

# **City of Coral Gables**

*City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134  
[www.coralgables.com](http://www.coralgables.com)*



## **Meeting Minutes**

**Tuesday, January 22, 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

## PLEDGE OF ALLEGIANCE

### A. PRESENTATIONS AND PROCLAMATIONS

- A.-1. [08-0020](#) Presentation of Proclamation proclaiming March 15, 2008 as "St. Patrick's Day Festival in Coral Gables"

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

- A.-2. [08-0033](#) Recognition of G. W. Carver Middle School for being a Blue Ribbon School of Excellence

**This Presentation/Protocol Document was Recognized**

- A.-3. [08-0052](#) Recognition of Coral Gables Elementary School for being in the top 4% of all of the elementary schools in the State of Florida

**This Presentation/Protocol Document was Recognized**

- A.-4. [08-0014](#) Congratulations to Yolande A. Davis, City Clerk's Office, recipient of the City of Coral Gables Employee of the Month Award, for the month of February 2008

**Attachments:** [EOM\\_Feb2008.pdf](#)  
[YolandeDavis EOM\\_Feb2008-Cover Memo.pdf](#)

**This Presentation/Protocol Document was Recognized**

- A.-5. [08-0053](#) Bid farewell to retiring Fire Chief Richard Cook and welcome to new Fire Chief Walter Reed

**This Presentation/Protocol Document was Recognized**

### B. APPROVAL OF MINUTES

- B.-1. [08-0021](#) Meeting Minutes for the regular City Commission Meeting of January 8, 2008

**Attachments:** [Meeting Minutes 1-08-2008.pdf](#)

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, that this motion be approved. The motion passed by the following vote:**

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

**Absent :** 1 - Vice Mayor Kerdyk, Jr.

**C. CONSENT AGENDA****Passed the Consent Agenda**

**A motion was made by Commissioner Withers, seconded by Commissioner Anderson, to Adopt the Consent Agenda. The motion carried by the following vote:**

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

**Absent :** 1 - Vice Mayor Kerdyk, Jr.

**RESOLUTION NO. 2008-11****C.-2. 08-0005**

Resolution authorizing the Kiwanis Club of Little Havana to sell alcoholic beverages as a part of the Latin Jazz Art Festival and Carnaval at Ponce Circle Park on Friday, March 7, and on Miracle Mile on Saturday and Sunday, March 8 and 9, 2008.

**Attachments:** [Cover Sheet & Reso - Kiwanis of Little Havana Event 3-7-08 - 3-9-08.pdf](#)  
[Cover Sheet Kiwanis of Little Havana Event 3-7-08 - 3-9-08 \(signed\).pdf](#)  
[Kiwanis Special Event Application 2008.pdf](#)  
[Resolution 2008-11 Final.pdf](#)

**This Matter was adopted by Resolution Number 2008-11 on the Consent Agenda.**

**RESOLUTION NO. 2008-12****C.-3. 08-0025**

Resolution accepting dedication of property for right-of-way purposes, legally described as a portion of Lot 39, Block 17, of the Revised Plat of Coral Gables Industrial Section according to the Plat thereof, as recorded in Plat Book 28 at Page 22 of the Public Records of Miami-Dade County, Florida.

**Attachments:** [Conveyance Cover.pdf](#)  
[Conveyance Resolution.pdf](#)  
[Resolution 2008-12 Final.pdf](#)

**This Matter was adopted by Resolution Number 2008-12 on the Consent Agenda.**

**RESOLUTION NO. 2008-13****C.-4. 08-0048**

Resolution appointing Rhonda Anderson (Nominated by Commissioner Anderson) to serve as a member of the Public Safety Committee (Zone 2), for the remainder of a two (2) year term, beginning June 1, 2007 through May 31, 2009.

