 08 CC Cover Memo re: ZC Text Amendment Transitional Rules 1st reading](#)
[06 03 08 Exhibit A: Ordinance Transitional rules extension 1st reading](#)
[06 03 08 Exhibit B: 05 28 08 Transitional rules staff report w attachments](#)
[06 26 08 CC Cover Memo re: ZC Text Amendment Transitional Rules 2nd reading](#)
[06 26 08 Exhibit A: Ordinance Transitional rules extension 2nd Reading](#)
[06 26 08 Exhibit B: 05 28 08 PZB Staff Report w attachments](#)
[06 26 08 Exhibit C: Updated BZD List of Projects Pending BOA Approval](#)
[Ordinance 2008-15 Signed.pdf](#)

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING THE ZONING CODE SECTION 1-108, "TRANSITIONAL RULES", PROVIDING FOR THE GRANTING OF ONE SIX(6) MONTH EXTENSION TO THE EIGHTEEN (18) MONTH TRANSITION PERIOD APPROVED PRIOR TO THE ADOPTION OF THE NEW ZONING CODE; PROVIDING FOR REPEAL, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION THEREOF, AN EFFECTIVE DATE, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

[Note for the record: Following the City Attorney's reading of the title of Agenda Item E-2 into the public record, Mayor Slesnick duly noted that said matter has fully discussed fully and publicly on First Reading on June 3rd, 2008, and barring any further public testimony being proffered on said matter, he instructed the City Clerk to call the roll on Agenda Item E-2].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Ordinance Number 2008-15. 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. 25

Items E-3, H-4 and H-5 are related**ORDINANCE NO. 2008-16****E.-3. 08-0071**

An Ordinance authorizing the City Manager to execute a Lease Agreement for a ten-year period, plus options, with Coral Gables Cinemateque, Inc., for 3,858 sq. ft. plus 1,922 sq. ft. of a private mezzanine, in the westernmost 60 linear feet of the City of Coral Gables Parking Garage located at 250 Aragon Avenue, known as the Museum Garage, with the legal description of Coral Gables Section K PB 8-33 Lots 10 thru 20, Block 37. The space will have a retail address of 260 Aragon Avenue and will be used as a non-profit art cinema and cultural facility. (Passed on First Reading March 11, 2008).

Attachments:

[Cinema Lease-February revision with attach](#)
[CommCov2-12-08ArtCinema Ord 1stRdg revised.DOC Scanned](#)
[The Proposed Art Cinema](#)
[Arts Cinema Draft 1st Reading Ordinance](#)
[art cinema proposed.pdf](#)
[Cinema Lease-February revision with attach_smaller file.pdf](#)
[CommCov 6-26-08 ArtCinema Ord 2nd Reading.pdf](#)
[Ordinance Art Cinema Plan revised 6-08.pdf](#)

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT FOR A TEN-YEAR PERIOD, PLUS OPTIONS, WITH CORAL GABLES CINEMATEQUE, INC. FOR 3,858 SQ. FT, PLUS 1,922 SQ. FT. OF A PRIVATE MEZZANINE, IN THE WESTERNMOST 60 LINEAR FEET OF THE CITY OF CORAL GABLES PARKING GARAGE LOCATED AT 250 ARAGON AVENUE, KNOWN AS THE MUSEUM GARAGE, WITH THE LEGAL DESCRIPTION OF CORAL GABLES SEC K PB 8-33 LOTS 10 THRU 20, BLOCK 37. THE SPACE WILL HAVE A RETAIL ADDRESS OF 260 ARAGON AVENUE AND WILL BE USED AS A NON-PROFIT ART CINEMA AND CULTURAL FACILITY.

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

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Mayor Slesnick II, that this motion be adopted by Ordinance Number 2008-16. The motion passed by the following vote:

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

Nays : 1 - Commissioner Anderson

City Clerk Item No. 26

ORDINANCES ON FIRST READING**ORDINANCE NO. 2008-17****E.-4. 08-0417**

An Ordinance repealing Ordinance No. 2003-27 which allowed the City Commission to exempt certain advisory boards and committees from complying with the requirements of the City Code, Chapter 2, "Administration", Article V "Conflict of Interest and Code of Ethics"; providing for severability, codification and repealing all Ordinances inconsistent or in conflict herewith. (Passed on First Reading June 26, 2008)

Attachments:

[County ordinance 08_53_disclosure](#)
[drafordinance_repealordinance2003-27](#)
[O-2003-27_exempting boards from conflict of interest](#)
[O-2003-5finalethicsord](#)
[agendacover_repealing Ord 2003_27](#)
[comm_ord_repealing 2003_27](#)
[agendacover_repealing Ord 2003_27](#)
[O-2003-5finalethicsord](#)
[O-2003-27_exempting boards from conflict of interest](#)
[draft ordinance_repeal ordinance2003_27](#)

[Note for the Record: A copy of the verbatim transcript for Agenda Item E-4, is available for public inspection in the City Clerk's Office and in Legistar].

[Note for the Record: Following the reading of the title of the Ordinance on Second Reading into the public record, the City Attorney stated that both Agenda Items E-4 and E-7, respectively, evolved as a consequence of those voters of Dade County who voted to initiate the Ethics Ordinance and Ethics Commission; further clarifying that as a result of the Coral Gables Ethics Ordinance, which requires members of advisory boards to file financial disclosure, pursuant to the provisions of said ordinance; further stating that since some of said boards were purely advisory, that Miami-Dade County Commission felt that it was an onerous provision, thus provided legislative action, allowing municipalities to "opt out" in those instances wherein said boards were purely advisory; further acknowledging that with the passage of Ordinance No. 2003-27, our City amended Ordinance No. 2003-05, to allow for the exemption of certain advisory boards from complying with the Conflict of Laws and Ethics Ordinance; the City Attorney further reporting that the City of Bal Harbour decided to exempt one of their significant boards (supposedly, one of its Zoning Boards); therefore, as a consequence thereof, Miami-Dade County Board of County Commissioners passed and adopted Ordinance No. 08-53, deleting the provisions which provided that the Commission may by resolution exempt designated County Boards from the provisions of the Conflict of Interest and Code of Ethics Ordinance].

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

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

City Clerk Item No. 31

RESOLUTIONS**RESOLUTION NO. 2008-91****E.-5. 08-0398**

A Resolution accepting the recommendation of the City Manager approving the decision pursuant to the provisions of the Procurement Code Section 2-772 "Special Procurement/Bid Waiver" to select Keystone Restoration, Inc., for the restoration of the historic Country Club Prado entrance, in an amount not to exceed \$859,901.00.

