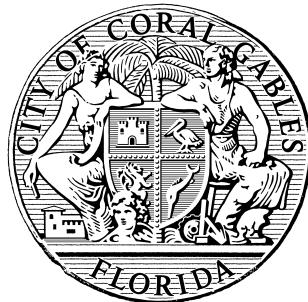


City of Coral Gables

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



Meeting Minutes

Tuesday, May 27, 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 informed the public that the Very Reverend Jeannie Lou Reid, has been assigned to her own new church, namely St. Faith Episcopal Church in South Dade; further expressing on behalf of the City Commission his best wishes and congratulations on her great ministry].

PLEDGE OF ALLEGIANCE

[Note for the Record: Mayor Slesnick recognized that Judge Chumbley's (11th Judicial Circuit) parents, namely Nan and Ed, have taught an inordinate number of people to play the piano in Coral Gables. Judge Chumbley acknowledged that he was happy to be back in our Commission Chambers; further stating that although he no longer is a resident of Coral Gables, he still recognizes "The City Beautiful," as a place to call home].

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 2008-13); (b) Resolution(s) adopted (Resolution No. 2008-73 through Resolution No. 2008-82); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

A. PRESENTATIONS AND PROCLAMATIONS

A.-1. 08-0365 Presentation of a Proclamation declaring May 27, 2008 as Paul Dee Day in Coral Gables

[Note for the Record: Mayor Slesnick read selective portions of the proclamation which was prepared, proclaiming May 27th, 2008, as "Paul Dee Day" in Coral Gables; further stating that although Mr. Dee is ending up his tour of duty as the University of Miami's (UM) Athletic Director, he will remain as a law professor; further acknowledging Mr. Dee's indelible imprint made, on the athletic teams at the UM, as a great athletic director and as a academician.

Mr. Dee further noted for the record, that he attended the University of Florida for his undergraduate years of study, and later went on to receive two degrees at the University of Miami; further requesting in his departing remarks, one last request of the City Commission presenting a graphic illustration, stating that during Calendar Year 1982, then Coach Howard Schnellenberger was trying to put forth a design for an on-campus stadium; also informing the Commission that he is now a resident of Coral Gables; further thanking the City for all it has done for the UM throughout the years, in allowing UM to build facilities, and in making our community a better place; further noting that it has been a great trip; finally thanking all of his colleagues from the UM, including Tony Hernandez, who traveled with UM Football Coach Randy Shannon to the Middle East, and also to the White House, earlier this week].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 2

A.-2. 08-0366

Presentation of a Proclamation declaring May 28, 2008 as Harold Cole Day in Coral Gables

[Note for the Record: Commissioner Withers acknowledged Harold Cole, retiring Career Counseling Specialist who also served as the athletic director at Coral Gables Senior High School for twenty (20) years; further inquiring about the Silver Knight Awards; whereupon Mr. Cole informed the Commission that he was proud of the Coral Gables Senior High School students this year; further explaining that out of the 15 award categories, Coral Gables Senior High School students received three Silver Knight Awards and four honorable mention recognitions.

Prior to Commissioner Cabrera's reading of the proclamation, declaring May 27th, 2008 as "Harold A. Cole Day" in Coral Gables, as he mentioned that he would read said protocol document under one condition-as long the retiring "coach" would not talk about the football careers of Vice Mayor Kerdyk and himself.

In accepting said recognition, Harold Cole stated that Coral Gables Senior High School has produced some stellar performers, such as last year's Major League Baseball World Series MVP, Mike Lowell; however, for himself, witnessing graduates such as Vice Mayor Kerdyk, Commissioner Cabrera, the City's Economic Development Department Director Cathy Swanson, to name a few, just watching the multitude of people who have come through Coral Gables Senior High School has been a great pleasure; further pointing out that Coral Gables Senior High School is a great school, and that he was proud to be a member of this beautiful, great school.

Vice Mayor Kerdyk recalled the many "whistle drills" performed by Commissioner Cabrera; further explaining that said drill involves coaches who make the players run, and as soon as they would blow the whistle, the players would hit the ground; further noting that Commissioner Cabrera would be out there all day; further noting that Harold Cole has been a mentor and a friend to so many people, that he surely will be missed; further adding that Coral Gables High School will never be the same.

Mayor Slesnick added that he would like to give a "shout out" to Harold Cole's parents, who were unable to be in attendance].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 3

A.-3. 08-0383

Presentation of a Proclamation declaring May 29, 2008 as Barbara Brophy Day in Coral Gables

[Note for the Record (Agenda Item A-3): Mayor Slesnick acknowledged Barbara Brophy, as being another instructor who has taught many of our children in Coral Gables, spanning nearly four decades, as well as citing her athletic talents, by noting she has played her share of golf in the area, before reading into the public record a proclamation, proclaiming May 29th as "Barbara Brophy Day," in Coral Gables; further requesting of the Clerk to correct the scrivener's error on said document (changing the school name from George Washington Carver Middle to George Washington Carver Elementary School].

This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

A.-4. 08-0384

Presentation of a Proclamation declaring the month of May 2008 as Older Americans Month in Coral Gables

[Note for the Record : Prior to the beginning of the City Commission Meeting, Agenda Item A-4 was deferred].

This Presentation/Protocol Document was Deferred

City Clerk Item No. 1

A.-5. 08-0350 Presentation of 20 year service pin to Dan Keys, Public Service Department

Attachments: [CM_DanKeys](#)

[Note for the Record: City Manager David Brown, presented a twenty (20) year service pin to Dan Keys, Director, Public Service Department; further citing than Mr. Keys began his career in the City, as a Laborer I, in September of 1982; was quickly promoted to City Horticulturist in September of 1982; later assuming additional duties as Parks Superintendent in the same year, before accepting a position as Parks Superintendent for Miami Beach; further citing among his many attributes, his excellent professionalism, responsiveness to all inquiries and data; self-initiated self-improvement initiatives; displaying a tactful, helpful approach to residents, workers and the Commissioners alike; exhibiting self-reliance, helpfulness and resourcefulness in addressing multiple job demands while stimulating others to think and grow; further demonstrating his standard of excellence in ensuring that the City of Coral Gables attain the selection as "Tree City USA" for nearly two decades; further noting that Dan Keys demonstrates a very strong presence as a departmental director.