**Attachments:** [Public Safety Committee - Rhonda Anderson- Action Req.pdf](#)  
[R-2008 - DRAFT - RHONDA ANDERSON - PUBLIC SAFETY COMMITTEE.pdf](#)  
[Resolution 2008-13 Final.pdf](#)

**This Matter was adopted by Resolution Number 2008-13 on the Consent Agenda.**

- C.-6. [08-0024](#) Board of Adjustment Meeting of January 7, 2008

**Attachments:** [Board of Adjustment Minutes Jan 07, 2008.pdf](#)

**This Matter was approved on the Consent Agenda.**

- C.-7. [08-0016](#) Budget/Audit Advisory Board Meeting of December 13, 2007

**Attachments:** [012208-Cover Memo CC Minutes 121307.pdf](#)  
[121307-Minutes.pdf](#)

**This Matter was approved on the Consent Agenda.**

- C.-8. [08-0002](#) Code Enforcement Board Meeting of December 19, 2007

**Attachments:** [dec.07.pdf](#)  
[memo coverdec07.pdf](#)  
[ROLLCALLdec07.pdf](#)

**This Matter was approved on the Consent Agenda.**

- C.-9. [07-1154](#) Communications Committee Meeting of December 20, 2007

**Attachments:** [Minutes December 2007.pdf](#)

**This Matter was approved on the Consent Agenda.**

- C.-10. [08-0038](#) Coral Gables Advisory Board on Disability Affairs Meeting of November 7, 2007

**Attachments:** [07Nov.pdf](#)  
[Corrected Nov cover.pdf](#)

**This Matter was approved on the Consent Agenda.**

- C.-11. [08-0010](#) Economic Development Board Meeting of November 7, 2007

**Attachments:** [Minutes 11-7-07.pdf](#)  
[Commission cover no action -11-7 1-22-08.pdf](#)

**This Matter was approved on the Consent Agenda.**

- C.-12. [08-0017](#) International Affairs Coordinating Council Meeting of November 29, 2007

**Attachments:** [IACC Minutes 11-29-07.pdf](#)

**This Matter was approved on the Consent Agenda.**

- C.-13. [08-0051](#) Retirement Board Meeting of November 8, 2007

**Attachments:** [Retirement Board Minutes.pdf](#)  
[Retirement Board Minutes Cover.pdf](#)

**This Matter was approved on the Consent Agenda.**

**C.-14. [08-0006](#)** Senior Citizens Advisory Board Meeting of January 7, 2008

**Attachments:** [Min 01-07-08 Draft \(3\).pdf](#)  
[Cover Memo 01-07-08 Summary.pdf](#)

**This Matter was approved on the Consent Agenda.**

**C.-15. [08-0036](#)** Traffic Advisory Board Meeting of November 20, 2007

**Attachments:** [November Minutes 07.pdf](#)  
[Traffic cover.pdf](#)

**This Matter was approved on the Consent Agenda.**

**PULLED FROM CONSENT AGENDA****RESOLUTION NO. 2008-10****C.-1. 08-0003**

Resolution granting a one-day permit to the St. Patrick's Day Committee, Inc. to sell alcoholic beverages from noon until 6:00 p.m. on Saturday, March 15, 2008, at the Fred B. Hartnett/Ponce Circle Park as part of the St. Patrick's Day Festival, subject to Florida Department of Professional Regulation requirements.

**Attachments:** [Cover Memo St. Patrick's Day Festival - 2008 \(signed\).pdf](#)  
[St. Patrick's Committee 2008.pdf](#)  
[St. Patrick's Day Committee-Special Event App 2008.pdf](#)  
[Resolution 2008-10 Final.pdf](#)

**This Resolution was adopted by Resolution Number 2008-10**

**Yeas :** 3 - Commissioner Withers, Mayor Slesnick II and Commissioner Anderson

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

**RESOLUTION NO. 2008-09****C.-5. 08-0043**

Resolution authorizing the City Manager to execute a Memorandum of Understanding between the City of Coral Gables and the School Board of Miami-Dade County, Florida (M-DCPS) for the purpose of installing an informational web service kiosk at the City of Coral Gables War Memorial Youth Center.

