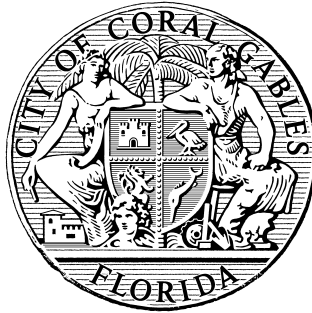


# City of Coral Gables

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



## Agenda

**Tuesday, October 14, 2008**

**9:00 AM**

**LUNCH BREAK - NOON**

**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*

**INVOCATION**

*The Very Reverend Peter Shportun, Cathedral of St. George*

**THE STAR-SPANGLED BANNER**

*Gary Maracheck and David Kelley, cast members of Actors' Playhouse "1776"*

**PLEDGE OF ALLEGIANCE**

**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [08-0664](#) Presentation of a Proclamation declaring October 2008 as Americans with Disabilities Month in Coral Gables

**B. APPROVAL OF MINUTES**

- B.-1. [08-0626](#) First Budget Hearing of September 9, 2008
- B.-2. [08-0658](#) Regular City Commission Meeting of September 23, 2008
- B.-3. [08-0659](#) Second Budget Hearing of September 23, 2008

**C. CONSENT AGENDA**

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

- C.-1. [08-0657](#) A Resolution granting a temporary variance to the Coral Gables Firefighter's Benevolent Association to sell Christmas trees, install a temporary chain link fence, and use an inflatable Santa Claus as a display at 5501 Granada Boulevard, the Coral Gables Baptist Church property, from November 22 through December 24, 2008.
- C.-2. [08-0680](#) A Resolution granting a temporary variance to St. Phillips Episcopal School to sell Christmas trees, install a temporary canopy at 1142 Coral Way, the St. Phillips Episcopal School property, from November 29 through December 21, 2008.
- C.-3. [08-0674](#) A Resolution appointing Josie Ramirez (nominated by Commissioner Anderson) to serve as a member of the Property Advisory Board, for the unexpired balance of a two (2) year term, which began on June 1, 2007 through May 31, 2009.
- C.-4. [08-0682](#) A Resolution appointing Doug Austin (nominated by Vice-Mayor Kerdyk), to serve as a member of the School and Community Relations Committee, for the unexpired balance of a two (2) year term, which began on June 1, 2007 through May 31, 2009.
- C.-5. [08-0684](#) A Resolution appointing Al Perez (nominated by Vice-Mayor Kerdyk), to serve as a member of the Emergency Management Division, for the unexpired balance of a two (2) year term, which began on June 1, 2007 through May 31, 2009.

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

- C.-6. [08-0644](#) Code Enforcement Board Meeting of September 17, 2008
- C.-7. [08-0645](#) Historic Preservation Board Meeting of August 21, 2008
- C.-8. [08-0648](#) Pinewood Cemetery Advisory Board Meeting of September 8, 2008
- C.-9. [08-0650](#) Cultural Development Board Meeting of September 8, 2008
- C.-10. [08-0651](#) Economic Development Board Meeting of September 3, 2008
- C.-11. [08-0652](#) Budget/Audit Advisory Board Meeting of September 11, 2008

- C.-12. [08-0654](#) Landscape Beautification Advisory Board Meeting of October 2, 2008
- C.-13. [08-0655](#) Board of Adjustment Meeting of September 8, 2008
- C.-14. [08-0665](#) Parks and Recreation Youth Advisory Board Meeting of September 25, 2008
- C.-15. [08-0667](#) Senior Citizens Advisory Board Meeting of September 8, 2008
- C.-16. [08-0681](#) Parks and Recreation Advisory Board Meeting of September 26, 2008

#### **D. PERSONAL APPEARANCES**

- D.-1. [08-0653](#) Laura L. Russo, Esq., on behalf of the Lola B. Walker Homeowners Foundation of Coral Gables, Inc., to request waiver of building site determination fees for two lots located in the MacFarlane Homestead Subdivision.
- D.-2. [08-0672](#) Mari Molina, Executive Director of the Business Improvement District, to provide a quarterly report on the activities of the BID.
- D.-3. [08-0689](#) Mark A. Trowbridge, President, CEO, Coral Gables Chamber of Commerce, to present Quarterly Report.

#### **Items D.-4. and G.-3. are related**

- D.-4. [08-0683](#) Brian Shirley, Project Manager for Dooley Mack Constructors of South Florida, LLC, to discuss temporary use of Riviera Park for construction staging purposes.
- D.-5. [08-0690](#) Jorge L. Hernandez, Architect, on behalf of the City of Coral Gables and the Coral Gables Museum Corporation, for permission to encroach into and over the right-of-way with stone pavers, four (4) columns encroaching one foot, three inches (1'-3"), one foot, seven inches (1'-7"), one foot, eight inches (1'-8") and three feet, three inches (3'-3"), supporting an open-air breezeway, and two (2) pair of wrought-iron motorized gates at the right-of-way (alley) adjacent to 285 Aragon Avenue, Coral Gables, Florida.

**E. PUBLIC HEARINGS**

*All Individuals desiring to give testimony shall be sworn in.*

**E.-1. [08-0656](#) Board of Adjustment Appeal - Item No. 8681-Z**

Thomas R. Mooney, Applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment at its regular meeting of September 8, 2008, wherein it denied an application for a variance pursuant to Ordinance No. 1525, as amended and known as the "Zoning Code." (Board of Adjustment Vote: 3-2)

**SUMMARY OF APPEAL:**

The Applicant is appealing the Board of Adjustment decision in regard to the proposed standing seam metal roof for the existing single-family residence, as outlined under the Applicant's Proposal as follows:

Consider a variance request for a standing seam metal roof for the existing single-family residence located at 601 Navarre Avenue, Coral Gables, Florida.

**E.-2. [08-0661](#) Concurrency Appeal - Certificate of Use No. CU-0000015094**

Robert Espinosa, Applicant, has filed an appeal to the Coral Gables City Commission due to a negative concurrency determination from the Concurrency Administrator on September 24, 2008, in connection with the operation of a tattoo parlor to be located at 5258 SW 8th Street, Coral Gables, FL 33134.

**SUMMARY OF APPEAL:**

The Concurrency Administrator denied an application for a Certificate of Use for the business operation of a tattoo parlor to be located at 5258 SW 8th Street, Coral Gables, FL 33134, property legally described as Coral Gables Granada Section PB 8-113, Lot 3, Block 50, Lot Size 50.000 X 109. The Applicant is appealing the denial and is requesting an interpretation of the Zoning Code definition of "problematic uses" and a determination identifying in which zoning use district this type of use may be permitted.

**ORDINANCES ON SECOND READING****Items E-3 and E-4 are related**

- E.-3. [08-0575](#) An Ordinance of the City Commission of Coral Gables for a change of land use from "Residential Use (Single-Family) Low Density" to "Parks and Recreational Use" for the following: Maggiore Park on Lots 1-3, Block 99, Riviera Section #2; Rotary Centennial Park on Lots 5-6, Block 17, Flagler Street Section; and, San Sebastian Park on Lots 5-6, Block 44, Crafts Section, Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (PZB recommended approval, Vote: 6-0) (Passed on First Reading September 9, 2008)
- E.-4. [08-0576](#) An Ordinance of the City Commission of Coral Gables for a change of zoning from "SFR", Single Family Residential to "S", Special Use for the following: Maggiore Park on Lots 1-3, Block 99, Riviera Section #2; Rotary Centennial Park on Lots 5-8, Block 17, Flagler Street Section; and, San Sebastian Park on Lots 5-6, Block 44, Crafts Section, Coral Gables, Florida, and including required conditions; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (PZB recommended approval, Vote: 6-0) (Passed on First Reading September 9, 2008)
- E.-5. [08-0578](#) An Ordinance of the City Commission of Coral Gables approving the change of zoning from "MFSA", Multi Family Special Area to "C", Commercial for the proposed project referred to as the "2600 LeJeune Office Building", on the property legally described as Lots 25-32, Block 6, Biltmore Section (2524 LeJeune Road), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date. (PZB recommended approval, Vote: 4-1) (Passed on First Reading September 9, 2008)

**ORDINANCES ON FIRST READING**

- E.-6 [08-0677](#) An Ordinance of the City of Coral Gables, Florida Amending the City Code, Chapter 2, entitled "Administration", Article VIII, entitled "Procurement Code", by correcting scrivener's errors; amending the definitions and application sections to conform with language requirements of the City Code, Florida Laws and Federal Laws and Federal Laws and Regulations; implementing a contract manager system; amending the section of the City Attorney's duties by adding a section on Appeals of City Attorney decisions; amending the section on protests of solicitations and awards to strengthen the notice requirements and contents for protests; amending the section on performance and payment bonds to reflect the mandatory requirements of bonds for all construction contracts; amending the language for the purchase, sale or lease of city-owned property to provide more stringent analysis for such actions; amending the construction manager-at-risk selection and negotiation process to conform with the requirements of Florida law; update the City's insurance section to conform with new City requirements; changing all Public Works Department's responsibilities for procurement to the Procurement Division of the Finance Department; providing for severability, repealer, codification, and an effective date.

**F. CITY COMMISSION ITEMS**

None

**G. BOARDS/COMMITTEES ITEMS**

- G.-1. [08-0514](#) Presentation of excerpts from the Historic Preservation Board meeting of July 17, 2008 requesting the following action with regard to Case File AV 2006-03.

That the City Commission adopt a Resolution authorizing Ad Valorem tax relief for the property located at 1101 North Greenway Drive, a local historic landmark, legally described as Lots 13, 14, and 15, Block 15, Coral Gables Section "C", according to the Plat thereof, as recorded in Plat Book 8, Page 26, of the Public Records of Miami-Dade County, Florida. The Miami-Dade County Property Appraiser has determined the change in value of the property due to the renovations to be \$403,398.00. This corresponds to an exemption of up to approximately \$2,118.00 per year and up to approximately \$21,180.00 over ten years.

- G.-2. [08-0646](#) Presentation of excerpts from the Historic Preservation Board meeting of August 21, 2008 requesting the following action with regard to Case File AV 2001-02.

That the City Commission adopt a Resolution authorizing Ad Valorem tax relief for the property located at 1910 Country Club Prado, a local historic landmark, legally described as Lots 3 and 4, Block 26, Coral Gables Section "E", according to the Plat thereof, as recorded in Plat Book 8, Page 86, of the Public Records of Miami-Dade County, Florida. The approximate tax exemption requested is for a \$252,840 improvement, which could correspond to approximately \$1,327.41 per year and approximately \$13,274.10 over ten years.

**Items G.-3. and D.-4. are related**

- G.-3. [08-0685](#) Presentation of excerpts from the Parks and Recreation Advisory Board Meeting of September 26, 2008, recommending the following:

That the request from Dooley Mack for the use of a portion of Riviera Park for use as a work site be accepted by the City Commission with the following criteria:

-The use of the park by Dooley Mack have an established start and end date without extensions.

-The gazebo provided is built according to the exact specifications in the master design plan already submitted.

-Dooley Mack, upon the end of the use of the site, returns the portion of the park used back to its original state.

**H. CITY MANAGER ITEMS****Time Certain: 10:00 a.m.**

- H.-1. [08-0649](#) Consideration of the Country Club of Coral Gables RFP Evaluation Committee's Recommendation to authorize the City Manager to commence negotiations with Liberty Events, LLC, for the long-term leasing of the Country Club of Coral Gables subject to certain terms and conditions and resulting in a draft lease agreement for City Commission consideration.
- H.-2. [08-0605](#) A Resolution of the City Commission of Coral Gables amending Resolution 2007-245 which established fees for various licenses, permits, services, and penalties by the City of Coral Gables, providing for severability, repealer, codification and an effective date. (Deferred from the September 23, 2008 Meeting)
- H.-3. [08-0678](#) A Resolution authorizing the award of Fitness Professional Services to The Fitness Center pursuant to Section 2-828 of the Procurement Code for the Fitness Professional RFP 2008.07.14. Further authorizing the City Manager to execute a two (2) year contract with an option to renew for (3) additional one (1) year periods.
- H.-4. [08-0675](#) A Resolution authorizing the City Manager and the Chief of Police to execute a renewal of the Voluntary Cooperation Mutual Aid Agreement with the South Florida Money Laundering Task Force, for multi-jurisdictional and cross-jurisdictional delivery of police services.
- H.-5. [08-0660](#) Status of Ordinance on Automated External Defibrillators
- H.-6. [08-0663](#) Red light Camera Program Update
- H.-7. [08-0691](#) Presentation on Code Enforcement Procedures

**I. CITY ATTORNEY ITEMS**

- I.-1. [08-0686](#) A Resolution authorizing settlement of the dispute between the City and Quantum Leap Network, Inc., concerning the transfer of the domain name, www.venetianpool.com, to the City of Coral Gables.
- I.-2. [08-0687](#) A resolution of the City of Coral Gables, providing for the participation of the Mayor and City Commissioners in the elected officers' class of the Florida Retirement System; providing for repealer; providing an effective date.



**J. CITY CLERK ITEMS**

None

**K. DISCUSSION ITEMS**

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

**ADJOURNMENT****NOTE**

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

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

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

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

**David L. Brown  
City Manager**