Attachments:

[Prado cover](#)
[Prado Resolution Alfonsin](#)
[Prado-pdf back-up](#)
[Keystone signed cover](#)
[Resolution 2008-91 Signed.pdf](#)

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER APPROVING THE DECISION, PURSUANT TO THE PROVISIONS OF THE PROCUREMENT CODE SECTION 2-772 "SPECIAL PROCUREMENT/BID WAIVER," TO SELECT KEYSTONE RESTORATION, INC., FOR THE RESTORATION OF THE HISTORIC COUNTRY CLUB PRADO ENTRANCE, IN AN AMOUNT NOT TO EXCEED \$859,901.00.

[Note for the Record: Following the City Manager reading the title to Agenda Item E-5 into the public record, the City Manager informed the City Commission that in accordance with our City Code requirements (**Procurement Code Section 2-772, entitled Special Procurement/Bid Waiver,**") a bid waiver must be done in a public hearing setting; whereupon Commissioner Cabrera requested of the City Manager if he could respond to the following series of questions regarding said issue:

Original Allocation: How much did the City originally allocate to the Country Club Prado? **[Response/ Manager:** \$1,000,000]. **Status of the remaining fund balance:** What happened to the \$140,000? **[Response/ Manager:** It remains in the Capital Improvement Program].

Commissioner Cabrera further stated that if \$1 million was allocated to the restoration of the historic Country Club Prado entrance, and we are allocating \$859,901, then he would like to see the remaining balance of said funds remain with said project and go specifically to either landscape, or upkeep and maintenance; further pointing out that he has a problem with receiving a lack of information in order that he can make an informed decision on matters of public importance; further adding that said process of receiving information was unacceptable to him. **Commissioner Withers** stated that if one bids a project, he or she should not try to find a way to spend the remaining balance.

Public Works Director Alberto Delgado stated that two items were not included, namely the wood beams (pergola)-because our Historic Development Department is looking for the original design; further stating that said pergola may have to be reinstated into the original condition; and the second item is that of the paved areas in

the courtyard, that were paved with asphalt, which still needs to be removed].

[Note for the Record: Department of Development Director Cathy Swanson Rivenback, requested of Mr. Ernie Pino to come forward and address any specific questions that any member of the Commission may have regarding the bidding process; further pointing out that Mr. Pino was instrumental in bringing forth a bidding procedure with deductive alternatives, wherein one is allowed to do the base bid, and also was allowed to reduce specific components of said bid, if they chose to do so; further explaining that this was the second bid; the second bid of the project was a leaner one, representing a reduction in the secondary support rooms; floor; ceiling; dividing walls, while still maintaining the same amenities, but with less 'fat;' further explaining that they engaged in value engineering of the air condition system; thus reviewing, all of the mechanical systems (including electrical, plumbing, and air conditioning were restudied].

Questions/Comments by the City Commission: Fees/Permits: **Commissioner Withers** inquired of **Mr. Pino**, how much was paid on fees and permits?-whereupon Mr. Pino clarified, and **City Manager Brown** confirmed that on City projects, said fees and permits are waived; contractors do not pay for same.

Vice Mayor Kerdyk noted that in the private sector, that the contractors have been much more aggressive than they were one year ago, which has made an effect on the overall bidding process. Mayor Slesnick stated that he was impressed with Pino's initiative and hope that the City can do the same on other future City projects.

A motion was made by Commissioner Anderson, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2008-91. 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. 33

E-6. 08-0407

A Resolution of the City Commission of Coral Gables amending previously approved Resolution No. 2005-231 which granted approval of the following for properties referenced as 2701 LeJeune Road, Coral Gables, Florida: 1) Special Locational Site Plan Review pursuant to Zoning Code Section 28-6, for properties adjacent to R and D use districts, to allow Mediterranean architectural bonuses for properties referenced as Parcel 1 (Crafts Section, Block 16, Lots 1-11 and Lots 39-48) and Parcel 2 (Crafts Section, Block 17, Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48); and, 2) Conditional Use Review pursuant to Zoning Code Section 6-3, for a proposed drive-thru bank teller facility for Parcel 2 (Crafts Section, Block 17, Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48), Coral Gables, Florida; whereas City National Bank desires to amend the condition requiring the installation and operation of security gates at both entrance and exit of the drive-thru bank facility; and the approval and all other conditions of approval contained in Resolution No. 2005-231 shall remain in effect; and providing for an effective date. (PZB Vote: 5-0)

Attachments:

- [06 26 08 CC Cover Memo re: City National Bank amendment](#)
- [06 26 08 Exhibit A: Resolution - City National Bank drive thru gates](#)
- [06 26 08 Exhibit B: 05.28.08 PZB Staff report w attachments](#)
- [06 26 08 Exhibit C: 05 28 08 Excerpts of PZB Meeting](#)
- [06 26 08 Exhibit D: Public Comments - City National Bank thru gates](#)

[Note for the Record: Agenda Item E-6 was deferred by the City Commission until the next Commission Meeting, presently scheduled for July 15, 2008. Prior to said deferral, the Mayor conveyed to the City Manager his communication from the City Attorney regarding her continued dissatisfaction with the condition of the buildings; further stating his resolve in refusing to move forward with any future items regarding said properties until they comply with the original conditions of the restrictive covenant; whereupon City Attorney Hernandez informed the City Commission that the declaration of restrictive covenants from the Codina Group was years overdue to the City; further stating that one of the buildings has already been erected; further stating that there has been a lack of communication between the Codina Group and the City; further pointing out that the only time the latter has shown some responsiveness is when she informed said group that she was proceeding to file a lawsuit against them; further stating that the Codina Group has not provided the City with the executed declaration of restrictive covenant documents, which would require the adjacent building to give up its Floor Area Ratio, in order for the other building to continue to exist; further instructing the City Attorney to talk to the representatives of the Codina Group regarding said matter].

This Resolution was Deferred

City Clerk Item No. 34

RESOLUTION NO. 2008-90**E-7. 08-0418**

A Resolution rescinding Resolution No. 2003-164, and Resolution 2007-213 which amended Resolution 2003-164, which exempted certain boards and committees from the City's and Miami-Dade County's Conflict of Interest and Code of Ethics Ordinances, and the City's Procurement Code.

Attachments: [comm_res_rescinding_2003_164_2007_213](#)
[draft_resolution_rescinding_resolutions_exempting_boards_cttees](#)
[County ordinance 08_53_disclosure](#)
[R-2003-164brdcteeexempt](#)
[R-2007-213exemptboardsyouthdisability](#)
[agendacover_rescinding_board_ctees_exempt_reso](#)
[Resolution 2008-90 Signed.pdf](#)

A RESOLUTION RESCINDING RESOLUTION 2003-164 AND RESOLUTION 2007-213 WHICH EXEMPTED CERTAIN BOARDS AND COMMITTEES FROM THE CITY'S AND MIAMI-DADE COUNTY'S CONFLICT OF INTEREST AND CODE OF ETHICS ORDINANCES, AND THE CITY'S PROCUREMENT CODE.

[Note for the Record: Following the reading of the title to the resolution for Agenda Item E-7 into the public record, our City Attorney thereby brought forth her request to the Commission to rescind two of our City's resolutions (Resolution No. 2003-164 and Resolution 2007-213, respectively which also exempted certain boards and committees from both the City and Miami-Dade County's Conflict of Interest and Code of Ethics Ordinances, as well as from our City's Procurement Code; further pointing out that next Calendar Year that all boards and committee members will have to file financial disclosure forms by July 1, 2009].

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-90. 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. 32

F. CITY COMMISSION ITEMS

F.-1. [08-0457](#) Discussion regarding Public Transportation Day in Coral Gables
Mayor Donald D. Slesnick, II

Attachments: [Letter from Alfred G. Smith](#)

[Note for the Record: Mayor Slesnick reminded each of his colleagues that they had received a letter from Dr. Alfred Smith encouraging that the City propose a designated day as "Public Transportation Day" in Coral Gables, in furtherance of our City's commitment to the environment and the world/global warming issues; further instructing the City Manager to designate someone to spearhead said initiative; further stressing the need to find an alternate form of transportation on said day, other than one's personal car; whereupon City Manager Brown stated that he will identify a day and report back to the City Commission regarding same.

Commissioner Withers stated that if the City was really interested in doing something, it could consider inviting alternate transportation vehicle vendors to participate during said event].

This Agenda Item was Discussed

City Clerk Item No. 35

RESOLUTION NO. 2008-92

F.-2. [08-0448](#) Appointment of two members to the Trial Board by the City Commission
City Commission-As-A-Whole

Attachments: [Nan Markowitz](#)
[Enrique Lopez](#)
[Javier Alberto Soto](#)
[Resolution 2008-92 Signed.pdf](#)

A RESOLUTION APPOINTING ENRIQUE J. LOPEZ (TERM BEGINNING DECEMBER 1, 2007 THROUGH NOVEMBER 30, 2008); AND NAN ADDISON MARKOWITZ (TERM BEGINNING DECEMBER 1, 2007 THROUGH NOVEMBER 30, 2009); TO SERVE AS MEMBERS OF THE CORAL GABLES TRIAL BOARD.

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-92. 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. 36

Non Agenda**RESOLUTION NO. 2008-92.1****F.-2.1. 08-0487**

A Resolution of the City Commission appointing the City Clerk as the secretary to the Trial Board.

Attachments: [Resolution 2008-92.1 Signed.pdf](#)

A RESOLUTION APPOINTING WALTER J. FOEMAN, CITY CLERK, AS THE SECRETARY TO THE CITY'S TRIAL BOARD.

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-92.1. 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. 36.1

G. BOARDS/COMMITTEES ITEMS**RESOLUTION NO. 2008-93****G.-1. 07-0683**

Presentation of excerpts from the Historic Preservation Board meeting of June 21, 2007 requesting the following action with regard to CASE FILE AV 2005-04. (Deferred from the August 28, 2007 meeting)

That the City Commission adopt a Resolution authorizing Ad Valorem tax relief for the property located at 2103 County Club Prado, a local historic landmark legally described as Lots 26 and Lot 27, Block 23, Coral Gables Section "E". The approximate tax exemption requested is for a \$400,000 improvement, which corresponds to approximately 2,460.00 per year and to 24,600.00 over ten years.

Attachments: [HPB-06-21-2007-ccp2103.ppt](#)
[COA.pdf](#)
[Report-2103CCPrado.pdf](#)
[AVreport-CountryClubPrado2103.pdf](#)
[HPBMeeting June 21, 2007.AV2005-04.pdf](#)
[HPBACTIONAdValorem2103 Country Club PradoCC206.06.08.pdf](#)
[AVResolution-2103CountryClubPradoDRAFTCC06.26.08 revised.pdf](#)
[Resolution 2008-93 Signed.pdf](#)

A RESOLUTION GRANTING AD-VALOREM TAX EXEMPTION FOR IMPROVEMENTS TO 2103 COUNTRY CLUB PRADO, A LOCAL HISTORIC LANDMARK, LEGALLY DESCRIBED AS LOTS 26 AND 27, BLOCK 23, CORAL GABLES SECTION "E".

[Note for the Record: Historic Preservation Officer Kara Kautz, appeared before the City Commission in connection with authorization for ad valorem tax relief for the property located at 2103 Country Club Prado; further noting that the Ad Valorem Tax

Relief Program is one of the best incentives that the City has to offer our citizenry regarding historic designation landmarks; further depicting to the City Commission photographs of said property from the 1940's; further noting that on April 28, 2005, design approval was granted by the Historic Preservation Board; further stating that on June 21, 2007, the Historic Preservation Board unanimously recommended approval of the application as presented; further describing some of the improvements made to said historic property (including, but not limited to new windows and doors; removal of the non-original Bay windows; structural repairs; stucco repairs; new stucco work; new mechanical, electrical, plumbing; interior remodeling; installation of new Cuban tiled floors; new plastering;/painting, etc.; further introducing the owner of said premises, namely Mrs. Julia Coppinger Carr, whom Mayor Slesnick acknowledged as being very active in her homeowner association].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-93. The motion passed by the following vote:

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

Absent: 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 37

RESOLUTION NO. 2008-89

G.-2. 08-0423 Confirmation of the proposed members for the Arts Advisory Panel per Ordinance #29040

Attachments: [Commission cover 6-26-08 arts advisory panel](#)

A RESOLUTION APPOINTING PETER BOSWELL, BRIAN DURSUM, MARIJEAN MIYAR, FREDA TSCHUMY, DORA VALDES-FAULI AND CARLOS MINDREA (CITY ARCHITECT) TO SERVE AS MEMBERS OF THE ARTS ADVISORY PANEL TO ASSIST THE CULTURAL DEVELOPMENT BOARD FOR SAID TERM ENDING MAY 31, 2009.