**Attachments:** [Kiosk MOU.pdf](#)  
[Kiosk coversheet.pdf](#)  
[Resolution\\_Final.pdf](#)  
[Resolution 2008-09 Final.pdf](#)

**This Resolution was adopted by Resolution Number 2008-09**

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

**Absent :** 1 - Commissioner Cabrera, Jr.

**D. PERSONAL APPEARANCES****D.-1. 07-1152**

Presentation by Mr. Alberto M. Carvalho, Associate Superintendent, Office of Intergovernmental Affairs, Grants, Marketing, and Community Services on the Education Compact between Miami-Dade County Public Schools and the City of Coral Gables.

**Attachments:** [CG Education Compact Matrix -January 2008.pdf](#)  
[Education Compact Update Cover Memo.pdf](#)

**This Agenda Item was Presented and Filed****RESOLUTION NO. 2008-14****D.-2. 08-0030**

Appearance of Estrella Manso, Assistant Project Manager of Land Planning and Entitlements for Flagler Development Group, on behalf of Sevilla Bldg. LLC., owner, for permission to encroach into the right-of-way with a cornice encroaching a maximum of four feet, two inches (4'2") at an elevation of one hundred ninety feet, six inches (190'6") above the right-of-way (alley), adjacent to 2701 Le Jeune Road, Coral Gables, Florida.

**Attachments:** [2701lejeune Resol.pdf](#)  
[2701lejeunecover.pdf](#)  
[Le Jeune Exhibit A.pdf](#)  
[Resolution 2008-14 Final.pdf](#)

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Anderson, that this motion be adopted by Resolution Number 2008-14. The motion passed by the following vote:**

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

**E. PUBLIC HEARINGS****ORDINANCES ON SECOND READING****ORDINANCE NO. 2008-03****E.-1. 07-1115**

Ordinance on Second Reading. An Ordinance of the City of Coral Gables, Florida, amending Ordinance No. 2007-04 which approved a change of land use from "Commercial, Low-Rise Intensity" to "Commercial, Mid-Rise Intensity", and mixed-use site plan review pursuant to Zoning Code Section 3-5 for the proposed mixed-use project referred to as "Giralda Complex", on the property legally described as Lots 25-48, Block 28, Section "K" (2222 Ponce de Leon Boulevard), Coral Gables, Florida, and included required conditions; providing for a repealer provision, a savings clause and severability clause, and providing an effective date. (Passed on First Reading January 8, 2008)

**Attachments:** 01 08 08 Exhibit B - 12 03 07 Letter re cost estimate for proposed improvements.p  
01 08 08 Exhibit C - 09 11 06 Letter from applicant to BZD re proffer.pdf  
01 08 08 Exhibit D (Part 1 of 2) 11 15 06 City Commission Minutes Agenda Item E  
[01 08 08 Exhibit D \(Part 2\) 01 23 07 City Commission Minutes Agenda Item E 1.p](#)  
01 08 08 Cover Memo re: Giralda Complex condition of approval amendment - 1st  
01 08 08 Exhibit A: Ordinance re Giralda Complex condition of approval amendme  
[01 22 08 Cover Memo Giralda Complex condition of approval amendment - 2nd R](#)  
[01 22 08 Exhibit A Giralda Complex condition of approval amendment 2nd reading](#)  
[Ordinance 2008-03 Final.pdf](#)

**A motion was made by Commissioner Anderson, seconded by Commissioner Withers, that this motion be adopted by Ordinance Number 2008-03. The motion passed by the following vote:**



**Yeas :** 3 - Commissioner Anderson, Mayor Slesnick II and Commissioner Withers

**Nays :** 1 - Commissioner Cabrera, Jr.

**Absent :** 1 - Vice Mayor Kerdyk, Jr.

## ORDINANCES ON FIRST READING

### **ORDINANCE NO. 2008-06**

**E.-2. 08-0032**

An Ordinance of the City of Coral Gables, Florida, providing for text amendments to the Zoning Code, Article 3, Division 13, entitled "Concurrency Review," providing for updates to concurrency review provisions and procedures, including the addition of public school concurrency review procedures necessary to meet State of Florida mandated public school concurrency requirements; providing for severability, repealer, codification, and an effective date. (Passed on First Reading January 22, 2008)

**Attachments:** [01 22 08 Cover Memo re Zoning Code amendment Concurrency Review 1st Reading](#)  
[01 22 08 Exhibit A: Ordinance - Zoning Code amendment Concurrency Review 1st Reading](#)  
[01 22 08 Exhibit B: PZB Staff Report of 01 09 08 Zoning Code amendment Concurrency Review](#)  
[01 22 08 Exhibit C: Excerpts of 01 09 08 PZB Verbatim Minutes.pdf](#)  
[CCMtg January 22 2008 agenda item E-2 - Ordinance Amending Zoning Code.pdf](#)  
[03 25 08 Cover Memo re: School Concurrency amendments 2nd reading.pdf](#)  
[03 25 08 Exhibit A: Ordinance - School concurrency CLUP amendment w Atts A & B.pdf](#)  
[03 25 08 Exhibit B: Ordinance - Zoning Code amendment Concurrency Review 2nd Reading](#)  
[03 25 08 Exhibit C: 11 14 07 school concurrency staff report.pdf](#)  
[03 25 08 Exhibit D: Excerpts of 11 14 07 PZB Verbatim Minutes.pdf](#)  
[03 25 08 Exhibit E: 01 09 08 Zoning Code amendment Concurrency Review.pdf](#)  
[03 25 08 Exhibit F: Excerpts of 01 09 08 PZB Verbatim Minutes.pdf](#)  
[03 25 08 Exhibit G: Power Point 11 13 07 School Concurrency.pdf](#)  
[03 25 08 Exhibit H: Resolution No. 2007-272 interlocal agreement.pdf](#)  
[03 25 08 Exhibit I: 02 11 08 DCA ORC Report.pdf](#)  
[03 25 08 Exhibit J: Concurrency Review Procedures.pdf](#)

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

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

**F. CITY COMMISSION ITEMS**

- F.-1. [08-0037](#) Discussion regarding special events adjacent to 10 Aragon Avenue

Mayor Donald D. Slesnick, II

**This Agenda Item was Discussed/No Action Taken**

- F.-2. [08-0001](#) Discussion regarding the Public Safety Committee

Mayor Donald D. Slesnick, II

**Attachments:** [CCMtg January 22 2008 agenda item F-2 - Discussion regarding special events a](#)

**This Agenda Item was Discussed/No Action Taken**

**G. BOARDS/COMMITTEES ITEMS****H. CITY MANAGER ITEMS****RESOLUTION NO. 2008-15**

- H.-1. [08-0027](#) Resolution authorizing the City Manager to transfer \$75,000.00 from the Capital Improvement Program, originally allocated for Police Department structural repairs of the Police facility's BLOSA (Basement Large Objects Storage Area) to the Youth Center Security Plan Phase I for close-circuit surveillance and card access system.

**Attachments:** [Youth Center cover.pdf](#)  
[Youth Center Resol.pdf](#)  
[Resolution 2008-15 Final.pdf](#)

**A motion was made by Commissioner Withers, seconded by Commissioner Cabrera, Jr., that this motion be adopted by Resolution Number 2008-15. The motion passed by the following vote:**

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

**RESOLUTION NO. 2008-16**

- H.-2. [08-0026](#) Resolution authorizing Public Works Department to increase the contract limit with Metro Express, Inc., by \$800,000.00 for a total amount of \$2,000,000.00 to be funded by the Gasoline Tax Road Improvement Fund, for the remainder of the current contract year for further street improvement projects.

**Attachments:** [Metro Cover.pdf](#)  
[Metro Increase Resol.pdf](#)  
[Resolution 2008-16 Final.pdf](#)

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

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

**I. CITY ATTORNEY ITEMS**

- I.-1. [08-0034](#) Pending Litigation Report

**Attachments:** [PENLIT.1\\_22\\_08.pdf](#)

**This Agenda Item was Discussed/No Action Taken**

J. CITY CLERK ITEMS

K. DISCUSSION ITEMS

ADJOURNMENT

NOTE

David L. Brown  
City Manager