In accepting this accolade, Mr. Keys thanked the City Manager for giving him this recognition; further acknowledging that in the 70's, that the Manager assisted his team at the Venetian Pool; in Calendar Year 1989, the Manager provided him with support; and in 1994, provided him with the opportunity to come back to the City of Coral Gables; further thanking the Manager, and Commissioners for all of the things that they do; further acknowledging the citizenry for paying their bills; further expressing his condolences to his other city directors, reminding them that he has the best staff in the world].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 5

A-6. 08-0351 Presentation of 20 year service pin to David Drescher, Fire Department

Attachments: [CM_DavidDrescher](#)

[Note for the Record: City Manager Brown presented a twenty (20) year service pin to David Drescher, Fire Department, who began his entry into the City's workforce as a fire recruit in May of 1988; later becoming a firefighter (1988), as well as a certified paramedic; further noting that among his personal attributes include a good work ethic; displaying a sense of pride in the quality of work produced; his unshakeable confidence, as well as an above average job knowledge; strong initiative, being able to think outside of the box; great humanistic skills; his availability and sense of team play, to name a few.

In his accepting this recognition, Firefighter Drescher stated that it has been a great ride--his 20 years of service in the City; further noting that a lot of guys have fallen by the wayside; further pointing out that he has appreciated everything that everyone has done for him.

Mayor Slesnick further requested that the firefighter Class of 1988 remain to have a group photo shot taken, following the individual protocol recognitions].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 6

A.-7. 08-0352 Presentation of 20 year service pin to Carlos Eguiluz, Fire Department

Attachments: [CM_CarlosEguiluz](#)

[Note for the Record: City Manager Brown presented a twenty (20) year service pin to Carlos Eguiluz, who began his tenure with the City as a fire recruit; said individual who was also hired as a state certified firefighter and EMT, later received his State Fire Inspector's certification in July of 1990; also achieving certification as a Rescue Diver and in Elevated Victim Rescue, "Iggy" joined the Original Coral Gables Fire Department's Special Response Team in 1991; further being part of those teams which have won Regional, National and International acclaim in the field of extrication training and advancement; following completion of his Associate's Degree in 1992, "Iggy" completed his Paramedic Certification in 1994, before proceeding to attain his Associate Degree in Emergency Medical Services in 1995, as well as being designated as Driver/Engineer in August of the same year.

Other responsibilities include Staff Fire Lieutenant, Public Information/Education Officer; being appointed to the World Rescue Organization, where he served for two years; being appointed as Secretary of the Transportation Emergency Rescue Committee; as well as being assigned to the position of Air Technician with the Fire Department.

Among his many personal attributes include outstanding teamwork skills; demonstrating a cooperative nature, always willing to help out around the station and during shift; extremely courteous to his peers and the public; demonstrating exemplary communication skills; taking initiative toward enhancement of his skills and knowledge base.

In accepting this recognition, Firefighter Eguiluz stated that he felt that he spoke for all of the guys, when he said that they were lucky to have been hired by the City; further recalling that they initially felt that it was great being hired, not knowing what the rate of pay was; further reiterating that some twenty (20) years later, it is pretty much the same issue, still not knowing what the rate of pay is (laughter), etc; finally, stating that he works with a great group of guys, namely the firefighters].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 7

A.-8. 08-0354 Presentation of 20 year service pin to Tim Mungovan, Fire Department

Attachments: [CM_TimMungovan](#)

[Note for the Record: City Manager David Brown presented a twenty (20) year pin to Tim Mungovan, who began his career in May of 1988 as a fire recruit; later being promoted to firefighter; later receiving his State Fire Inspector's Certification and Emergency Medical Technician status in July of 1991; shortly thereafter, receiving his driver engineer assignment in August of 1995; obtaining his Associate's Degree in May 1997; receiving both his Paramedic Maintenance and Air Technician status in 1988.

Among his personal attributes include producing a high quality of work; being a good departmental team player; displaying initiative and resourcefulness; accurate record keeper; demonstrating good communication skills, as well as analytical judgment and problem solving skills.

In accepting the recognition, Firefighter Mungovan stated that it is an honor; it has been a great run; and that everyone that I have worked with are exceptional; further stating that it has been an honor to work with them].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 8

A.-9. 08-0356 Presentation of 20 year service pin to George Valladares, Fire Department

Attachments: [CM_Valladares](#)

[Note for the Record: City Manager David Brown presented his twenty (20) year pin to George Valladares, Fire Department, citing that Firefighter Valladares joined the ranks of firefighter recruits on May of 1988, later becoming a firefighter in May of 1989; obtaining his firefighter certification; was assigned as a paramedic in January of 1990; promoted to the position of Fire Lieutenant in June of 1996; received his Associate's Degree in 2002; was promoted to the rank of Fire Captain in March of 2008.

Among his exemplary personal attributes include leading by example; meticulously preparing expenditures at the station; demonstrating a strong ability to identify, analyze and solve problems with good judgement; utilizing the appropriate mode of communication in conveying issues, to name a few.

Upon accepting his service pin, Captain Valladares thanked the City for providing him with the opportunity to serve the Coral Gables citizenry; further stating that it has been a great ride; further thanking his brother firefighters for the many memories, and the good times, which he will remember forever].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 9

A.-10. 08-0357

Congratulations to Andrew Clute, Building and Zoning Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of June 2008

Attachments: [Cover Memo_AlexanderClute_EOM_June2008](#)
[EOM June](#)

[Note for the Record: Human Resources Director Marj Adler announced that Andrew Clute, Building and Zoning Inspector, was the Employee of the Month for June 2008.

As noted by his fellow colleague, namely Reynaldo Bermudez, who cited the hard work and dedication to his job rendered by Mr. Clute; his tremendous work ethic, beginning his day at 5:30 a.m., patrolling the entire City; further noting that Mr. Clutes is the embodiment of what an employee should be, always performing his job at peak capacity, above and beyond the call of duty.

In accepting this recognition, Mr. Clute thanked his co-workers, the administration and the Commission for the recognition].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 12

Non-Agenda Items

NA-A. 08-0353 Presentation of 20 year service pin to Thomas Harley, Fire Department
-10.1

Attachments: [CM_ThomasHarley](#)

[Note for the Record: City Manager David Brown presented a twenty (20) year service pin to Battalion Captain Thomas Harley. Captain Harley began his career with the City of Coral Gables in Calendar Year 1989; later receiving his Bachelor's Degree from FIU in Business Administration; becoming a Fire Lieutenant ('95); a Captain ('97); before being promoted to Battalion Captain in February of 2008.

Among his many attributes includes: a cooperative spirit; team scheduler; dedication; leadership; passion, to name a few.

In accepting said recognition, Battalion Captain Harley thanked everyone for being present, including the City Commission and City Manager for providing this wonderful opportunity; further inviting his wife Barbara, and three kids, namely Eleanor (age 10), who attends Coral Gables Elementary School; Thomas (7), who also attended Coral Gables Elementary School and Elizabeth (13), who attends Carver Middle School; further thanking his in-laws, along with his mother and father, the latter, former Chief Harley, who retired after 40 years of service].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 10

NA-A. 08-0355 Presentation of 20 year service pin to Alejandro Tapanes, Fire Department.
-10.2

Attachments: [CM_Tapanes](#)

[Note for the Record: City Manager Brown awarded the twenty (20) year service pin to Alex Tapanes, whom he characterized as possessing a positively exceptional attitude; being very reliable in accepting challenges; an excellent asset to his battalion, the City and to his department; has been known to be very effective and thorough in dealing with the public and with his fellow firefighters; who has been known to produce a level of work productivity; and one who strives to be the best that he can be.

In accepting his service pin Firefighter Tapanes thanked the Commission and the City Manager, as well as the citizenry of Coral Gables; particularly thanking his brothers-further stating that one of the greatest joys realized is that of brotherhood, which is distinguishable from that of being raised with a blood brother in a house; further drawing upon the analogy of God handpicking those designated brothers, who have served the community, being compensated for same; further expressing his pride in working for the City Beautiful; noting that it has been an all around beautiful experience for him].

This Presentation/Protocol Document was Recognized

City Clerk Item No. 11

B. APPROVAL OF MINUTES

B.-1. 08-0346 Regular City Commission Meeting of May 13, 2008

Attachments: [Verbatim Transcript - Agenda Item H-6 - Discussion setting forth future City Comm](#)
[Verbatim Transcript - Agenda Item H-2 - Fourth of July.pdf](#)
[Verbatim Transcript - Agenda Item E-6 - Anchoring Mooring.pdf](#)
[Verbatim Transcript - Agenda Item E-4 - Metal Roofs.pdf](#)
[Meeting Minutes May 13, 2008.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 : 4 - Commissioner Anderson, Vice Mayor Kerdyk, Jr., Commissioner Withers and Mayor Slesnick II

Absent : 1 - Commissioner Cabrera, Jr.

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.

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

Passed the Consent Agenda

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

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

C.-2. 08-0323 Parking Advisory Board Meeting of April 24, 2008

Attachments: [pab minutes 04-24-08](#)
[cover pab 04-24-08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 14

C.-3. 08-0341 Board of Adjustment Meeting of May 5, 2008

Attachments: [Cover Memo BOADJ](#)
[Advertising](#)
[Meeting Minutes](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 15

C.-4. 08-0345 Senior Citizens Advisory Board Meeting of May 5, 2008

Attachments: [Min 05-05-2008 Draft](#)
[Cover Memo 05-05-08 Summary](#)

[Note for the Record: Commissioner Anderson proffered some positive comments regarding some of the activities involving the Senior Citizens Advisory Board, including the Dancercise Class; catered lunches; computers that were donated by Kirk Landon; forthcoming instructions regarding how to vote on the new voting machines, etc.; further offering her congratulations to City staff in furtherance of their initiatives in connection therewith].

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

C.-5. 08-0362 Code Enforcement Board Meeting of March 19, 2008

Attachments: [march 08](#)
[ROLL CALL MAR](#)
[memo covermar08](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

C.-6. 08-0364 Communications Committee Meeting of May 15, 2008

Attachments: [Microsoft Word - communicationsminutesagendamay08-2.pdf](#)
[Microsoft Word - minutes may 2008.pdf](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

C.-7. 08-0368 Coral Gables Advisory Board on Disability Affairs Meeting of April 9, 2008

This Matter was approved on the Consent Agenda.

City Clerk Item No. 19

C.-8. 08-0376 Budget/Audit Advisory Board meeting of May 8, 2008

Attachments: [Cover Memo 050808](#)
[Minutes 050808](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 20

C.-9. 08-0385 Traffic Advisory Board Meeting of April 16, 2008

Attachments: [April 08 Minutes](#)
[TAB cover](#)

This Matter was approved on the Consent Agenda.

City Clerk Item No. 21

Pulled From Consent Agenda**RESOLUTION NO. 2008-73****C.-1. 08-0386**

Resolution authorizing the City Manager to increase the fee limit for the security service contract with Micro Security Solutions from \$150,000.00 to \$250,000.00 per year for the remainder of the contract period.

Attachments: [Micro cover](#)
[Micro Resolution](#)
[Micro documents PDF](#)

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AUTHORIZING THE CITY MANAGER TO INCREASE THE FEE LIMIT FOR THE SECURITY SERVICE CONTRACT WITH MICRO SECURITY SOLUTIONS FROM \$150,000.00 TO \$250,000.00 PER YEAR FOR THE REMAINDER OF THE CONTRACT PERIOD.

[Note for the Record: **Increase in the Fee Limit for the security service contract with Micro Security Solutions, from \$150,000 to \$250,000:** Commissioner Cabrera inquired of the City Manager to publicly provide the City Commission with an update on the expenditures necessary to complete the following projects: Design of the Coral Gables Museum Security System; Installation of the close-circuit cameras at the Police Department; and modifications to the Coral Gables Youth Center lobby security system.

City Manager Brown explained that the fee limit defines how much the City is authorized to spend by resolution on said RFP; further clarifying that the intent is to raise the cap to \$250,000, but that he was not asking for money].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-73. 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. 22

D. PERSONAL APPEARANCES**D.-1. 08-0374**

Legislative update by Fausto Gomez, of Gomez Barker, P.A.

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

This Agenda Item was Discussed

City Clerk Item No. 23

D.-2. 08-0367

Carolina Rendeiro, Chair of the International Affairs Coordinating Council and Chair of the Coral Gables Chamber of Commerce Executive Committee, to brief the City Commission on the Coral Gables Delegation's recent trip to Italy.

[Note for the Record: Carolina Reindeiro, Chair of the International Affairs Coordinating Council and Chair of the Coral Gables Chamber of Commerce gave the Commission an update/report on her Mission to Italy, in partnership with the Beacon Council, as more particularly described herein below]:

Wednesday, May 7 Arrived in Milan

Thursday, May 8 Meetings hosted by the Italian Trade Commission in Milan with prospective businesses interested in investing and doing business in Miami-Dade; all industries invited; focus on fashion, food and finery.

Lunch with Industry and Trade Group (Assolombarda, etc.) leaders and the Italian Trade Commissioner, Giovana Sturari.