[Note for the Record: Dr. Carol Damian stated that she wanted to give the City Commission an update on the status of the sculptures; further stating that she, along with Parker Thompson, Cathy Swanson and Dan Keys had visited the location of Ingram Park, in connection with the placement of the three sculptures in said location; further pointing out that the park was a beautiful location, and that she is scheduled to report to the board on same during the month of July; further noting that the building pedestals for the sculptures were taking a long time; further expressing optimism that this project will move forward].

Commissioner Withers mentioned that of the \$535,000 which was approved by the City for the building, that part of said funding would be going toward historic

preservation; further inquiring of Development Director Cathy Swanson, through the City Manager, as to what part of said funding would be going toward historic preservation and Art in Public Places; whereupon Ms. Swanson stated that the City cannot charge for historic preservation until it has in place the Arts Master Plan.

Dr. Carol Damian addressed the City Commission, in connection with confirmation of the following herein below referenced individuals to serve as members on the Cultural Development Board's Arts Advisory Panel:

- Peter Bowell, Assistant Director for Programs/Senior Curator for the Miami Art Museum; and
- Brian Dursum, Director of the Lowe Art Museum, University of Miami; and
- Marijean Miyar, Past Chair of the Cultural Development Board and Art Historian; and
- Freda Tschumy, a well known artist who has exhibited widely in the US and Canada;
- Dora Valdes-Fauli, owner of Dora Valdez-Fauli Art Services
- Carlos Mindreau, City Architect].

A motion was made by Commissioner Withers, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-89. 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. 29

H. CITY MANAGER ITEMS**RESOLUTION NO. 2008-94****H.-1. 08-0440**

A Resolution accepting the recommendation of the City Manager pursuant to Request for Proposal (RFP) to select Weathertrol Maintenance Corporation as the provider of Citywide Heating Ventilation Air Conditioning Services at a not to exceed amount of \$ 57,000.00 per year; and further authorizing the City Manager to execute a contract for a two (2) year period with an option to renew for an additional three (3) one (1) year periods.

Attachments:

[Pre-Bid List](#)
[Tabulation Sheet - Price Comparison](#)
[Tabulation Sheet - All Criteria](#)
[2007 09 HVAC Services Draft Reso](#)
[Signed HVAC cover](#)
[Procurement Cover](#)
[Resolution 2008-94 Signed.pdf](#)

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PURSUANT TO REQUEST FOR PROPOSAL (RFP) TO SELECT WEATHERTROL MAINTENANCE CORPORATION THE PROVIDER OF CITYWIDE HEATING VENTILATION AIR CONDITIONING SERVICES AT A NOT TO EXCEED AMOUNT OF \$57,000.00 PER YEAR; AND FURTHER AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE A CONTRACT FOR A TWO (2) YEAR PERIOD WITH AN OPTION TO RENEW FOR AN ADDITIONAL THREE (3) ONE (1) YEAR PERIODS.

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-94. The motion passed by the following vote:

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

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

City Clerk Item No. 38

RESOLUTION NO. 2008-95**H.-2. 08-0447**

A Resolution recommending that the City Commission award the construction contract for the construction of a roundabout at Coral Way and Segovia Street, Coral Gables, Florida, to Solution Construction, Inc., the lowest and most responsive bid, in an amount not to exceed \$ 704,000.00.

Attachments:

[Bid Resolution](#)
[pdfSegovia](#)
[Cover for Segovia](#)
[Segoviadocuments](#)
[Segovia signed cover](#)
[Resolution 2008-95 Signed.pdf](#)

A RESOLUTION OF THE CITY COMMISSION ACCEPTING THE BID OF SOLUTION CONSTRUCTION, INC., 7955 N. W. 12TH STREET, #425, MIAMI, FLORIDA 33126, THE LOWEST AND MOST RESPONSIVE BID, IN AN AMOUNT NOT TO EXCEED \$704,000.00 FOR THE CONSTRUCTION OF THE ROUNDABOUT AT CORAL WAY AND SEGOVIA STREET IN THE CITY OF CORAL GABLES.

[Note for the Record: Following the reading of the title to the proposed resolution for Agenda Item No. H-2 into the public record, Public Works Director Alberto Delgado informed the City Commission that a different process has been used for the Coral Way Roundabout Project, incorporating the Community Small Business Requirements of Miami-Dade County, a special process wherein only those contractors that were qualified by the County were allowed to participate; further stating that four bids were received in connection therewith; further stating that said contract is being recommended for award to Solutions Contract Inc.; further informing the Commission that all qualifications and references were accepted, and that he is optimistic that the installation of the roundabout will make a substantial change in that intersection.

Questions/Comments by the Commission: Timeline for Project-Commissioner Cabrera asked **Mr. Delgado** to provide him with the start date and the projected completion date for the project, whereupon Mr. Delgado explained that his departments' plans for said project originally began in May; however, it was his intent to use the summer window, which will probably be pushed back because of the prolong delay, which has been attributable to the Community Small Business process of the County, which will still call for the signing of contracts, etc., thereby necessitating the contractors to mobilize sometimes during the month of July; further requiring an extension of said project beyond the months of September/October, which is not an ideal time period for traffic, due to resuming of the school year for children, etc.; further stating that the City will work with the vendor to ensure that traffic is not disruptive into our local traffic patterns; further expressing particular concern for the afternoon traffic; further suggesting that drivers may want to consider during the afternoon using Anderson, and make a stop on Coral Way going west.

Commissioner Withers reminded Mr. Delgado that the City needs to move the stop sign on Anderson and Segovia. Mayor Slesnick, through the City Manager requested assurances from Mr. Delgado that the City is moving forward with this project; further stating that if there are any future problems, then they will be addressed along the way; further inquiring of Mr. Delgado as to why drivers cannot consider going west along Biltmore Way, then turn right onto Anderson. City Manager Brown summarized to the Commission that Mr. Delgado was only informing the Commission that the delay was attributable to the County, and that the City is making the necessary arrangements in addressing those matters anticipated while moving forward with said project].

A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-95. The motion passed by the following vote:

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

Absent : 1 - Mayor Slesnick II

City Clerk Item No. 39

RESOLUTION NO. 2008-96H.-3. [08-0439](#)

A Resolution accepting the recommendation of the Procurement Division of the Finance Department to the City Manager, approving the decision pursuant to the Invitation for Bid to select Greens Grade Services as the City's Granada & Parks Maintenance service provider. Further authorizing the City Manager to execute a two (2) year contract with the option to renew for an additional three (3) one year periods.

Attachments:

[9.5 Comparison Sheet - yearly - upd](#)
[IFB 2007-10-22 - Granada & Parks Maintenance](#)
[2007.11.06 IFB Granada & Park Maintenance - A1](#)
[2007.11.06 IFB Granada & Park Maintenance - A2](#)
[2007.11.06 IFB Granada & Park Maintenance - A3](#)
[2008.06.13 Granada & Parks Maintenance Draft Agenda Cover Sheet](#)
[2008.06.13 Granada & Parks Maintenance Draft Reso](#)
[Resolution 2008-96 Signed.pdf](#)

A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE PROCUREMENT DIVISION OF THE FINANCE DEPARTMENT TO THE CITY MANAGER APPROVING THE DECISION PURSUANT TO THE INVITATION FOR BID TO SELECT GREENS GRADE SERVICES AS THE CITY'S GRANADA & PARKS MAINTENANCE SERVICES PROVIDER. FURTHER AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE A TWO (2) YEAR CONTRACT WITH THE OPTION TO RENEW FOR AN ADDITIONAL THREE (3) ONE (1) YEAR PERIODS.

[Note for the Record: Following the City Manager's reading of the title to the proposed resolution for Agenda Item H-3 into the public record, which accepted the recommendation of Greens Grade Services, as the City's Granada and Parks Maintenance Service provider, Mayor Slesnick proffered the following comments:

That he had previously mentioned to Mr. Couceyro that if the current people were the ones who were responsible for the condition of the Granada Golf Course, that he would recommend not to renew their contract; however, he had receive assurances from Mr. Couceyro that they were responsible for labor; and that the City needs to improve upon its management system. Mr. Couceyro further added that the critical problem was big fungus that went through the course; said matter which has since been addressed. Commissioner Anderson added that she has noticed improvement to the course, citing the green encroachment and the putting green, but also noting that the 'tee' boxes are sketchy; further stating that she can't wait to get back out there].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-96. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 40

Items H-4, H-5 and E-3 are related**RESOLUTION NO. 2008-88****H-4. 08-0424**

A Resolution to approve the renaming of the plaza in front of the proposed Art Cinema and accepting the \$250,000 donation from the Community Foundation (Perrin Fund).

Attachments: [Commission cover 6-26-08 donation](#)
[Resolution Perrin Plaza renaming](#)

A RESOLUTION TO APPROVE THE RENAMING OF THE PLAZA IN FRONT OF THE PROPOSED ART CINEMA AND ACCEPTING THE \$250,000 DONATION FROM THE COMMUNITY FOUNDATION (PERRIN FUND).

[Note for the Record (Agenda Item H-4): Following the reading of the title to the resolution for Agenda Item H-4 into the public record, there being no public testimony being proffered by any member of the public, nor by any member of the City Commission, Mayor Slesnick instructed the City Clerk to call the roll on Agenda Item H-4; further thanking Development Department Director Cathy Swanson; Dr. Carol Damian, Coral Gables Chamber of Commerce; City Manager Brown and City Attorney Hernandez].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2008-88. The motion passed by the following vote:

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

Nays : 1 - Commissioner Anderson

City Clerk Item No. 28

RESOLUTION NO. 2008-87**H.-5. 08-0462**

A Resolution recommending that the City Commission award the construction contract for the improvements of existing space to house the Art Cinema at the Museum Garage, City of Coral Gables, Florida, to Solution Construction, Inc., the lowest and most responsive bid, in an amount \$535,343.00.

Attachments:

[New cover](#)
[CinemaBidRecommendation](#)
[R-2006-65 2006-65](#)
[2007-89](#)
[Rebid summary](#)
[Commission Resolution Art Cinema \(2\)](#)
[Signed art](#)
[new bid summary](#)
[Resolution 2008-87 Signed.pdf](#)

A RESOLUTION ACCEPTING THE BID OF SOLUTION CONSTRUCTION, INC., AS BEING THE LOWEST AND MOST RESPONSIVE BID IN THE SUM OF \$535,343.00, FOR IMPROVEMENTS OF EXISTING SPACE AT THE MUSEUM GARAGE, TO HOUSE THE PROPOSED ART CINEMA TENANT, AT 260 ARAGON AVENUE, CORAL GABLES, FLORIDA.

[Note for the Record: A copy of the verbatim transcript for Agenda Item H-5, is available for public inspection in the City Clerk's Office and in Legistar].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2008-87. The motion passed by the following vote:

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

Nays : 2 - Commissioner Withers and Commissioner Anderson

City Clerk Item No. 27

RESOLUTION NO. 2008-113**H.-6. [08-0313](#)**

A Resolution authorizing the award of Downtown Towing pursuant to Section 2-828 [c] of the Procurement Code for Towing Services RFP 2008-03-13. Further authorizing the City Manager to execute a two (2) year contract with an option to renew for three (3) one (1) year periods.

Attachments:

[Distribution Packages](#)
[Selection Committee Results](#)
[Letter of Recommendation](#)
[RFP 2008.03.13 Towing Services](#)
[2008.03.13 Towing Services Addendum 1 with attachments](#)
[2008.03.13 Towing Services Addendum 2 with attachments](#)
[2008.03.13 Towing Services Addendum #3 with attachments](#)
[2008.03.13 Towing Services Addendum 4](#)
[Tow Proposed Rates - All - BAFO](#)
[2008.03.13 Towing Services Draft Res \(Rev\) \(2\)](#)

This Resolution was Deferred

City Clerk Item No. 30

RESOLUTION NO. 2008-97**H.-7. [08-0460](#)**

A Resolution accepting the recommendation of the Procurement Division of the Finance Department to the City Manager, approving the decision pursuant to the Request for Proposal to select Ashbritt Environmental and Ceres Environmental as prime contractors and JB Coxwell Disaster Recovery Services as the backup contractor for the Debris Management Services project. Further authorizing the City Manager to negotiate with all three vendors in order to establish a uniform price for services utilizing the lowest pricing submitted by the proposers and to sign and execute a three (3) year contract with the option to renew for two (2) three (3) year periods.

Attachments:

[2008.06.19 Debris Management Services Draft Agenda Cover Sheet](#)
[2008.06.19 Debris Management Services Draft Reso](#)
[EVALUATION COMMITTEE SCORES SUMMARY](#)
[DEBRIS MANAGEMENT SERVICES PROJECT Ranking Sheet](#)
[RFP 2008.05.05 DEBRIS MANAGEMENT SERVICES](#)
[2008.05.05 Debris Mgmt Services Addendum 1-Q&A](#)
[Resolution 2008-97 Signed.pdf](#)

[Note for the Record: Following the City Manager's reading of the title to the proposed resolution for Agenda Item H-7 into the public record, Public Services Director Dan Keys addressed the Commission, stating that the City went out for a Request for Proposals on May 16, 2008; 41 packets were distributed; the evaluation process took place on June 17 through June 18, 2008, utilizing a point system; further stating that it is recommended that the City negotiates a pricing structure that is uniform across all three contracts.

Questions/Comments by the City Commission: Mayor Slesnick queried Mr.

Keys whether this contract included the provision that said vendor will have to go somewhere else?-and not in the residential section of the City; further noting that the City has always in the past, received high marks for putting its emergency services contracts for debris removal in place. **City Manager Brown** informed the Commission that he made a promise last year that we would not mulch in the City; however, he further reminded the Commission that this means that debris will be on the ground longer; and that it will take a longer length of time to transport debris to the dumpsite.

Commissioner Withers requested of the City Manager if the Administration would communicate same to our citizenry in a nice manner, through E-News. **Mayor Slesnick** further added that he had an opportunity to travel around and tour numerous municipalities following the aftermath of our hurricane experience, and noted that similarly cities have mulch piles, however they are distinguishable from our City in the fact that they have industrial areas, and have incorporated big exchanges on interstate highways. **City Manager Brown** pointed out that if the City is successful in negotiating prices that become uniform, and then the City can be divided in one-thirds instead of one-halves. Mayor Slesnick informed the Commission that he has asked the City Manager to take a look at the P.B.A. Firing Range, as a possible dumpsite, not that far geographically from us. Mayor Slesnick informed the public that he wanted our citizenry to be aware that we as a City are doing what we can to be prepared to clean up and provide help].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-97. The motion passed by the following vote:

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 41

I. CITY ATTORNEY ITEMS

I.-1. [08-0416](#) Pending Litigation Report

Attachments: [PENLIT.6 26 08](#)

[Note for the Record: **Crane Ordinance:** City Attorney Hernandez informed the Commission that they had received the Pending Litigation Report; further informing them that Judge Ursula Ungaro had stricken down the County's Crane Ordinance in July; further noting that Miami-Dade County has filed a notice of appeal in connection with same; further stating that the City will continue to provide assistance as much as it can to make sure that we have a strong Crane Ordinance.

Trial Board: City Attorney Hernandez informed the City Commission that she has retained the services of Stephen Cyphen, Esq., to serve in the capacity of independent counsel to the Trial Board; further stating that Mr. Cyphen will also work along with the City Clerk's Office to provide counsel, advise them of their duties and responsibilities, and to protect their interests].

This Agenda Item was Discussed

City Clerk Item No. 42

Non-Agenda Item**RESOLUTION NO. 2008-98**

I.-1.1. [08-0488](#) Resolution authorizing the City Attorney to file suit against ADPT.

[Note for the Record: City Attorney Hernandez informed the City Commission that she has retained the services of Tom Korge, Esq. to review documents in connection with the lawsuit against ADPT, resulting from CRM having advised the City that ADPT failed to return to the City's custody and control the index to the records which ADPT claims to be proprietary; further conveying to the City Commission that Mr. Korge feels very strongly that the City has a sufficient cause of action to justify his representation on behalf of the City].

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-98. The motion passed unanimously.

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

City Clerk Item No. 43

J. CITY CLERK ITEMS**RESOLUTION NO. 2008-99****J.-1. 08-0454**

A Resolution of the City of Coral Gables Commission with attachments officially accepting the City Clerk's Certification and declaration of results of the Coral Gables Trial Board Election, Held on June 6, 2008, which elected Joe Greenberg (1 Year Term) and Felix Pardo (2 Year Term), respectively.

Attachments:

[Draft Resolution.pdf](#)
[Certification and Declaration.pdf](#)
[Cover Memo.pdf](#)
[Joe Greenberg Acceptance.pdf](#)
[Felix Pardo Acceptance.pdf](#)
[Resolution 2008-99 Signed.pdf](#)

A RESOLUTION OF THE CITY OF CORAL GABLES COMMISSION WITH ATTACHMENTS OFFICIALLY ACCEPTING THE CITY CLERK'S CERTIFICATION AND DECLARATION OF RESULTS OF THE CORAL GABLES TRIAL BOARD ELECTION, HELD ON JUNE 6 2008, WHICH ELECTED JOE GREENBERG (1 YEAR TERM) AND FELIX PARDO (2 YEAR TERM), RESPECTIVELY.

[Note for the Record: City Clerk Walter Foeman addressed the City Commission regarding the June 6, 2008 Trial Board Election, stating that on June 6, 2008, the excluded employees of Coral Gables voted to fill two vacancies on the City's Trial Board; further stating that said election resulted in Felix Pardo being elected [with 32 vote, or 55.17% of the votes counted, over his opponent Ed Brownell, who received 26 votes, or 44.63% of the votes counted) for the two-year term; and Joe Greenberg [who received 29 votes, or 50% of the votes,] as compared to his opponent Justin Prisendorf, who received 25 votes, or 43.10% of the votes). Following said statements, Mr. Foeman requested of the City Commission to have a motion accepting the City Clerk's Certification and Declaration of Results from said election].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-99. 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. 44

K. DISCUSSION ITEMS

Mayor Slesnick: Ms. Anderson.

Commissioner Anderson: First of all, we lost one of our very treasured citizens last week, Mr. William Cooper; and as we've done in the past maybe the City can send a letter of condolence and thanking him, because he was active in so many things in our City, and is Mrs. Cooper in their own community, just want to make sure that gets past along. I attached the visitation, but it would be nice for something formal, for a person that's given so much. I'm going to ask the City Attorney to write a quick memo on what we are doing now as far as procedures for homes that are foreclosed, that are in the foreclosure process as regard to Code Enforcement, if you could clarify that, what it will be. From what I understand depending on if it is Homesteaded or with the bank there are different routes; and I want to make sure that residents that are living next to some of these homes that may have some concerns know what they are up against and what the things are that they can do. I read through the Parking Advisory Board minutes, I wanted to congratulate our Parking Director. He talked about the budget, he talked about the organizational structure, you know, I've never seen that actually happen in a Parking Board meeting, so I wanted to extend my congratulations. And last but not least, I wanted to talk about something that's been very troubling, and I hope it doesn't happen again is that this upcoming meeting on Monday which is very important, the date was set with only....I couldn't attend and Commissioner Withers couldn't attend, and it was set anyway, and I hope that if we perhaps have subsequent meetings, that we extend the same courtesy to the rest of the Commission that we do Commissioner Kerdyk when he travels yearly to Japan.

Vice Mayor Kerdyk: Thank you very much for that, I appreciate you extending that courtesy to me. Thank you.

Commissioner Anderson: No, but I'd asked for that for Monday because it felt...

Vice Mayor Kerdyk: And I always do extend that courtesy to you, always, almost always.

Commissioner Anderson: And I'm not talking to you Commissioner Kerdyk, I'm not speaking about you; I know the Mayor set the meeting, and I'd really like in the future that if you could please make sure that all of us can attend, because it felt like we were really not needed. I speak for myself, only.

Vice Mayor Kerdyk: I was going to thank you for extending the courtesy to me.

Commissioner Anderson: Not a problem, done it every time.

Mayor Slesnick: Mr. Cabrera.

Commissioner Cabrera: Had the opportunity to tour the Country Club a couple of days ago in keeping my interest in updating anybody that's interested in what's going on with the club. I wanted to share with you that there are many, many....well I shouldn't say many many, but that could be misinterpreted, and then we'll need to get a Charter review on it; there are a number of ceiling leaks affecting the club; I know staff is working diligently to try to seal those leaks so that during this rainy season it won't become an ongoing problem and affect the integrity of the structure. Also, I wanted to share with you that there seems to be some sort of termite infestation in the club and I think staff has already become aware of it, we may in fact need to look at that and possibly tent the building. On the positive side I had a chance to also attend yesterday's visit by the potential operators who came to the club to take a tour and to just get a presentation from our Development Director, who by the way did an exceptional job of outlining the club and the opportunities that exist very factual; and there was a member of Procurement with her, as was one of our engineers from Public Works. The best part of the whole thing was we counted in excess of fifty people who attended the meeting, and that doesn't mean that there were fifty interested parties, because there could have been teams of people, but I was very encouraged by what I saw; and so, I wanted to report that to the Commission, and tell you that I'm very hopeful that at which the speed that we are going and the quality of work that's being done by Ms. Swanson; once again I wanted to thank you, Ms. Swanson on that. On another note I wanted to share with you that Burger Bob's, who as you all know is one of our vendors, and incidentally I had no idea that Burger Bob was on a month to month until yesterday, because apparently he's also... his vendor relationship with the City is also being questioned as far as the RFP. I never thought that the RFP would give the potential operator the opportunity to take over Burger Bob's, but that's the impression I got yesterday.

City Manager Brown: No, we just told Bob, I advised Bob that if and when he decides not to be there any more, and decides not to do it that we would put that in there; I didn't want him to believe that we were pushing him out because we are not.

Commissioner Cabrera: I got the impression that's open-ended for a potential operator.

City Manager Brown: No.

Commissioner Cabrera: But having said all that, that's your call, that's your operational call, I mean you are going to have people coming down to burn City Hall if you, you know, I'll let you deal with that problem when it presents itself, you're better at that anyway. What I wanted to bring up to all of you is that the progress of the bathrooms in the pro shop from my estimation has been very slow, and the Manager and I spoke

about this yesterday. I can tell you that no work was done from June 19th to June 24th at least, you know, while people were at the pro shop because I had folks at the pro shop tell me that not much work had been done, and I'd like to encourage the City management to move on this project and try to get this completed before the end of 2008. And then I would also ask you Mr. Manager to come to the Commission with some sort of administrative approval to give Mr. McGuire the ability to let people know that he is open for business.

City Manager Brown: If this Commission would authorize me, I would go ahead and take that step. I tried to help Bob with what I can by the Code and it's not very much or it doesn't show that he is open, but if the Commission has no problem, I'll get with Mr. McGuire and exceed the Zoning Code for the period of time that Bob needs.

Commissioner Cabrera: It would just be temporary.

City Manager Brown: I understand; I just need...if the Commission has no problems.

Vice Mayor Kerdyk: I have no problems with that; you and I have spoken about that too. I have no problem supporting you Commissioner on that.

Commissioner Cabrera: That's it for me; enjoy the summer, what's left of it.

Mayor Slesnick: We haven't taken our summer break yet, we'll be back for that. Mr. Kerdyk.

Vice Mayor Kerdyk: I just wanted to thank you again for accommodating my schedule, my trip to Japan.

Commissioner Withers: So where are the gifts?

LAUGHTER

Vice Mayor Kerdyk: They are coming, they are coming.

Commissioner Withers: Last year we got, what did we get last year?- I think we didn't get much last year.

City Attorney Hernandez: No, we got a pearl.

Commissioner Withers: We didn't get anything the year before either.

City Attorney Hernandez: No, we got a pearl.

Commissioner Withers: The guy's a national celebrity in the Miami Herald in the

Sport's section; Don goes and brings us gifts back, Ralph brings us...

Vice Mayor Kerdyk: They are coming, what are they?

Commissioner Withers: Something you stole from the hotel probably.

LAUGHTER

Commissioner Withers: I got the sterling kit.

Vice Mayor Kerdyk: There are pearls from the Micky Motta factory.

Commissioner Cabrera: I got to tell you one thing; all kidding aside, Bill, I still read my Japanese Gideon Bible every night.

LAUGHTER

Vice Mayor Kerdyk: But I thank you very much for accommodating my schedule on that, thank you.

Mayor Slesnick: Mr. Withers.

Commissioner Withers: Just one thing...two things, number one is I really want to thank you for removing a lot of the signs on the roundabouts, that's really cleaned those up; and I don't know if we had an increase of accidents or horn honking, but aesthetically it looks a lot better. Secondly, there is a phenomena going on in the City that seems to be more popular, and I'm in favor of it, and that is that people are actually running landscape lighting into the parkways and up lighting trees and stuff like that; and I'm sure a lot of them are doing it on their own; and I think that maybe before it runs into an issue of Code violations or whatever that we revisit our Code. I know that sometimes we allow irrigation in the parkways.

City Manager Brown: Anything that gets in the parkway legally goes through landscape encroachment.

Commissioner Withers: So I think we might want to begin to revisit that, so we don't end up with....because it does look very nice in some areas of the City and I would hate for it to turn into...

City Manager Brown: Let me get the encroachment guidelines.

Commissioner Withers:...I don't know how the rest of the Commission feels about that, but I think we should...before we have to deal with an issue with a bunch of

upset residents having to remove very nice landscape lighting that improves the ambience of their street at night.

City Manager Brown: OK.

Commissioner Withers: That's all I have.

Mayor Slesnick: Mr. Manager did you have anything else.

City Manager Brown: Nothing for me, Mr. Mayor.

Mayor Slesnick: A couple things, one is I wanted to compliment Walter Foeman and the Clerk's office, here's "American City and County" this is one of these glossy magazines, I hope you get some extra copies of it, if you all don't and I don't know if you get it or not, that has...it's a national circulated thing for Cities and County governments, and in this current issue that arrived on my desk yesterday on page, well we forget what page it is, I had it here marked...I'm very proud on page 48 we have an entire article related to the City of Coral Gables, and this article has to do with enterprise collaborations and making the connections; City gains a new perspective on its information activities, and this is Coral Gables, Florida, City Clerk's office, and it's a great article and people in governments around the country will be reading about Coral Gables, Florida and Walter, I congratulate you, and congratulate I know our Communications Department worked with you in getting this turned in so thanks to them, really nice; and just came on the eve of the fact that we are all notified that we can now follow permits and things online, David is that correct?

City Manager Brown: That's correct; you can get your statuses of inspections and applications online.

Mayor Slesnick: I have something to give to Cathy after the meeting, she may have it, the Vive Magazine, one of these great glossy, glamour magazines in the area, whole page on Miami and Coral Gables, and in fact it concentrates on Coral Gables and the photographs.

Commissioner Withers: That's the water tower that supposedly falling down.

Mayor Slesnick: That's it. Anyways it's a really nice...another promotional piece. I'd like to also bring to your attention that at the last League of Cities meeting where I was there was a resolution passed, and I wanted to know if you all would like me to put this on the agenda for us to take a position on, but this is a resolution of the Board of Directors of Miami-Dade County League of Cities urging support for the Children's Trust which is a ballot question on August 26, 2008, and urging all electors and municipalities to support this important mission. This is David Lawrence's Children's Trust, and if you like we could have David Lawrence come and give us a few words.

Commissioner Withers: I think it's a very good initiative; I think David being one of the stellar stars in our community and I'll support a resolution on that. That's how I feel; I don't know how the rest of you feel.

City Manager Brown: I'll see David tomorrow; I can invite him to the July 15th.

Mayor Slesnick: OK, and give him five minutes to talk about the Children's Trust and then we'll take a position, if we have the concurrence to do so. And finally, about the meeting on Monday, as you know, I certainly am sorry Ms. Anderson feels the way she does about the scheduling; I think all of you know I tried five, six, seven, eight, nine, different dates, and based on the feedback tried to pick a date that was most convenient to everyone.

Commissioner Cabrera: And I believe you; I really do believe that nobody here was trying to either really ruin other folk's plans. I never got that impression when you circulated the e-mails, and in fact when I responded I was just telling you when I was available, it didn't mean that I was trying to get other people's calendars and vacations to be dissolved and ruined. But you know what they say; you can't please all of the people all the time.

Commissioner Withers: What time is it Don exactly?

Mayor Slesnick: 10:00 o' clock, and here's the...I prepared an agenda that I've given out, now remember this is intended to be like our other sessions; this is your session, this is a Commission session, this is an agenda so no one says we don't have no agenda; this is an agenda to help get us started. If you wish to add, subtract, or talk on different things please say so, it's just a suggested agenda covering what I thought was all the areas of a good discussion by this Commission about the future of our City about where we've been, where we are, where we going. OK, we'll try to keep two hours and talk about as much as we can, and it's open for your discussion.

Commissioner Cabrera: So this is a workshop; there will be no official actions taken by the Commission...

Mayor Slesnick: That's true.

Commissioner Cabrera: This will not be televised.

Mayor Slesnick: No, and I was trying to make it so I know that there will be people here; people will be invited, there will be some people observing, but I wanted to make it as casual an environment as possible for us to talk among ourselves.

City Attorney Hernandez: At this time the City Clerk can post this in front of City Hall.

Mayor Slesnick: That's fine.

City Attorney Hernandez: OK. Thank you.

Mayor Slesnick: Any other things that come before the Commission?

Commissioner Withers: Are we going to have staff Directors here, who do you want here?

Mayor Slesnick: Let me say this; you can...I've asked the three City Officials to be here, but I told David when he asked me, I didn't see a need for the Directors to be here, but if you wish them to be...

Commissioner Withers: No, no, I don't know.

Mayor Slesnick: I did not...I thought just the three City Officials. I guess the Clerk has to be here too to take the minutes.

Commissioner Withers: And maybe Bill will bring his gifts at that point.

LAUGHTER

City Attorney Hernandez: Mr. Mayor, are there any documents that you want us to put together for you; you indicated that you wanted to review past visioning workshops and strategic; do you all need documents?

Mayor Slesnick: Yes, and if you have some documents to help us.

City Attorney Hernandez: I'll work with the City Manager to make sure you all have a package.

Mayor Slesnick: Very good. You know, someone wrote to us and said that this City has a vision for eight years, and I want to remind everyone, not that you may know, but let me tell you then that this City Commission as you see constituted here met for three years, I think, four years in different visioning sessions and different goal setting sessions, and so forth. We hadn't done it for a couple of years and that was my effort to get it started, didn't mean to raise any kind of ruckus.

Commissioner Withers: We met at the Biltmore; we met in Dave's office...

Commissioner Cabrera: The Youth Center.

Commissioner Withers:...in the past two or three years.

Mayor Slesnick: Right. So what I'm just saying this Commission likes to vision and likes to talk, and should, its good government, I think. Thank you all. We are going to adjourn the meeting.

Commissioner Withers: Thank you.

City Clerk Item No. 45

ADJOURNMENT

[Note for the Record: There being no further business on the Regular City Commission Meeting Agenda. The Commission of the City of Coral Gables adjourned its meeting at 12:46 am on June 26, 2008. The next regular meeting of the City Commission has been scheduled for July 15, 2008, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK