# **City of Coral Gables**

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



# **Meeting Minutes**

Thursday, September 11, 2014 9:00 AM

**City Hall, Commission Chambers** 

# **City Commission**

Mayor Jim Cason
Vice Mayor William H. Kerdyk, Jr.
Commissioner Patricia Keon
Commissioner Vince Lago
Commissioner Frank C. Quesada

Carmen Olazabal, Interim City Manager Craig E. Leen, City Attorney Walter J. Foeman, City Clerk

## **ROLL CALL**

**Present:** 5 - Mayor Cason, Commissioner Keon, Vice Mayor Kerdyk Jr., Commissioner Lago and Commissioner Quesada

## INVOCATION

Reverend Maria E. Anderson gave the Invocation.

## PLEDGE OF ALLEGIANCE

Commissioner Vince Lago led the 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 No. 2014-21 through Ordinance No. 2014-23) (b) Resolution(s) adopted (Resolution No. 2014-177 through Resolution No. 2014-191); (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. 14-3321 Presentation of a proclamation declaring September 17, 2014 as Norman Parsons Day in Coral Gables.

[Note for the Record: Following the Mayor Cason's reading of the title to Agenda Item A-1, he proceeded to read the proclamation into the public record, thereby declaring September 17th, 2014 as Norman Parsons Day in Coral Gables.

In accepting this accolade, Mr. Parsons stated that in recognizing his team, that it is not a 1 person team anywhere, noting that it is in fact a team effort, pointing out that he has been blessed to work in the Gables and work with the City; further mentioning that he has served on the Youth Center Advisory Board; also stating that Vice Mayor Bill Kerdyk Jr.'s sister was a star golfer at the University of Miami; further stating that the City has a great working relationship with the University of Miami, adding that it has been a great relationship and that it will continue into the future; further summing up his acceptance of this recognition by thanking everyone, asking everyone to take care, be well and enjoy life].

This Presentation/Protocol Document was Presented and Filed

# A.-2. 14-3328

Presentation of 30 year service pin to Kimberley A. Springmyer, Development Services Department/Code Enforcement Division.

## Attachments: CM 30 Year Service Pin K.Springmyer

[Note for the Record: Following Mayor Cason's reading of the title to Agenda Item A-2 into the public record, Acting Interim City Manager Carmen Olazabal instructed Human Resources Elsa Jaramillo-Velez to present the item, whereby Mrs. Jaramillo noted that Mrs. Springmeyer started in the City of Coral Gables some 30-years ago in the Parking Department as a Parking Enforcement Specialist, and subsequently she became a Lead Officer in 1997; later becoming a Supervisor, only to move to move to the Code Enforcement Division, where she currently resides today-pointing out that she is being recognized for her 30-years of service.

In accepting this recognition, Kimberly quickly pointed out that if she began her employment with the City some 30-years ago, obviously there were no child labor laws back then; further noting that she has made a lot of friendships along the way, beginning with Bill Carlson, who hired her; further stating that she survived 19 years with Mr. Carlson-adding that he was a difficult man who taught her a lot, and now she works with William Ortiz-happily pointing out that she began and ended her career with two bosses named William, further acknowledging her family, who she brought with her for this special occasion].

## This Presentation/Protocol Document was Presented and Filed

#### A.-3. 14-3253

Presentation of 20 year service pin to Carlos Stadthagen, Leisure Services Department/Parks & Recreation Division.

Attachments: CM 20 Year Service Pin C.Stadthagen

[Note for the Record: Following Mayor Cason's reading of the title to Agenda Item A-3, Interim City Manager Carmen Olazabal instructed Human Resources Director Elsa Jaramillo-Velez to present the 20-year service pin to Carlos Stadthagen, whereby she prefaced her remarks by stating that Carlos began his career with the City in the Automotive Department, where he is currently serving in various capacities: beginning with Automotive Mechanic, also serving as a Golf Course Superintendent, he was recognized as the Employee of the Month in November of 1988, adding that she wanted to honor Carlos for his 20 years of dedication, loyalty and excellent performance in the City.

In accepting this accolade Carlos stated that he just wanted to thank God for just being here and for having put him here for the past 20 years; further thanking all of his bosses -noting that he realizes that he sometimes is not the easiest person to get along with, but pointing out that it is all for the good, thanking everyone present].

## This Presentation/Protocol Document was Presented and Filed

City Clerk Item No. 4

## A.-4. 14-3324

Congratulations to Lt. Jeff Fabyan, recipient of the City of Coral Gables Firefighter of the Month Award, for the month of September 2014. (Deferred from the September 11, 2014 Meeting)

Attachments: F

FF of the Month Notification Letter, Sept 2014
Cover Memo, FF of the Month, September 2014 rev

## This Presentation/Protocol Document was Deferred

City Clerk Item No. 1

#### A.-5. 14-3299

Congratulations to Officer James Molina, recipient of the City of Coral Gables Officer of the Month Award, for the month of July 2014.

<u>Attachments:</u> COMMISSION COVER MEMO - OFFICER OF THE MONTH JULY 2014.pdf
NOMINATION MEMO JULY 2014 - MOLINA.pdf

[Note for the Record: Following Mayor Cason's reading of the title to Agenda Item A-5 into the public record, Interim City Manager Carmen Olazabal called upon Acting Police Chief Terry Molina to present the item, whereby Acting Chief Molina requested of Officer James Molina to join her at the podium; she recalled that in July a burglary suppression operation was developed to identify and apprehend burglars-which was a combination of the Uniform Patrol Division/Strategic Initiatives Team and the Specialized Enforcement Division Officers were assigned to patrol zones that had been

victimized that past month.

Marked units had been deployed in zones, as well as unmarked units. Officer Molina just so happened to be in an unmarked unit that day and observed a white man circulating Rivera Country Club; Officer Molina continued to maintain a visual contact; upon making contact with the driver, Officer Molina determined that it was clear that the story proffered by the suspect was not consistent with what he had observed them doing; officer Molina had observed them dropping off subjects and that was not the information that they had provided to him and that raised his suspicion; Officer Molina received a verbal consent by the driver to search the vehicle, and it was at that time that he observed 2 wallets inside of the vehicle, that eventually led to the identity of the 2 suspects that had been dropped off. During this same time, 1 of the suspects was observed putting an unknown object into a banyan tree that was in the middle of the golf course; said subject was apprehended after a short foot pursuit; the second subject was taken into custody, while attempting to leave the golf course through the backyard; a search of the banyan tree revealed a screw driver and a small sledge hammer, commonly used to break into homes, which was there placed by the subject-all 3 subjects were charged with loitering and prowling; Officer Molina's keen observation skills paid off that morning, noted Interim Chief Molina; further explaining that not only did he apprehend those subjects, he identified them and prevented another crime in Coral Gables that day; further pointing out that the driver of the van used by the suspects was a person of interest in many other cases, including one with the F.B.I..

Acting Chief Molina stated that Officer Molina is deserving of the Employee of the Month Award and should be recognized for his outstanding work, and that she is pleased to recognize Officer Molina for the Officer of the Month recognition, for September, 2014.

In accepting this accolade, Officer Molina said that he wanted to thank the City and the Coral Gables Police Department for this award and for giving him the opportunity to work here in the City].

This Presentation/Protocol Document was Presented and Filed

# Non <u>14-3478</u> Agenda

Presentation of a Proclamation declaring the week of September 17 through September 23, 2014 as Constitution Week in Coral Gables.

[Note for the Record: Mayor Cason acknowledged the presence of Ms. Lisa Chaffin, Coral Gables, Daughter of the American Revolution Regent; whereupon Mayor Cason informed the viewing public about "Constitution Week"-stating that this is an annual celebration commemorating the adoption and signing of our American Constitution; further noting that said celebration of the American Constitution was started by the Daughters of the American Revolution, wherein the Daughters of the American Revolution petition Congress in 1855, to annually set aside the time period of September 17th through 23rd annually, in celebration of "Constitution Week." Said Resolution was enacted into law, by then President Dwight Eisenhower; on August 2, 1956; further witnessing Mayor Cason reading said proclamation into the public record, proclaiming September 17th-23rd, 2014 as "Constitution Week" in Coral Gables.

In accepting this accolade, Ms. Chaffin thanked the Mayor and members of the City Commission for working this protocol document into such a crowded agenda; further stating that DAR appreciates the City having honored her organization, adding that they love serving our country, along with the great City of Coral Gables; further acknowledging that on Saturday, September 13, 2014, beginning 11:30 a.m., there will be a gathering of all chapters from Monroe to Miami-Dade County, to honor this Special Day; further extending an invitation to the City Commission and viewing public to attend this event; further mentioning that there will be a special guest speaker, namely Ryan Patton; further adding that the South Florida Honor Flights will be participating in this celebratory event, noting that South Florida will be honoring those senior veterans, by taking them on a flight to our nations' capitol in Washington D.C., to honor the great men who have served our country; adding that DAR is so proud to let their voices be heard, and that DAR supports them being heard.

In closing, she acknowledged the presence of Janice McKay, DAR's Register, and that she was also in attendance to support the local DAR Chapter today].

#### This Presentation/Protocol Document was Presented and Filed

# B. APPROVAL OF MINUTES

**B.-1.** <u>14-3348</u> Budget Workshop of July 23, 2014.

**Attachments:** Meeting Minutes

Verbatim Transcript

A motion was made by Commissioner Quesada, seconded by Vice Mayor Kerdyk, Jr., that this matter be approved. The motion passed by the following vote.

Yeas: 5 - Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada,

Commissioner Keon and Mayor Cason

City Clerk Item No. 8

B.-2. 14-3349 Special City Commission Meeting of August 4, 2014.

<u>Attachments:</u> <u>Meeting Minutes</u>

Special Meeting Transcript

A motion was made by Commissioner Quesada, seconded by Vice Mayor Kerdyk, Jr., that this matter be approved. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Lago, Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr. and Mayor Cason

City Clerk Item No. 9

B.-3. 14-3347 Citizens Ad Hoc Committee Meeting, August 22, 2014.

Attachments: Verbatim Transcript

A motion was made by Commissioner Quesada, seconded by Commissioner Lago, that this matter be approved. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago and Mayor Cason

# C. CONSENT AGENDA

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

# **Passed the Consent Agenda**

A motion was made by Commissioner Quesada, seconded by Commissioner Lago, to Adopt the Consent Agenda. The motion carried by the following vote:

**Yeas:** 5 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

# **RESOLUTION NO. 2014-178**

C.-2. 14-3249

A Resolution granting permission to Miami-Dade Public Schools for non-exclusive use of Phillips Park by Coral Gables Preparatory Academy, Monday-Friday from 9:00am-3:00pm, for physical education activities from the 2014-2015 school year to the 2019-2020 school year, in accordance with the Education Compact, as specified in Resolution 2006-57.

<u>Attachments:</u> C-2 Signed Cover Memo

Phillips Park Resolution 9-11-14

RESOLUTION **GRANTING PERMISSION** TO MIAMI-DADE **PUBLIC** SCHOOLS FOR NON-EXCLUSIVE USE OF PHILLIPS PARK BY CORAL **GABLES PREPARATORY** ACADEMY, MONDAY-FRIDAY **FROM FOR EDUCATION ACTIVITIES** THE 9:00AM-3:00PM. **PHYSICAL FROM** 2014-2015 SCHOOL YEAR TO THE 2019-2020 SCHOOL YEAR. IN ACCORDANCE WITH THE **EDUCATION** COMPACT, AS SPECIFIED IN RESOLUTION 2006-57.

This Matter was adopted by Resolution Number 2014-178 on the Consent Agenda.

## **RESOLUTION NO. 2014-179**

C.-3. <u>14-3315</u>

A Resolution authorizing encroachments into the public right-of-way, consisting of two Old Chicago brick parking surfaces, a portion of a paver walkway, concrete steps and door adjacent to 1000 Hardee Road, Coral Gables, Florida.

Attachments: Proposed Plan

Existing Pictures

C-3 Signed Cover Memo

1000 Hardee Road Resolution 9-11-14

Signed Resolution 2014-179

A RESOLUTION AUTHORIZING ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY, CONSISTING OF TWO OLD CHICAGO BRICK PARKING SURFACES, A PORTION OF A PAVER WALKWAY, CONCRETE STEPS AND DOOR ADJACENT TO 1000 HARDEE ROAD, CORAL GABLES, FLORIDA.

This Matter was adopted by Resolution Number 2014-179 on the Consent Agenda.

City Clerk Item No. 12

# **RESOLUTION NO. 2014-180**

C.-4. 14-3300

A Resolution authorizing Satchmo Blues Bar and Grill, Inc. to sell alcoholic beverages from noon until midnight at the Plaza located at 60 Merrick Way from Thursday, October 2, 2014, through Sunday, October 12, 2014, during the OKTOBERFEST event to benefit the Woody Foundation, subject to Florida Department of Professional Regulation Requirements.

<u>Attachments:</u> Resolution for Oktoberfest

Special Events Application and Permit

<u>C-4 Signed Cover Memo</u> Signed Resolution 2014-180

RESOLUTION AUTHORIZING SATCHMO BAR AND GRILL, INC. TO SELL ALCOHOLIC BEVERAGES FROM NOON UNTIL MIDNIGHT AT THE PLAZA LOCATED AT 60 MERRICK WAY FROM THURSDAY, OCTOBER 2, 2014, THROUGH SUNDAY, OCTOBER 12, 2014, DURING THE OKTOBERFEST EVENT TO BENEFIT THE WOODY FOUNDATION, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

This Matter was adopted by Resolution Number 2014-180 on the Consent Agenda.

# **RESOLUTION NO. 2014-181**

C.-6. <u>14-3322</u>

A Resolution appointing Rene Alvarez (Nominated By Commissioner Lago) to serve as a member of the Coral Gables Retirement Board - General Employees, for the remainder of a two (2) year term, which began on June 1, 2013 and continues through May 31, 2015.

Attachments: C-6 Signed Cover Memo

Rene Alvarez Resolution 9-11-14
Rene Alvarez Resume 9-11-14
Signed Resolution 2014-181

A RESOLUTION APPOINTING RENE ALVAREZ (NOMINATED BY COMMISSIONER LAGO) TO SERVE AS A MEMBER OF THE CORAL GABLES RETIREMENT BOARD - GENERAL EMPLOYEES, FOR THE REMAINDER OF A TWO (2) YEAR TERM, WHICH BEGAN ON JUNE 1, 2013 AND CONTINUES THROUGH MAY 31, 2015.

This Matter was adopted by Resolution Number 2014-181 on the Consent Agenda.

City Clerk Item No. 14

# **RESOLUTION NO. 2014-182**

C.-7. <u>14-3333</u>

A Resolution granting permission to the City Manager to donate an Air Service Truck and an LTI 100FT Aerial Platform Fire Truck to the International Affairs Foundation, which will then donate it to the Denton Program, a federal program designed to transport humanitarian goods to countries in need.

<u>Attachments:</u> Fire Trucks Donation Resolution

C-7 Signed Cover Memo Signed Resolution 2014-182

A RESOLUTION GRANTING PERMISSION TO THE CITY MANAGER TO DONATE AN AIR SERVICE TRUCK AND AN LTI 100FT AERIAL PLATFORM FIRE TRUCK TO THE INTERNATIONAL AFFAIRS FOUNDATION WHICH WILL THEN DONATE IT TO THE DENTON PROGRAM, A FEDERAL PROGRAM DESIGNED TO TRANSPORT HUMANITARIAN GOODS TO COUNTRIES IN NEED.

This Matter was adopted by Resolution Number 2014-182 on the Consent Agenda.

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

C.-8. 14-3303 Cultural Development Board Meeting of July 23, 2014

<u>Attachments:</u> CDB Commission cover 9-11-14

CDB Minutes July 23 2014

This Matter was approved on the Consent Agenda.

City Clerk Item No. 16

C.-9. 14-3304 Economic Development Board Meeting of August 6, 2014

Attachments: EDB Minutes 08-06-14

EDB. 9.11.14 Commission cover

This Matter was approved on the Consent Agenda.

City Clerk Item No. 17

C.-10. 14-3307 Coral Gables Merrick House Governing Board Meeting of June 9, 2014

<u>Attachments:</u> Merrick House Minutes June 9 2014

6.9.14MinutesforCC9.11.14

This Matter was approved on the Consent Agenda.

City Clerk Item No. 18

C.-11. 14-3308 Historic Preservation Board Meeting of July 17, 2014

Attachments: HPB.07.17.14MinutesforCC09.11.14

HPB Minutes - July 17 2014

This Matter was approved on the Consent Agenda.

City Clerk Item No. 19

C.-12. 14-3314 Budget/Audit Advisory Board Meeting of June 25, 2014

<u>Attachments:</u> Meeting Minutes of June 25, 2014

**Budget Audit Minutes Cover Memo** 

This Matter was approved on the Consent Agenda.

C13.	<u>14-3318</u>	Green Task Force Meeting of June 25, 2014	
		Attachments:	6-25-14 Minutes COVER 6-25-14 Minutes
		This Matter was approved on the Consent Agenda.	
		City Clerk Item No. 21	
C14.	<u>14-3319</u>	Traffic Advisory Board Meeting of June 17, 2014	
		Attachments:	6-17-14 TAB minutes COVER 6-17-2014 TAB minutes
		This Matter was approved on the Consent Agenda.	
		City Clerk Item No. 23	
C15.	<u>14-3331</u>	Retirement Board Meeting of June 12, 2014	
		Attachments:	CC.9-11-2014.June 12, 2014 Minutes.6-12-2014
		This Matter was approved on the Consent Agenda.  City Clerk Item No. 24	

# **Pulled from Consent Agenda**

## **RESOLUTION NO. 2014-183**

C.-1. 14-3260

A Resolution authorizing free parking for event participants in parking Garages One (1), Three (3), and Four (4); and a fee waiver in the amount of \$510 associated with the rental of fifty-one (51) Parking spaces along Biltmore Way for the 4th Annual Miami Children's Hospital 5K Run/Walk event scheduled for September 20, 2014. (Deferred from the August 26, 2014 Meeting).

Attachments: City of Coral Gables MCH parking request 2014

MCH 5K Run Walk event - RESOL

<u>C-1 Signed Cover Memo</u> <u>Signed Resolution 2014-183</u>

A RESOLUTION AUTHORIZING FREE PARKING FOR EVENT PARTICIPANTS IN PARKING GARAGES ONE (1), THREE (3) AND FOUR (4); AND A FEE WAIVER IN THE AMOUNT OF \$510 ASSOCIATED WITH THE RENTAL OF FIFTY-ONE (51) PARKING SPACES ALONG BILTMORE WAY FOR THE 4TH ANNUAL MIAMI CHILDRENS HOSPITAL 5K RUN/WALK EVENT SCHEDULED FOR SEPTEMBER 20, 2014.

[Note for the Record: Commissioner Keon pulled Agenda Item C-1 to inquire of designated staff, who review and approves both events and schedules, to avoid concentration of all of said events and schedules in the same neighborhood on a regular basis; further pointing out that the area from Biltmore Way, to Coral Way, to Alhambra Circle represent those neighborhoods where events are most often scheduled, resulting in traffic tie ups to their respective streets, etc.; finally urging staff to work toward a better distribution of said events throughout our community].

A motion was made by Commissioner Quesada, seconded by Commissioner Keon, that this matter be adopted by Resolution Number 2014-183. The motion passed by the following vote.

**Yeas:** 5 - Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada, Commissioner Keon and Mayor Cason

#### C.-5. <u>14-3326</u>

A Resolution accepting the recommendation of the Chief Procurement Officer to award the Parking Cashiers, Attendants, and Supervisors for City Parking Facilities contract to Laz Florida Parking LLC, pursuant to Request for Proposal (RFP) 2014.06.19, and Section 2-828 of the Procurement Code entitled "Contract Award".

Attachments: Draft Resolution

**Evaluation Committee Results** 

Laz Parking

C-5 Signed Cover Memo

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

A motion was made by Commissioner Quesada, seconded by Commissioner Lago, that this matter be Deferred. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Lago, Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr. and Mayor Cason

City Clerk Item No. 26

# D. PERSONAL APPEARANCES

D.-1. 14-3273 Personal appearance by John B. Thompson regarding DUI Checkpoints in Coral Gables.(Deferred from the August 26 and September 11, 2014 Meetings)

This Agenda Item was Continued

## E. PUBLIC HEARINGS

Anyone who wishes to address the City Commission on an item to be considered for public hearing must fill out a Speaker Card and turn it in to the City Clerk. Speaker Cards can be obtained on the credenza located outside the Office of the Mayor, during the day of the City Commission Meeting.

#### ORDINANCES ON SECOND READING

# Items E.-1. and E.-2 are related

## ORDINANCE NO. 2014-21

#### E.-1. 14-3269

Review of a Planned Area Development (PAD). An Ordinance of the City Commission of Coral Gables, Florida requesting review of a Planned Area Development (PAD) pursuant to Zoning Code Article 3, "Development Review", Division 5, "Planned Area Development (PAD)", for the proposed project referred to as the "Gables Pointe Plaza" on the property legally described as Lots 7-27, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; including required conditions; providing for severability, repealer and an effective date. (Legal description on file at the City) (Passed on First Reading August 26, 2014)

# Attachments:

08 26 14 Exhibit A - Draft Ordinance re Planned Area Development

08 26 14 Exhibit B - Draft Ordinance re Change of Zoning

08 26 14 Exhibit C - 05 14 14 Staff report with attachments

08 26 14 Exhibit D - Excerpt of 05 14 14 PZB Meeting Minutes

08 26 14 Exhibit E - Staff PowerPoint presentation

E-8 & E-9 Signed Cover Memo

09 11 14 Exhibit A - Ordinance re Planned Area Development PAD

09 11 14 Exhibit B - Ordinance re; Change of Zonine

E-1 &E-2 Signed Cover Memo 9-11-14

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA REVIEW OF Α PLANNED REQUESTING AREA DEVELOPMENT PURSUANT TO ZONING CODE ARTICLE 3. "DEVELOPMENT REVIEW". DIVISION "PLANNED **AREA** DEVELOPMENT (PAD)", **FOR** THE PROPOSED PROJECT REFERRED TO AS THE "GABLES POINTE PLAZA" ON THE PROPERTY LEGALLY DESCRIBED AS LOTS 7-27, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBAN'S PARK SECTION (280 SOUTH DIXIE HIGHWAY), CORAL GABLES. FLORIDA: **INCLUDING** REQUIRED CONDITIONS; **PROVIDING FOR** SEVERABILITY, **REPEALER** AND AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE AT THE CITY)

[Note for the Record: Following the reading of the title to Agenda Item E-1 by the City Attorney into the public record, there being no public testimony proffered by any member of the public, nor there being any deliberation by any member of the City Commission, following a motion being made by Vice Mayor Kerdyk and seconded by Commissioner Quesada, the Mayor instructed the City Clerk to call the roll on said

agenda item].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Quesada, that this matter be adopted by Ordinance Number 2014-21. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago and Mayor Cason

City Clerk Item No. 27

## **ORDINANCE NO. 2014-22**

#### E.-2. <u>14-3270</u>

Change of Zoning. An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments" from Commercial Limited District (CL) to Commercial District (C) for the property legally described as Lot 13 and Lots 17-23, Block 1B, MacFarlane Homestead and St. Alban's Park Section (280 South Dixie Highway), Coral Gables, Florida; and providing for severability, repealer and an effective date. (Legal description on file at the City) (Passed on First Reading August 26, 2014)

#### Attachments:

08 26 14 Exhibit A - Draft Ordinance re Planned Area Development

08 26 14 Exhibit B - Draft Ordinance re Change of Zoning

08 26 14 Exhibit C - 05 14 14 Staff report with attachments

08 26 14 Exhibit D - Excerpt of 05 14 14 PZB Meeting Minutes

08 26 14 Exhibit E - Staff PowerPoint presentation

E-8 & E-9 Signed Cover Memo

09 11 14 CC Cover Memo - Gables Point Plaza 2nd reading

09 11 14 Exhibit A - Ordinance re Planned Area Development PAD

09 11 14 Exhibit B - Ordinance re; Change of Zonine

E-1 &E-2 Signed Cover Memo 9-11-14

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA REQUESTING A CHANGE OF ZONING PURSUANT TO ZONING CODE ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 14, "ZONING CODE TEXT AND MAP AMENDMENTS" FROM COMMERCIAL LIMITED DISTRICT (CL) TO COMMERCIAL DISTRICT (C) FOR THE PROPERTY LEGALLY DESCRIBED AS LOT 13 AND LOTS 17-23, BLOCK 1B, MACFARLANE HOMESTEAD AND ST. ALBAN'S PARK SECTION (280 SOUTH DIXIE HIGHWAY), CORAL GABLES, FLORIDA; AND PROVIDING FOR SEVERABILITY, REPEALER AND AN EFFECTIVE DATE. (LEGAL DESCRIPTION ON FILE AT THE CITY)

[Note for the Record: Following the reading of the title to Agenda Item E-2 by the City Attorney into the public record, there being no public testimony proffered by any member of the public, nor there being any deliberation by any member of the City Commission, following a motion being made by Commissioner Quesada and seconded by Vice Mayor Kerdyk, the Mayor instructed the City Clerk to call the roll on said agenda item].

A motion was made by Commissioner Quesada, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Ordinance Number 2014-22. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

City Clerk Item No. 28

# **ORDINANCE NO. 2014-23**

#### E.-3. 14-3186

An Ordinance Amending Chapter 50, Article II of the Code of the City of Coral Gables, entitled "Retirement System for City Employees"; amending Section 50-89, Quorum; amending Section 50-121, Establishment, Members and Chairman; repealing all ordinances inconsistent herewith; and providing an effective date (Passed on first reading on August 26, 2014)

Attachments: CG Ordinance - Pension Board Quorum and Investment Committee Expansion 8-

E-10 Signed Cover Memo 8-26-14
E-3 Signed Cover Memo 9-11-14
Signed Ordinance 2014-23

AN ORDINANCE AMENDING CHAPTER 50, ARTICLE II OF THE CODE OF THE CITY OF CORAL GABLES. ENTITLED "RETIREMENT SYSTEM FOR EMPLOYEES": 50-89. CITY AMENDING SECTION QUORUM; **AMENDING** SECTION 50-121. ESTABLISHMENT, **MEMBERS** AND CHAIRMAN: REPEALING ALL INCONSISTENT ORDINANCES HEREWITH: AND PROVIDING AN EFFECTIVE DATE.

[Note for the Record: Following the reading of the title to Agenda Item E-1 by the City Attorney into the public record, there being no public testimony proffered by any member of the public, nor there being any deliberation by any member of the City Commission, following a motion being made by Vice Mayor Kerdyk and seconded by Commissioner Lago, the Mayor instructed the City Clerk to call the roll on said agenda item].

A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Lago, that this matter be adopted by Ordinance Number 2014-23. The motion passed by the following vote.

**Yeas:** 5 - Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada, Commissioner Keon and Mayor Cason

#### ORDINANCES ON FIRST READING

## **ORDINANCE NO. 2014-26**

#### E.-4. 14-3305

Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida, repealing Sections 101-20, 101-21, 101-22, 101-23, 101-24, 101-25 and 101-26 of Article II, "Development Review Committee", of Chapter 101, "Administration and Enforcement", of the Coral Gables Code of Ordinances in its entirety; repealing Division 8 of Article 2, "Decision Making and Administrative Bodies", of the Zoning Code of Coral Gables in its entirety; amending Section 101-19, "Development Review Committee", of Chapter 101, "Administration and Enforcement", of the Coral Gables Code of Ordinances; amending Section 3-204, "Review by Development Review Committee", of the Zoning Code of Coral Gables; and providing for a new Division 8, of Article 2, of the Zoning Code of Coral Gables, by updating, revising and codifying Development Review Committee (DRC) procedures and review requirements as originally established in Ordinance No. 2003-45; providing for severability, repealer, codification and an effective date. (Passed on First Reading September 11, 2014)

Attachments: 09 11 14 Exhibit A - Draft Ordinance (marked up)

09 11 14 Exhibit B - 06 11 14 PZB Staff Report with attachments
09 11 14 Exhibit C - 06 11 14 Excerpt of PZB Meeting Minutes

E-4 Signed Cover Memo 9-11-14 09 23 14 Exhibit A - Draft Ordinance

09 23 14 CC Cover Memo - DRC 2nd reading

E-1 Signed Cover Memo 9-23-14 Signed Ordinance 2014-26

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

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

**Yeas:** 5 - Commissioner Lago, Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr. and Mayor Cason

# **ORDINANCE NO. 2014-27**

#### E.-5. 14-3306

Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 3, "Development Review", Division 10, "Transfer of Development Rights (TDR)", by expanding the area for qualifying TDR sending sites to include historically designated properties within a Multi-Family 2 (MF2) District located in the area north of the Central Business District (CBD) bounded by SW 8th Street (north), Navarre Avenue (south), Douglas Road (east), and LeJeune Road (west); providing for severability, repealer, codification and an effective date. (Passed on First Reading September 11, 2014)

<u>Attachments:</u> 09 11 14 Exhibit A - Draft Ordinance re TDR (marked up)

09 11 14 Exhibit B - 06 11 14 Staff Report

09 11 14 Exhibit D - 06 11 14 Excerpt of PZB Meeting Minutes

09 11 14 Exhibit C - Information package and PowerPoint presentation provided b

E-5 Signed Cover Memo 9-11-14 09 23 14 Exhibit A - Ordinance

09 23 14 Exhibit B - Map of potentially eligible TDR sending sites

09 23 14 CC Cover Memo - TDR sending sites 2nd reading

E-2 Signed Cover Memo 9-23-14 Signed Ordinance 2014-27

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

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

**Yeas:** 5 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago and Mayor Cason

City Clerk Item No. 31

# E.-6. <u>14-3342</u>

An Ordinance of the City Commission amending the Code of the City of Coral Gables, Florida to move the function of preparation of the commission meeting agenda from the City Manager to the City Clerk, and moving the agenda coordinator position and budgeted funds from under the Office of City Manager to under the Office of the City Clerk, and providing for severability, repealer, codification, and an effective date. (Sponsored by Commissioner Vince Lago) (Continued from the September 11, 2014 Meeting) (Passed on First Reading September 23, 2014)

Attachments: Agenda Preparation Ordinance 9-23-14

Agenda Function Survey
E-1 Ordinance 10-14-14

This Ordinance was Continued

#### RESOLUTIONS

## **RESOLUTION NO. 2014-184**

E.-7. 14-3238

A Resolution of the City Commission of Coral Gables, Florida providing for interpretation of Article 5, "Development Standards", Division 16, "Roofs" of the Coral Gables Zoning Code in conjunction with Chapter 105, "Buildings and Building Regulations," Article V "Minimum Housing Code," Section 105-289 "Floors, "Walls, Ceilings and Roofs" of the Coral Gables Code of Ordinances; and providing for an effective date.

Attachments: 09 11 14 Exhibit A - Resolution

09 11 14 Exhibit B - Pictures of various roof materials

<u>E-7 Signed Cover Memo</u> Signed Resolution 2014-184

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR INTERPRETATION OF ARTICLE 5, "DEVELOPMENT STANDARDS", DIVISION 16, "ROOFS" OF THE CORAL GABLES ZONING CODE IN CONJUNCTION WITH CHAPTER 105 "BUILDINGS AND BUILDING REGULATIONS," ARTICLE V "MINIMUM HOUSING CODE," SECTION 105-289 "FLOORS, WALLS, CEILINGS AND ROOFS" OF THE CORAL GABLES CODE OF ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

[Note for the Record: The verbatim transcript for Agenda Item E-7 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Quesada, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2014-184. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

# **RESOLUTION NO. 2014-186**

E.-8. <u>14-3330</u>

A Resolution of the City of Coral Gables, Florida, relating to the Provision of Fire Protection Services, Facilities and Programs in the City of Coral Gables, Florida; reimposing fire protection assessments against assessed property located within the City, for the fiscal year beginning October 1, 2014; approving the rate of assessment; approving the assessment roll; and providing an effective date.

Attachments: E-8 Signed Cover Memo

Fire Assessment Resolution 9-11-14

Signed Resolution 2014-186

A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF CORAL GABLES, FLORIDA; REIMPOSING FIRE PROTECTION ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2014; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

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

A motion was made by Commissioner Quesada, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2014-186. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Lago, Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr. and Mayor Cason

# F. CITY COMMISSION ITEMS

**F.-1.** 14-3289 Discussion regarding sidewalk ordinances. (Continued from the August 26 and September 11, 2014 Meetings)

Commissioner Pat Keon

Attachments: ARTICLE III REPAIR OR CONSTRUCTION OF STREETS AND SIDEWALK

Sidewalk improvement program resolution

This Agenda Item was Continued

City Clerk Item No. 43

# **RESOLUTION NO. 2014-200**

F.-2. 14-3344

A Resolution of the City Commission of Coral Gables, Florida, directing staff to require tree surveys and tree protection measures upon applications for Development Review Committee and Board of Architects, where applicable; directing staff to propose amendment to the City Code accordingly; and providing for an effective date. (Continued

from the September 11, 2014 Meeting)

Commissioner Pat Keon

Attachments: Tree Protection Resolution

F-2 Signed Cover Memo 9-11-14 F-2 Signed Cover Memo 9-23-14 Signed Resolution 2014-200

This Resolution was Continued

## **RESOLUTION NO. 2014-177**

F.-3. 14-3343

A Resolution of the City Commission of Coral Gables, Florida, urging that retailers in the City of Coral Gables refrain from the sale and marketing of any and all flavored tobacco products; urging federal state governments to take further action prohibiting flavored tobacco products; and directing the police department to review scope of lawful authority, in conjunction with the City Attorney and police legal advisers, and prioritize enforcement of current prohibitions and regulations to the full extent of federal and state law.

Commissioner Vince Lago

Attachments: F-3 Signed Cover Memo

Flavored Tobacco Resolution Signed Resolution 2014-177

A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, URGING THAT RETAILERS IN THE CITY OF CORAL GABLES REFRAIN FROM THE SALE AND MARKETING OF ANY AND ALL FLAVORED TOBACCO PRODUCTS: URGING FEDERAL AND STATE GOVERNMENTS TO TAKE FURTHER ACTION PROHIBITING FLAVORED TOBACCO PRODUCTS; AND DIRECTING THE POLICE DEPARTMENT TO REVIEW SCOPE OF LAWFUL AUTHORITY, IN CONJUNCTION WITH THE CITY ATTORNEY AND POLICE LEGAL ADVISERS. AND **PRIORITIZE ENFORCEMENT** OF **CURRENT** PROHIBITIONS AND REGULATIONS TO THE FULL EXTENT OF FEDERAL AND STATE LAW.

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

A motion was made by Commissioner Lago, seconded by Commissioner Keon, that this matter be adopted by Resolution Number 2014-177. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

# F.-4. <u>14-3346</u>

Update on crime statistics, discussion and possible action.

Commissioner Frank Quesada

[Note for the Record: The verbatim transcript for Agenda Item F-4 is available for public inspection and in Legistar].

# This Agenda Item was Discussed and Filed

City Clerk Item No. 33

# **RESOLUTION NO. 2014-185**

14-3362 Resolution of the City Commission of Coral Gables, Florida appointing Edward Hudak Interim Police Chief.

A motion was made by Commissioner Quesada, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2014-185. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago and Mayor Cason

# G. BOARDS/COMMITTEES ITEMS

## **RESOLUTION NO. 2014-191**

G.-1. <u>14-3323</u>

A Resolution appointing Derrek L. Space (Nominated By Commission-As-A-Whole) to serve as a member of the Property Advisory Board, for the remainder of a two (2) year term, which began on June 1, 2013 and continues through May 31, 2015.

<u>Attachments:</u> Derrek Space Resume

Derek Space Resolution
G-1 Signed Cover Memo
Signed Resolution 2014-191

RESOLUTION **APPOINTING DERREK** L. **SPACE** (NOMINATED RY COMMISSION-AS-A-WHOLE) TO **SERVE** AS Α MEMBER OF THE PROPERTY ADVISORY BOARD, FOR THE REMAINDER OF A TWO (2) YEAR TERM, WHICH BEGAN ON JUNE 1, 2013 AND CONTINUES THROUGH MAY 31, 2015.

A motion was made by Commissioner Quesada, seconded by Commissioner Keon, that this matter be adopted by Resolution Number 2014-191. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago and Mayor Cason

City Clerk Item No. 40

# **RESOLUTION NO. 2014-187**

Non <u>14-3369</u> Agenda Resolution appointing John Holian (nominated by Commissioner Quesada) to serve as a member of the Budget/Audit Advisory Board, for the remainder of a two-year term, beginning June 1, 2013 through May 31, 2015.

Attachments: Signed Resolution 2014-187

RESOLUTION APPOINTING JOHN HOLIAN (NOMINATED BY COMMISSIONER QUESADA) TO SERVE AS A MEMBER OF THE BUDGET/AUDIT ADVISORY BOARD, FOR THE REMAINDER OF A TWO-YEAR TERM, BEGINNING JUNE 1, 2013 THROUGH MAY 31, 2015.

A motion was made by Commissioner Keon, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2014-187. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago and Mayor Cason

# H. CITY MANAGER ITEMS

**H.-1.** Presentation of Quarterly Report for the nine months ended June 30, 2014. (Deferred from the August 26 and September 11, 2014 Meetings)

Attachments: H-1 Signed Cover Memo - 8-26-14

June Quarterly Report

This Agenda Item was Continued

City Clerk Item No. 45

# RESOLUTION NO. 2014-188 (As Amended)

H.-2. 14-3293 A Resolution amending Resolution 2013-89 to adjust the Maximum Short-Term Meter Rate in accordance with City Code Chapter 74, and providing for severability and an effective date. (Deferred from the August 26, 2014 Meeting)

Attachments: Parking Meter Fees Resolution 8-26-14

H-3 Signed Cover Memo 8-26-14

Tim Haahs Coral Gables Rate Study Final Report 7 14 14

Parking Meter Fees Resolution 9-11-14
Parking Meter Fees Resolution 9-11-14
H-2 Signed Cover Memo 9-11-14

[Note for the Record: The verbatim transcript for Agenda Item H-2 is available for public inspection in the Office of the City Clerk and in Legistar].

A motion was made by Commissioner Quesada, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted as amended by Resolution Number 2014-188. The motion passed by the following vote.

**Yeas:** 5 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

# RESOLUTION NO. 2014-189 (As Amended)

A Resolution of the City Commission of the City of Coral Gables, Florida, approving the project delivery methodology and public outreach concept for the Miracle Mile improvement project and the Giralda Avenue improvement project.

Attachments: Presentation1

H-3 Signed Cover Memo

Giralda and MM Improvements RFQ 9-11-14

Giralda and MM Improvements Methodology Resolution

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

A motion was made by Commissioner Keon, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2014-189. The motion passed by the following vote.

Yeas: 5 - Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada, Commissioner Keon and Mayor Cason

City Clerk Item No. 38

# **RESOLUTION NO. 2014-190**

H.-4. 14-3325

H.-3.

14-3316

A Resolution in accordance with Section 2-26 of the City Code, entitled "Regular Meetings, Special Meetings," setting forth City Commission meeting dates for the months of November and December, as follows: Tuesday, November 18, 2014 and Tuesday, December 16, 2014.

Attachments: Fall Meeting Dates Resolution

> H-4 Signed Cover Memo Signed Resolution 2014-190

RESOLUTION IN ACCORDANCE WITH SECTION 2-26 OF THE CITY CODE, ENTITLED "REGULAR MEETINGS, SPECIAL MEETINGS," SETTING FORTH CITY COMMISSION MEETING DATES FOR THE MONTHS OF NOVEMBER AND DECEMBER, AS FOLLOWS: TUESDAY, NOVEMBER 2014, AND TUESDAY DECEMBER 16, 2014.

motion was made by Commissioner Lago, seconded by Commissioner Quesada, that this matter be adopted by Resolution Number 2014-190. The motion passed by the following vote.

Commissioner Lago, Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr. and Mayor Cason

# I. CITY ATTORNEY ITEMS

## **RESOLUTION NO. 2014-205**

I.-1. 14-3209 A Resolution of the City Commission

A Resolution of the City Commission of Coral Gables, Florida, providing for interpretation of Article 5, "Development Standards," Division 19, "Signs" of the Coral Gables Zoning Code, and providing for an effective date. (Continued from the August 26 and September

11, 2014 Meetings)

<u>Attachments:</u> <u>I-1 Signed Cover Memo 8-26-14</u>

Interpretation of Sign Ordinance Resolution

I-1 Signed Cover Memo 9-11-14
I-1 Signed Cover Memo 9-23-14
Signed Resolution 2014-205

This Resolution was Continued

City Clerk Item No. 46

I.-2. 14-3210 Status report regarding appeal fees and appeal fees waiver. (Continued from the July 22,

August 26 and September 11, 2014 Meetings)

This Agenda Item was Continued

City Clerk Item No. 47

# J. CITY CLERK ITEMS

None

City Clerk Item No. 48

# K. DISCUSSION ITEMS

# **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 7:23 pm on September 11, 2014. The next regular meeting of the City Commission has been scheduled for September 23, 2014, beginning 9 a.m.]

JIM CASON MAYOR

ATTEST:

WALTER J. FOEMAN CITY CLERK