Reception with Consul General Daniel Weygandt (presented with *Key to the City* and book on Coral Gables on behalf of the Mayor and Commission). Presented City Seal to Rick de Lambert of the US Commercial Service, our official host in Milan.

Friday, May 9 Luncheon with American Chamber of Commerce in Italy Board of Directors at Biblioteca Ambrosiana; opportunity to view original works by Leonardo Da Vinci and other Italian luminaries. Presented City Seal to head of the American Chamber of Commerce in Italy (Milan), Paolo Catalfamo.

Sunday, May 11 Tour of Pontassieve (greeted by Mayor of Terre Del Levante, Marcello Ullivieri). Hosted by Faye Lottero, owner of Agricola Lavacchio, an agri turismo complete with winery, olive tree, windmill and ceramic studio.

Monday, May 12 Meetings hosted by Toscana Promozione in Florence with prospective businesses interested in

investing and doing business in Miami-Dade; all industries invited; focus on fashion, food and finery.

Presented gifts to our hosts, Silvia Burzagli of Toscana Promozione and Andreina Guerrieri, Italian Trade Commissioner (Florence)

Reception with Consul General of Florence Nora Dempsey (presented with *Key to the City* and book on Coral Gables on behalf of the Mayor and Commission). Presented City Seal to Robert Bannerman, First Secretary of Commercial Affairs, US Embassy in Rome

Tuesday, May 13

Received in Pisa by Francesco Soriani, Promotion and Internationalization Department of the Pisa Chamber of Commerce.

Private tour of the Leaning Tower, Duomo, Baptistry and Campa di Miracoli.

This Agenda Item was Discussed

City Clerk Item No. 24

RESOLUTION NO. 2008-74**D.-3. 08-0372**

Willy A. Bermello, President of BAP Development, to request permission to exercise first right to negotiate with the City of Coral Gables for the development of the parking garage located at 245 Andalusia Avenue, in accordance with Resolution No. 2004-95.

A RESOLUTION TO REFER AGENDA ITEM D-2 (SUBJECT MATTER: REQUEST BY WILLY BERMELLO, PRESIDENT OF BAP DEVELOPMENT TO EXERCISE FIRST RIGHT TO NEGOTIATE WITH THE CITY OF CORAL GABLES FOR DEVELOPMENT OF THE PARKING GARAGE LOCATED AT 245 ANDALUSIA AVENUE, IN ACCORDANCE WITH RESOLUTION NO. 2004-95 TO THE CITY MANAGER; FURTHER INSTRUCTING THE CITY MANAGER TO DIRECT DESIGNATED STAFF TO DEVELOP THE NECESSARY PLANS AND PROPOSALS, IN EITHER THE ALTERNATIVE OR OPTIONS, FOR THE CITY COMMISSION TO CONSIDER AND REVIEW AT A LATER SCHEDULED CITY COMMISSION MEETING DATE, WHEREIN AT SAID TIME THIS MATTER WILL BE BROUGHT FORTH FOR PUBLIC REVIEW AND HEARING).

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

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-74. The motion passed via Voice Vote.

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

Absent : 1 - Vice Mayor Kerdyk, Jr.

City Clerk Item No. 25

E. PUBLIC HEARINGS**RESOLUTION NO. 2008-76**

E.-1. 08-0349 Board of Architects Appeal

Marcia Simon Kaplan, applicant, has filed an appeal to the Coral Gables City Commission, from a decision of the Board of Architects at its regular meeting of May 1, 2008, wherein the Board denied Application AB 08.04.0829, in connection with the installation of accordion shutters on the street elevation of the residence located at 3809 Anderson Road, Coral Gables, Florida. This property is legally described as Lots 13 & 14, Block 135, Coral Gables Country Club Section 6, PB 20 / Page 1, Miami-Dade County, Florida. (Continued from the May 27 Meeting)

Attachments: [Simon Kaplan - Notice of Public Hearing](#)
[Zoning Code Section 5 601, 602, 603](#)
[Appeal 005 - SimonKaplan - Agenda Item](#)
[Appeal 005 - SimonKaplan - Photo A](#)
[Appeal 005 - SimonKaplan - Owner Submittal](#)

A RESOLUTION TO CONTINUE CONSIDERATION OF AGENDA ITEM NO. E-1 (SUBJECT MATTER: APPEAL TO THE CORAL GABLES COMMISSION BY MARCIA SIMON KAPLAN, FROM A PARTIAL DECISION MADE BY THE BOARD OF ARCHITECTS, AT ITS REGULAR MEETING OF MAY 1, 2008, WHEREIN CERTAIN BOARD DENIED APPLICATION AB 08.04.0829, IN CONNECTION WITH THE INSTALLATION OF ACCORDION SHUTTERS ON THE STREET ELEVATION OF THE RESIDENCE LOCATED AT 3809 ANDERSON ROAD, CORAL GABLES, FLORIDA) UNTIL THE NEXT CITY COMMISSION MEETING, PRESENTLY SCHEDULED FOR JUNE 3, 2008, IN ORDER TO ALLOW FOR THE FULL MEMBERSHIP ON SAID BOARD TO CONSIDER, REVIEW AND TAKE ACTION ON THE AFOREMENTIONED APPLICATION.

[Note for the Record: A copy of the verbatim transcript for Agenda Item E-1, 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 Anderson, that this motion be continued by Resolution Number 2008-76. The motion passed unanimously.

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

City Clerk Item No. 27

ORDINANCES ON SECOND READING

ORDINANCE NO. 2008-13

E.-2. 08-0305

An Ordinance of the City Commission of Coral Gables amending previously approved Ordinance No. 3608, which approved a mixed-use project (Gables Rental Apartment Hotel/St. George) on Lots 13-34 and east 7 feet of Lot 35, Block 18, Section "K" [bounded by Navarre Avenue (north), Minorca Avenue (south) and Salzedo Street (east)], Coral Gables, Florida; whereas, the applicant desires to amend two conditions which include the removal of a self-imposed provision restricting the maximum length of stay for hotel occupants and a modification to provide commercial use in place of a restaurant on the ground floor, the approval and all other conditions of approval contained in Ordinance No. 3608 and the Restrictive Covenant shall remain in effect; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (PZB Vote: 5-0) (Passed on First Reading on May 13, 2008)

Attachments: [05 13 08 Cover Memo w/all Exhibits re St George 1st Reading](#)
[05 27 08 Cover Memo w/all Exhibits re: St George](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES AMENDING PREVIOUSLY APPROVED ORDINANCE NO. 3608, WHICH APPROVED A MIXED-USE PROJECT (GABLES RENTAL APARTMENT HOTEL/ST. GEORGE) ON LOTS 13-34 AND EAST 7 FEET OF LOT 35, BLOCK 18, SECTION "K" [BOUNDED BY NAVARRE AVENUE (NORTH), MINORCA AVENUE (SOUTH) AND SALZEDO STREET (EAST)], CORAL GABLES, FLORIDA; WHEREAS THE APPLICANT DESIRES TO AMEND TWO CONDITIONS WHICH INCLUDE THE REMOVAL OF A SELF-IMPOSED PROVISION RESTRICTING THE MAXIMUM LENGTH OF STAY FOR HOTEL OCCUPANTS AND A MODIFICATION TO PROVIDE COMMERCIAL USE IN PLACE OF A RESTAURANT ON THE GROUND FLOOR, THE APPROVAL AND ALL OTHER CONDITIONS OF APPROVAL CONTAINED IN ORDINANCE NO. 3608 AND THE RESTRICTIVE COVENANT SHALL REMAIN IN EFFECT; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the Second Reading Ordinance by title into the public record, by Assistant City Attorney Lourdes Alfonsin, there being no further discussion on said matter by any members of the public, nor by any members of the City Commission, the City Clerk was instructed 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 2008-13. 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. 28

RESOLUTIONS**RESOLUTION NO. 2008-77****E.-3. 08-0118**

A Resolution of the City Commission of Coral Gables reconsidering previously approved Resolution No. 2007-16, which granted approval of a separation of a building site pursuant to Zoning Code Section 12-5, for Lots 17-19 and 40-42, Block 127, Riviera Section Part 10 (5705 Riviera Drive), Coral Gables, Florida; whereas the applicant desires to amend the condition requiring a Restrictive Covenant from the four (4) adjoining property owners; and the approval and all other conditions of approval contained in Resolution No. 2007-16 shall remain in effect; and providing for an effective date. (PZB Vote: 5-0) (Deferred from the March 11 and from the May 13, 2008 Meetings)

Attachments: [03 11 08 City Commission Cover Memo re 5705 Riviera Drive building site separa](#)
[03 11 08 Exhibit B: Applicants 06 15 07 letter of request.pdf](#)
[03 11 08 Exhibit C: Draft Restrictive Covenant.pdf](#)
[03 11 08 Exhibit D: 07 12 06 PZB Meeting Minutes.pdf](#)
[03 11 08 Exhibit E: Copy of public notification letters.pdf](#)
[03 11 08 Exhibit A: Resolution - 5705 Riviera Drive.pdf](#)
[05 13 08 Cover Memo with Exhibits re: 5705 Riviera \(Resolution\)](#)
[05 27 08 Cover Memo with Exhibits re: 5705 Riviera w Exhibits](#)

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES RECONSIDERING PREVIOUSLY APPROVED RESOLUTION NO. 2007-16, WHICH GRANTED APPROVAL OF A SEPARATION OF A BUILDING SITE PURSUANT TO ZONING CODE SECTION 12-5, FOR LOTS 17-19 AND 40-42, BLOCK 127, RIVIERA SECTION PART 10 (5705 RIVIERA DRIVE), CORAL GABLES, FLORIDA; WHEREAS THE APPLICANT DESIRES TO AMEND THE CONDITION REQUIRING A RESTRICTIVE COVENANT FROM THE FOUR (4) ADJOINING PROPERTY OWNERS; AND THE APPROVAL AND ALL OTHER CONDITIONS OF APPROVAL CONTAINED IN RESOLUTION NO. 2007-16 SHALL REMAIN IN EFFECT; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the Second Reading Ordinance into the record by title by Mayor Slesnick, there being no further discussion on said matter by any members of the public, nor by any members of the City Commission, the City Clerk was instructed to call the roll on Agenda Item E-3].

A motion was made by Commissioner Cabrera, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-77. 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

Items E-4 and E-5 are related**RESOLUTION NO. 2008-78****E.-4. 08-0360**

A Resolution of the City Commission of Coral Gables approving final plat entitled "Ponce Place Villas East" being a re-plat of an approximately 1.5 acre site, being a portion of the previously approved "Old Spanish Village" Planned Area Development (PAD) site plan, legally described as Block 23 less a portion of Lot 11 and Lot 12, all of Block 24 and adjacent public rights-of-ways (ROW), Crafts Section (2901 Ponce de Leon Boulevard), Coral Gables, Florida; as set forth in Application No. 10-07 037-P; and providing for an effective date. (PZB Vote: 7-0)

Attachments:

[05 27 08 Cover Memo re: Old Spanish Village Final Plat review](#)
[05 27 08 Exhibit A: Resolution - Ponce Place Villas East Final Plat](#)
[05 27 08 Exhibit B: Resolution - Ponce Place Villas West Final Plat](#)
[05 27 08 Exhibit C: Final Plat Ponce Place Villas East](#)
[05 27 08 Exhibit D: Final Plat Ponce Place Villas West](#)
[05 27 08 Exhibit E: 11 14 07 Staff report](#)
[05 27 08 Exhibit F: 11 14 07 PZB Verbatim Minutes \(pages 4 thru 10 only\)](#)
[05 27 08 Exhibit G: Public Comments re: Old Spanish Village](#)

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES APPROVING FINAL PLAT ENTITLED "PONCE PLACE VILLAS EAST" BEING A RE-PLAT OF AN APPROXIMATELY 1.5 ACRE SITE, BEING A PORTION OF THE PREVIOUSLY APPROVED "OLD SPANISH VILLAGE" PLANNED AREA DEVELOPMENT (PAD) SITE PLAN, LEGALLY DESCRIBED AS BLOCK 23 LESS A PORTION OF LOT 11 AND LOT 12, ALL OF BLOCK 24 AND ADJACENT PUBLIC RIGHTS-OF-WAYS (ROW), CRAFTS SECTION (2901 PONCE DE LEON BOULEVARD), CORAL GABLES, FLORIDA; AS SET FORTH IN APPLICATION NO. 10-07-037-P; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the Resolution by title into the public record by Mayor Slesnick, Mayor Slesnick upon acknowledgement that Items E-4 and E-5 would be presented by Mr. Carlson as companion items, noted that he would allow the presentation by Assistant Planning Director Walter Carlson on Agenda Item E-4, before proceeding to entertain a discussion on Agenda Item E-5; whereupon Mr. Carlson made the following presentation:

i). That the proposed plat (Ponce Place Villas East) is in compliance with the previously approved "Old Spanish Village" Site Plan; further stating that said proposed plat, was intended to create separate building sites for the historic 2901 Ponce Arts Center and 23 townhouses; further noting that said project can be built without approval of these two plats; further stating that there have been no changes in land use, nor in the previously approved zoning designations; whereupon there being no further public input from any members of the public, nor from any member of the City Commission, the City Clerk was instructed to call the roll on Agenda Item E-4].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-78. The motion passed by the following vote:

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

Absent : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 30

RESOLUTION NO. 2008-79

E-5. 08-0361

A Resolution of the City Commission of Coral Gables approving final plat entitled "Ponce Place Villas West" being a re-plat of an approximately 3.0 acre site, being a portion of the previously approved "Old Spanish Village" Planned Area Development (PAD) site plan, legally described as all of Block 30, Lot 45, Block 31, Lots 12-13, Block 33 and adjacent public rights-of-ways (ROW), Crafts Section, Tracts A, B and C, Catamal Corner (3001 Ponce de Leon Boulevard), Coral Gables, Florida; as set forth in Application No. 10-07-038-P; and providing for an effective date. (PZB Vote: 7-0)

Attachments: [05 27 08 Cover Memo re: Old Spanish Village Final Plat review](#)
[05 27 08 Exhibit A: Resolution - Ponce Place Villas East Final Plat](#)
[05 27 08 Exhibit B: Resolution - Ponce Place Villas West Final Plat](#)
[05 27 08 Exhibit C: Final Plat Ponce Place Villas East](#)
[05 27 08 Exhibit D: Final Plat Ponce Place Villas West](#)
[05 27 08 Exhibit E: 11 14 07 Staff report](#)
[05 27 08 Exhibit F: 11 14 07 PZB Verbatim Minutes \(pages 4 thru 10 only\)](#)
[05 27 08 Exhibit G: Public comments re Old Spanish Village](#)

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES APPROVING FINAL PLAT ENTITLED "PONCE PLACE VILLAS WEST" BEING A RE-PLAT OF AN APPROXIMATELY 3.0 ACRE SITE, BEING A PORTION OF THE PREVIOUSLY APPROVED "OLD SPANISH VILLAGE" PLANNED AREA DEVELOPMENT (PAD) SITE PLAN, LEGALLY DESCRIBED AS ALL OF BLOCK 30, LOT 45, BLOCK 31, LOTS 12-13, BLOCK 33 AND ADJACENT PUBLIC RIGHTS-OF-WAYS (ROW), CRAFTS SECTION, TRACTS A, B AND C, CATAMAL CORNER (3001 PONCE DE LEON BOULEVARD), CORAL GABLES, FLORIDA; AS SET FORTH IN APPLICATION NO. 10-07-038-P; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the Resolution by title into the public record by Mayor Slesnick, there being no further discussion regarding said matter by any member(s) of the public, nor any members of the City Commission, the City Clerk was instructed to call the roll on Agenda Item E-5].

A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Resolution Number 2008-79. The motion passed by the following vote:

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

Absent : 1 - Commissioner Cabrera, Jr.

City Clerk Item No. 31

F. CITY COMMISSION ITEMS

F.-1. 08-0380 Annexation Update
Commissioner Rafael "Ralph" Cabrera, Jr.

[Note for the Record: A copy of the verbatim transcript for Agenda Item F-1, is available for public inspection in the City Clerk's Office and in Legistar].

This Agenda Item was Discussed

City Clerk Item No. 33

F.-2. 08-0381 Update on the Coral Gables Country Club
Commissioner Rafael "Ralph" Cabrera, Jr.

[Note for the Record: A copy of the verbatim transcript for Agenda Item F-2, is available for public inspection in the City Clerk's Office and in Legistar].

This Agenda Item was Discussed

City Clerk Item No. 34

G. BOARDS/COMMITTEES ITEMS

G.-1. 08-0342 Presentation of excerpts from the Parking Advisory Board Meeting of April 24, 2008, requesting the following action from the City Commission:

To recommend that the City consider restricting the use of mechanical lifts in any development with parking requirements exceeding 50 spaces to not more than 20 percent of the required parking. Mechanical lifts should not be used to satisfy parking required for services or retail customers. Restriction on the use of mechanical lifts should not apply to automated or robotic parking systems.

Attachments: [cover pab 04-24-08 action](#)
[pab minutes excerpts 04-24-08](#)

This Agenda Item was Discussed

City Clerk Item No. 32

H. CITY MANAGER ITEMS**RESOLUTION NO. 2008-75****H.-1. 08-0358**

A Resolution of the City Commission of the City of Coral Gables, declaring the City's intent to participate in the Florida Retirement System for elected officials, effective on or about October 1, 2008; providing that all elected officials hired by the City on or after the effective date of the City's participation in the Florida Retirement System shall become members of the Florida Retirement System; providing that all elected officials who are participating in another City retirement plan on the effective date of the City's participation in the Florida Retirement System shall have the right to elect to continue participating in such plan or transfer to the Florida Retirement System; providing for the City's purchase of past service credit under the Florida Retirement System for eligible employees; authorizing the City Manager to enter into agreements with the Florida Division of Retirement to accomplish the intent of this resolution; providing for withholding social security contributions from employees' pay; providing for payment of required Florida Retirement System contributions by the City; providing for the establishment, maintenance and submission of such records as may be required for participation in the Florida Retirement System; providing that the City's decision to participate in the Florida Retirement System shall be irrevocable; providing for repeal of all ordinances and resolution in conflict; providing for severability; and providing an effective date.

Attachments: [Resolution re FRS for Elected Officials](#)
[CM_FRS Resolution](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, DECLARING THE CITY'S INTENT TO PARTICIPATE IN THE FLORIDA RETIREMENT SYSTEM FOR ELECTED OFFICIALS, EFFECTIVE ON OR ABOUT OCTOBER 1, 2008; PROVIDING THAT ALL ELECTED OFFICIALS HIRED BY THE CITY ON OR AFTER THE EFFECTIVE DATE OF THE CITY'S PARTICIPATION IN THE FLORIDA RETIREMENT SYSTEM SHALL BECOME MEMBERS OF THE FLORIDA RETIREMENT SYSTEM; PROVIDING THAT ALL ELECTED OFFICIALS WHO ARE PARTICIPATING IN ANOTHER CITY RETIREMENT PLAN ON THE EFFECTIVE DATE OF THE CITY'S PARTICIPATION IN THE FLORIDA RETIREMENT SYSTEM SHALL HAVE THE RIGHT TO ELECT TO CONTINUE PARTICIPATING IN SUCH PLAN OR TRANSFER TO THE FLORIDA RETIREMENT SYSTEM; PROVIDING FOR THE CITY'S PURCHASE OF PAST SERVICE CREDIT UNDER THE FLORIDA RETIREMENT SYSTEM FOR ELIGIBLE EMPLOYEES; AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE FLORIDA DIVISION OF RETIREMENT TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; PROVIDING FOR WITHHOLDING SOCIAL SECURITY CONTRIBUTIONS FROM EMPLOYEES' PAY; PROVIDING FOR PAYMENT OF REQUIRED FLORIDA RETIREMENT SYSTEM CONTRIBUTIONS BY THE CITY; PROVIDING FOR THE ESTABLISHMENT, MAINTENANCE AND SUBMISSION OF SUCH RECORDS AS MAY BE REQUIRED FOR PARTICIPATION IN THE FLORIDA RETIREMENT SYSTEM; PROVIDING THAT THE CITY'S DECISION TO PARTICIPATE IN THE FLORIDA RETIREMENT SYSTEM SHALL BE IRREVOCABLE; PROVIDING FOR REPEAL OF ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

[Note for the Record: A copy of the verbatim transcript for Agenda Item H-1, is available for public inspection in the City Clerk's Office and in Legistar].

A motion was made by Commissioner Cabrera, Jr., seconded by Vice Mayor Kerdik, Jr., that this motion be adopted by Resolution Number 2008-75. The motion passed by the following vote:

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

City Clerk Item No. 26

H.-2. 08-0387 Update on the Segovia Median Project

Attachments: [Segovia Median Update](#)

[Note for the Record: Public Works Director Alberto Delgado informed the City Commission that Miami-Dade County had authorized the usage of impact fees to pay for the Segovia Median Project; further stating that a letter of confirmation had been forwarded to Ester Calas, Director of Public Works, Miami-Dade County, for the purpose of obtaining permission to include said project in this year's impact fee request in furtherance of the Joint Participation Agreement; further pointing out that no response has been received since the letter was forwarded 10 days ago; further adding that once a response is received, they will proceed with the necessary paper work in connection therewith.

Commissioner Cabrera informed the City Commission that he has a call also into Ms. Calas; also stating that he has been reminded of same by the City Manager; further stating that he will make a concerted effort to call her again; further inquiring about the Segovia-Round-a-bout Project.

Mr. Delgado stated that the City will receive bids in connection with the Segovia Median Project on June 6th, 2008; and will bring said matter before the City Commission regarding the award of same on June 26th, 2008; further commenting that last year, it was decided that the summer months would be the best time to do the work associated with said project; further adding that said work is scheduled to take place between July and August, noting that most of the work should be done in July. Commissioner Cabrera requested of Public Works Director Delgado that should there be a problem, if he would inform the Commission.

County was previously holding up on the Segovia Median Project: Mr. Delgado stated that Miami-Dade County was previously holding up on the Segovia Median Project due to the fact it did not feel it would improve the capacity; however, the County has since reconsidered its position and says that the City can now qualify for impact fees; further pointed out that the design for said project has been reviewed twice by the County with comments; further stating that if the County disapproves of

same, then the developer can proceed.

Commissioner Anderson stated that the developer was supposed to have absorbed the cost of said bill; there was supposed to have been a timetable associated with said project; and that the developer was to be held accountable for said project; further mentioning that the Commission was supposed to have had an update in two or three months; further instructing the City Manager to provide the City Commission with a timetable; also requesting to include a full update, a schedule with a critical path by August 26th; further requesting of the administration to see the documents that the City of Coral

Commissioner Cabrera requested of the City Manager to engage the developer on their commitment; further noting that the County is unsure as to whether it will proceed, due to the capacity commitment; further stating that the developer is dependent on the County with its road impact fees to fund same].

This Agenda Item was Discussed

City Clerk Item No. 35

I. CITY ATTORNEY ITEMS

RESOLUTION NO. 2008-80

I.-1. **08-0373** A resolution of the City of Coral Gables instructing the City Attorney to proceed with filing an action for possession against ZBA, LLC, d/b/a Karma, for breach of the lease agreement by failing to provide proof of insurance and for ceasing operation for fifteen (15) continuous days; and for failing to keep the premises open for business for six (6) days a week; and further authorizing the City Attorney to take all action necessary to represent the interest of the City.

Attachments: [agendacoversheet_file suit KARMA](#)
[memo to CC - authority to file against ZBA - 05 20 08](#)
[ZBA - authority to file suit 05 20 08](#)

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-80. 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. 36

RESOLUTION NO. 2008-81

I.-2. 08-0375

A Resolution of the City of Coral Gables instructing the City Attorney to proceed with filing a claim against Media3 Publishing Group for return of money due to the City upon its failure to publish an advertisement; and authority to take all action necessary to represent the interests of the City.

Attachments: [memo to CC - authority to file against Media3 - 05 16 08](#)
[Media 3 - authority to file suit 05 16 08](#)
[agendacoversheet file claim Media3](#)

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-81. 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. 37

RESOLUTION NO. 2008-82

I.-3. 08-0382

Resolution authorizing execution of settlement agreements regarding Maria Thornhill, and the United States Department of Housing and Urban Development ("HUD") for the purpose of settling claims made by Thornhill pursuant to the Federal Fair Housing Law, 42 U.S.C. Sections 3601-3619, and Section 504 of the Rehabilitation Act of 1973, and settling City Code violations as established in Case Nos. 99-6743, 99-6764 and 99-6748.

Attachments: [MEMO Approval of Thornhill Agreements \(00247750\)](#)
[thornhill resolution](#)
[agendacoversheet file suit THORNHILL](#)

A motion was made by Commissioner Anderson, seconded by Vice Mayor Kerdyk, Jr., that this motion be adopted by Resolution Number 2008-82. 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. 38

I.-4. 08-0378

Pending Litigation Report

Attachments: [PENLIT.5 27 08](#)

This Agenda Item was Discussed

City Clerk Item No. 39

J. CITY CLERK ITEMS**None**

City Clerk Item No. 40

K. DISCUSSION ITEMS

[Note for the Record: **City Services: Commissioner Anderson** acknowledged our City's electronic services, stating that she is really enjoying reading her agenda on-line; further noting that she doesn't use paper any more; further suggesting to the Administration that maybe on our next edition of our E-News, that we can make the readers aware of same (i.e. accessing agenda on line, etc.) and inform them of other services (i.e. personal papers may now be notarized in the City Clerk's Office, for a very reasonable charge etc.); further informing the public that one may not only access our City for info, but also tell the public of the services they may now use.

Cystic Fibrosis Walk: **Commissioner Anderson** noted that the **Cystic Fibrosis Walk** recently took place on two Saturday's ago (May 10, 2008); further noting that said walk netted over \$27,000 in revenue; further thanking our **Fire, Police Public Services** Departments for their participation, as well as those participants who walked on May 10th, which contributed to the success of said event; further noting that the participants will receive Certificates of Appreciation, sometimes later during the month of June.

Tour of Almeria Row Project: **Commissioner Cabrera** thanked **Mr. Menoyo** and **Ms. Longo** for allowing him to tour one of their units; further commanding said team on using every aspect of their design to make it a very livable project, being one which enhances the quality of life of our community; further acknowledging the recognition received by the Congress of New Urbanism, which awarded them on their design work; further stating that he would love to see more design work like this in our community, wherein the quality of life is not compromised; further congratulating Mr. Menoyo and his team on a wonderful project; finally mentioning an Article which appeared in the Home and Design Section of the Miami Herald, entitled "Subtle Luxury, Timelines Design," regarding same.

Bumper Stickers: **Commissioner Cabrera** thanked the City Manager on the memorandum regarding the bumper stickers which were developed by Miami-Dade County, telling drivers to stay clear of cyclists by three feet; further clarifying to the City Administration that it was not his intention to target those drivers of take home vehicles; whereupon **City Manager Brown** informed Commissioner Cabrera that he will target the City fleet that drives around the City first, from his allotment of 400 bumper stickers.

Update regarding the Implosion/2801 Ponce Circle Building: **Commissioner Cabrera** stated that said building was scheduled for implosion over one month ago; further noting that he had received comments from the public regarding asbestos being found in said building. **Mayor Slesnick** stated that having met with Mr. Ralph Sanchez, he suggested that it would be a good idea to prepare a memorandum regarding same; further acknowledging DERM inspection, stating that there were pockets of asbestos in the center of the stairwell; further pointing out that this will not be your typical demolition of the dust clume. **Vice Mayor Kerdyk** stated that he had heard from a reliable source that Demolition Day will take place on June 23rd, 2008. Commissioner Cabrera requested that we should get some clearance on this matter, that the chemicals have been removed from the air, from the City Administration; whereupon City Manager Brown responded that DERM will provide a certification of inspection regarding same.

Fourth of July Update: **City Manager Brown** informed **Commissioner Cabrera** that in his absence, there had been lots of conversation regarding said event; further stating that two members of the Commission had requested a recommendation regarding same; further stating that his recommendation was to host a lesser event at either the Coral Gables Youth Center or Ponce Circle Park ; further stating that no event held will be comparable to the Gables Fourth at the Biltmore; further urging the City Commission to not do anything this year; look for alternative venues; further mentioning per his memorandum to get with Police Chief Hammerschmidt and do whatever it takes to fund the Coral Gables Crime Watch, through the end of the fiscal year, using those monies out of pseical events.

Commissioner Cabrera expressed his displeasure with how the funding scenario transpired; whereupon City Manager Brown expressed his sorrow to Commissioner Cabrera's displeasure regarding same. Commissioner Anderson added that our residents must be mindful of the fact that the Commission must be fiscally responsible; further stating that our City could lose employees instead of an event. Commissioner Cabrera stated that he would hold on to said comments, because she made some very excellent points, but he would not forget said matter.

Vice Mayor Kerdyk stated that he was also disappointed about the Fourth of July event, but had proffered his comments as part of the discussion regarding said event during Commissioner Cabrera's absence.

Contract Administration: **Vice Mayor Kerdyk** stated that in reviewing Agenda Item I-1, recalls attention to a previous issue raised by Commissioner Withers (i.e. issues regarding proof of insurance; tracking tenants responsibility in keeping his/her premises open for designated number of days a week, etc./contract administration related issues, etc., whereupon Assistant City Attorney Lourdes Alfonsin responded that said matters will be addressed in the upcoming rewrite of the Procurement Code;

further stating by the City Manager that it will be proposed in said rewrite of the Procurement Code that each contract shall have a departmental contract manager; further stating that the Procurement Division shall consolidate same and fulfill a report.

Commissioner Withers stated that when said matter was discussed previously, it was understood that a contract could involve four to five individual departments; whereupon **Assistant City Attorney Lourdes Alfonsin** stated that there will be a contract manager in each department. **City Manager Brown** stated that the argument against centralization of the contract administration process points to the fact that one is taking away the expertise of the department that should be doing the scope of work. Under the new proposal, the director of a department will be responsible for those contracts under his purview-spelled out in the proposed new Procurement Code Rewrite.

Trees being planted under power lines/telephone lines: **Commissioner Withers** questioned the Administration regarding why the City is pursuing such a policy; specifically citing an example of same just south of Alhambra, just north of Giralda right in the middle of the block, where there is a beautiful oak tree; further stating that he would hate to have to cut down these trees.

Corrections to Newspaper Articles (Fourth of July Event): Mayor Slesnick stated for the record that he would like to issue corrections to articles appearing in the Miami Herald; further stating that he did not say that he was bombarded with e-mails, only that he had received 49 e-mails, which he did not think were representative of our 49,000 residents; further stating that he did not make any reference to the latest series of articles appearing in the Miami Herald being an orchestrated attempt by another person, nor did he name said person; further stating that as to the latest series of articles appearing in the Miami Herald, he received no reaction from same; therefore, he felt comfortable with said matter.

Congratulations to Cathy Swanson Rivenback: **Mayor Slesnick** congratulated Ms. Swanson Rivenback on being a recipient of the Hero Award, on behalf of her work with Cultural Grants and Cultural Organizations; further acknowledging Ms. Swanson in helping the City look good in supporting culture in Coral Gables.

Letter from Mayor Joissaints Masini: **Mayor Slesnick** acknowledged receipt of a letter from Mayor Masini, on her reelection bid; further noting her commitment in wanting to strengthen ties between Coral Gables and Aix en Provence.

City Clerk Item No. 41

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 12:43pm on May 27, 2008. The next regular meeting of the City Commission has been scheduled for June 3, 2008, beginning 9 a.m.]

DONALD D. SLESNICK
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK