

# **City of Coral Gables**

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



## **Meeting Minutes**

**Tuesday, October 14, 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**

## **PLEDGE OF ALLEGIANCE**

Mayor Jim Cason 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. 2014-30 through Ordinance No. 2014-31) (b) Resolution(s) adopted (Resolution No. 2014-210 through Resolution No. 2014-226); (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. [14-3401](#)**

Presentation of a Proclamation declaring October 2014 as Americans with Disabilities Month in Coral Gables.

[Note for the Record: Following the reading of the title to Agenda Item A-1 (i.e. Disabilities Month), Mayor Cason remarked that since this item was the first one on the agenda, that he wanted for Ms. Bonnie Blair, the chairperson of the Coral Gables Advisory Board on Disabilities Affairs, along with the other members of the Board who were present, to join her at the podium, while he reads the proclamation.

Following Mayor Cason's reading of the proclamation, Commissioner Quesada stated that Coral Gables is such a great community, because of the great people that make up this community; further mentioning that our City has so many great boards in this community; however, the Coral Gables Advisory Board on Disability Affairs is made up of superstars in this community, further pointing out that they do such a good job, and put such a strong effort forward to improve this governing body; further acknowledging that for 20 years this Board has been in existence, further thanking said Board for making this City a better place.

In accepting this protocol document, Board Chairman Blair thanked the Mayor, City Commission and the viewing public for joining them in this celebration of "Disabilities Month," and further pointed out that the Board's mission is threefold: advocate on issues involving disability-further stressing that this month being "Disability Month," she wanted to pay attention to the kinds of things that come into one's lives, analyze what is going on, noting that the Board acts in partnership regarding projects and research activities; further stating that said Board has two most important projects coming up this year-a Partnership with the Center for Independent Living; adding that they will be opening up a Consumer Information Office and in that office they will be providing information services ---disability services, including local, countywide and statewide-In addition, the Board continues to support the program at Coral Gables Senior High School, a mentoring program for students with varying disabilities who need visual experiences to see how adults do things; further stating that the Board will continue this program-and will further continue the challenge of obtaining resources-on the City's website under municipal services, take a look at disability services, there are links to a myriad of services available to families, friends and persons with challenges. Ms. Blair thanked the Commissioners and Board members for their support].

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

City Clerk Item No. 1

**A.-2. [14-3402](#)**

Presentation of a Proclamation declaring October 29, 2014 as Ethical Governance Day in Coral Gables.

[Note for the Record: Following the reading of the title to Agenda Item A-2, Mayor Cason thanked the Coral Gables Commission on Ethics and Public Trust, for its unwavering support; further acknowledging the presence of Executive Director of the Miami-Dade Commission on Ethics and Public Trust, noting that the City was very proud to have him here. Mayor Cason then proceeded to read the proclamation into the record, declaring October 29, 2014 as “Ethical Governance Day” here in Coral Gables.

In accepting this accolade, Mr. Centorino thanked the Mayor and members of the City Commission, for its support for the Ethical Governance Program and its generous support in furtherance of “Ethical Governance Day,” further noting that Coral Gables has been a great partner with the Miami-Dade Commission on Ethics in this project, as demonstrated by its sponsorship of this resolution which has brought lots of civic leaders into our schools, with its emphasis on ... in ethical government.

Mr. Centorino stressed the issue of teaching public service and citizenship in our public schools to our younger generations; pointing out the values of citizenship and ethical government, that all of us in public service, regardless of what our position is, have that obligation to transmit the values of citizenship to the future generations of citizens in Miami-Dade County, stressing that this what Miami-Dade County Commission on Ethics is trying to do.

City Attorney Craig Leen stated that he wanted to say something - adding that he would be remiss if he didn't. He is the City's Chief Ethics Officer, and there is no other public servant more available to help - further noting that upon calling him on his cell and he will provide advice, he is looking out for the ethics of our County, and he sincerely thanks Mr. Centorino for that].

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

City Clerk Item No. 2

**A.-3. [14-3410](#)**

Presentation of 20 year service pin to Steven R. Ellinport, Police Department.

**Attachments:** [Steve Ellinport](#)

[Note for the Record: Presentation of a 20- year service pin to Steven R. Ellinport): Following the reading of the title to Agenda Item A-3, Mayor Cason requested of the Interim City Manager, who in return requested of Deputy Human Resources Director, Frank Giallorenzo, to present the item, whereby he mentioned that Steven Ellinport joined the Coral Gables Police Department in October of 1994; he was promoted to

Sergeant in 2005; he was selected to the K Unit Sergeant in 2007; he was promoted to Lieutenant in March of 2012; he was transferred to the Technical Services Division in June of 2014, and has served as Acting Major for TSD since July of 2014.

Mr. Giallorenzo further stated that Steven Ellinport holds a Bachelor of Science Degree in Business Administration from Babson College, and also holds a Juris Doctorate from the University of Miami, along with being a member of the Florida Bar, and is in good standing.

In accepting this accolade, Steven notes that it is impressive that many employees remain in the City of Coral Gables for 20-25 years, and that many of the longtime-tenured staff stay because of the employees; further expressing optimism that the Mayor and members of the City Commission, along with the City Manager, will do whatever is necessary to keep those quality employees].

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

City Clerk Item No. 3

**A.-4. [14-3375](#)**

Congratulations to Officer Andre Hammann, recipient of the City of Coral Gables Officer of the Month Award, for the month of August 2014.

**Attachments:** [COMMISSION COVER MEMO - OFFICER OF THE MONTH - AUGUST 2014.pdf](#)  
[NOMINATION FOR AUGUST 2014.pdf](#)

[Note for the Record: Following the reading of the title to Agenda Item A-4, Interim Police Chief Ed Hudak stated it is his pleasure to do this for the first time; further noting that on August 27, 2014, the Officer of the Month was patrolling the City on the midnight shift - he is basically out there protecting us while we sleep; because of Officer Hammann's keen observation skills, along Eighth Street, which borders with the City of Miami, he observed a black Cadillac exiting the parking lot of a motel, which is on the north side. He thought the car looked suspicious, because of its high rate of speed in taking off; he continued to follow the car and initiated a traffic stop. Subsequent to that, he contacted the City of Miami, which is standard protocol. Because of his actions, getting involved, and following somebody not necessarily in our city, he had people in custody, even before the City of Miami received a phone call. Officer Hammann's attention to detail, his daily work ethic, is what we are looking for in our police officers. Chief Hudak said it is his pleasure to introduce Officer Hammann as the "August 2014 Officer of the Month."

Officer Hammann said he wanted to thank the Mayor, the City Commissioners and the Chief of Police for this honor].

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

City Clerk Item No. 4

**A.-5. [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:** [FF of the Month Notification Letter, Sept 2014](#)  
[Cover Memo, FF of the Month, September 2014 rev](#)

[Note for the Record: Following the reading of the title to Agenda Item A-5, which was deferred from the September 11, 2014 City Commission meeting, Fire Chief Marc Stolzenberg said he wanted to call Division Chief Gil Hernandez, who was essential to the firefighters being recognized at the Commission Meeting being held on this date. Chief Stolzenberg stated that it was his pleasure to introduce Lt. Jeff Fabian, who was selected as the “September 2014 Firefighter of the Month,” for his excellence in conduct, responsibility, dependability, and mostly, for his positive attitude. Jeff has provided the City with exceptional service for thirty-one years. For twenty-two of those years, he has been riding on the rescue truck and was a member of the Recruit Class of 1983, which was known as the “Baker’s Dozen,” and Chief Stolzenberg further stated that he is proud to be a part of that class. Jeff’s employee file is filled with many, many letters of praise and it is interesting to see how consistently he receives these letters of appreciation. He has responded to approximately 13,000 rescue calls. His experience is priceless, and his wholehearted commitment to the citizens of Coral Gables is commendable.

In accepting this accolade, Lt. Fabyan thanked everyone in the viewing audience for this recognition].

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

City Clerk Item No. 5

**A.-6. [14-3394](#)**

Congratulations to Firefighter John Zipse, recipient of the City of Coral Gables Firefighter of the Month Award, for the month of October 2014.

**Attachments:** [Cover Memo - FF OF THE MONTH, Oct 2014](#)  
[FF of the Month Notification Letter, Oct 2014](#)  
[Cover Memo - FF of the Month, October 2014](#)

[Note for the Record: Following Mayor Cason’s reading of the title to Agenda Item A-6, Fire Chief Marc Stolzenberg stated that Firefighter John Zipse was selected as the “Firefighter of the Month for October 2014,” for his outstanding display, initiative and job performance; further stating that John was hired in 1989 and has been a very productive firefighter for the past twenty-five years; Chief Stolzenberg described John as a well-rounded, very knowledgeable firefighter-driver-engineer. His effective problem-solving skills offer his crew a sense of security, as they can rely on John’s critical decision thinking skills, the Fire Chief added; further pointing out that as a

driver-engineer, the crew's safety is of utmost importance. Driving a fire truck requires exceptional skills alone. Street knowledge, knowing the best and quickest way to get to an emergency. John is responsible to ensure that the fire truck and all of its equipment is in proper working condition. There is one area of expertise that should be noted - John is an original member of the Coral Gables Extrication Competition Team, which has won international awards. John has not only participated in the team; but now, he offers his expertise and trains the department's current team. His extrication skills are so specialized that his skills are critical to train other members of the department. Firefighter John Zipse's work ethics and his desire to share his compassion are worthy of recognition as the "Firefighter of the Month for October 2014, adds Chief Stolzenberg"].

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

City Clerk Item No. 6

**A.-7. [14-3409](#)**

Presentation of 20 year service pin to Maria A. Milian, Human Resources Department.

**Attachments:** [Maria Milian](#)

[Note for the Record: Following Mayor Cason's reading of the title to Agenda Item A-7, Interim City Manager Carmen Olazabal announced that Assistant Human Resources Director, Frank Giallorenzo, will present this item. Mr. Giallorenzo stated that it was his pleasure to give the twenty-year service pin to Maria Milian, of the Human Resources Department; he further stated that Maria began her career with the City Beautiful in October of 1994, as the Benefits Coordinator. In September of 2012, he further cites that she was promoted to Personnel Analyst, her current position. She was recognized for being an excellent employee and was selected Employee of the Month in May 2011. She really is a great asset to the Human Resources Department, Mr. Giallorenzo points out, further congratulating Mrs. Milian. In accepting this recognition, Mrs. Milian pointed out that twenty years may seem like a long time, but it really isn't when you enjoy what you are doing and work with such a great group of people. It has been her privilege, further thanking everyone present in the viewing audience].

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

City Clerk Item No. 7

- A.-8. [14-3408](#) Congratulations to Jose Ramirez, Public Works Department/Parking Division, recipient of the Employee of the Month Award, for the month of October 2014.

**Attachments:** [Jose Ramirez](#)  
[Jose A. Ramirez Letter for EOM](#)

[Note for the Record: Following Mayor Cason's reading of the title to Agenda Item A-8, Frank Giallorenzo pointed out that this nomination came from a member of the community who wrote to us that "Mr. Ramirez found my cousin's wallet, which had approximately \$2,000 in cash and credit cards. Jose left a note on our windshield that he had found the wallet. He is a rare individual and did the right thing and should be commended, appreciated and rewarded." Adding that is why he and other supporters were present at the Commission Meeting on this same date, further congratulating him.

The Employee of the Month video was shown.

Parking Director Kevin Kinney noted that he makes it a habit to walk up and down Miracle Mile on a fairly regular basis and it is very common for someone to come out and talk to him about Jose. Those comments and interactions are almost universally positive and that is what we train The Ambassadors for, and this is a reaffirmation to him that Jose is doing the job the way that we want him to added Mr. Kinney. Further noting that Jose is a great guy and that he hopes he sticks around for a long time.

Mr. Ramirez thanked everyone for the recognition].

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

City Clerk Item No. 8

## **B. APPROVAL OF MINUTES**

- B.-1. [14-3430](#) First Budget Hearing of September 11, 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 - Commissioner Keon, Vice Mayor Kerdyk, Jr., Commissioner Lago, Commissioner Quesada and Mayor Cason

City Clerk Item No. 10



- B.-2.**     [14-3431](#)             Special City Commission Meeting of September 13, 2014.

**Attachments:**    [Meeting Minutes](#)  
                              [Verbatim Transcript](#)

**A motion was made by Commissioner Quesada, seconded by Commissioner Keon, 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. 11

- B.-3.**     [14-3432](#)             Second Budget Hearing of September 23, 2014.

**Attachments:**    [Meeting Minutes](#)  
                              [Verbatim Transcript](#)

**A motion was made by Commissioner Quesada, seconded by Commissioner Keon, 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. 12

- B.-4.**     [14-3433](#)             Emergency Special City Commission Meeting of September 26, 2014.

**Attachments:**    [Verbatim Transcript](#)  
                              [Meeting Minutes](#)

**A motion was made by Commissioner Quesada, seconded by Commissioner Keon, 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. 13

**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 Vice Mayor Kerdyk, Jr., 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. 2014-210****C.-1. [14-3387](#)**

A Resolution authorizing \$350,000 from the Capital Improvement Program already approved for the Coral Gables Merrick House to be used for a matching grant application to the Florida Department of State Division of Historical Resources for the restoration and rehabilitation of the "Coral Gables Merrick House" located at 907 Coral Way.

**Attachments:** [Special Category Merrick House Resolution](#)  
[C-1 Signed Cover Memo](#)  
[Signed Resolution 2014-210](#)

A RESOLUTION AUTHORIZING \$350,000.00 FROM THE CAPITAL IMPROVEMENT PROGRAM, ALREADY APPROVED FOR THE CORAL GABLES MERRICK HOUSE TO BE USED FOR A MATCHING GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF STATE DIVISION OF HISTORICAL RESOURCES FOR THE RESTORATION AND REHABILITATION OF THE "CORAL GABLES MERRICK HOUSE" LOCATED AT 907 CORAL WAY.

**This Matter was adopted by Resolution Number 2014-210 on the Consent Agenda.**

City Clerk Item No. 14

**RESOLUTION NO. 2014-211****C.-2. [14-3393](#)**

A Resolution granting permission 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, 2014.

**Attachments:** [Letter from Firefighter's Benevolent Assoc.](#)  
[Lease Agreement](#)  
[Certificate of Liability Insurance](#)  
[Boundary Survey](#)  
[C-2 Signed Cover Memo](#)  
[Resolution for Christmas Trees](#)  
[Signed Resolution 2014-211](#)

A RESOLUTION GRANTING PERMISSION 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 25, 2014.

**This Matter was adopted by Resolution Number 2014-211 on the Consent Agenda.**

City Clerk Item No. 15

**RESOLUTION NO. 2014-212****C.-3. [14-3397](#)**

A Resolution authorizing the City Manager to execute an agreement with Hammock Oaks Harbor Homeowners Association for the purpose of upgrading the Hammock Oaks guard house facility at the association's expense and the addition of landscape lighting to be provided by the City; and authorizing an amendment to the Fiscal Year 2014-2015 Annual Budget to recognize as revenue funds contributed by the Hammock Oaks Homeowners Association and appropriating such funds to put toward the cost of the project.

**Attachments:** [Exhibit A](#)  
[Exhibit B](#)  
[C-3 Signed Cover Memo](#)  
[Hammock Oaks Guardhouse Resolution](#)  
[Signed Resolution 2014-212](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH HAMMOCK OAKS HARBOR HOMEOWNER ASSOCIATION FOR THE PURPOSE OF UPGRADING THE HAMMOCK OAKS GUARD HOUSE FACILITY AT THE ASSOCIATION'S EXPENSE AND THE ADDITION OF LANDSCAPE LIGHTING TO BE PROVIDED BY THE CITY; AND AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2014-2015 ANNUAL BUDGET TO RECOGNIZE AS REVENUE FUNDS CONTRIBUTED BY THE HAMMOCK OAKS HOMEOWNERS ASSOCIATION AND APPROPRIATING SUCH FUNDS TO PUT TOWARD THE COST OF THE PROJECT.

**This Matter was adopted by Resolution Number 2014-212 on the Consent Agenda.**

City Clerk Item No. 16

**RESOLUTION NO. 2014-213**

C.-4. [14-3403](#)

A Resolution authorizing the placement of temporary event banners and directional signs for the "Miami Dade Florida Nursery, Growers and Landscape Association Palm Show and Sale", to be held on October 25 and October 26, 2014 at the Montgomery Botanical Center, 11901 Old Cutler Road, Coral Gables, Florida, and authorizing the City Manager to consider and renew approval of future temporary signage requests related to this event.

**Attachments:** [Permit exemption request](#)  
[C-4 Signed Cover Memo](#)  
[Palm Sale Resolution](#)  
[Signed Resolution 2014-213](#)

A RESOLUTION AUTHORIZING THE PLACEMENT OF TEMPORARY EVENT BANNERS AND DIRECTIONAL SIGNS FOR THE "MIAMI DADE FLORIDA NURSERY, GROWERS AND LANDSCAPE ASSOCIATION PALM SHOW AND SALE," TO BE HELD ON OCTOBER 25 AND OCTOBER 26, 2014 AT THE MONTGOMERY BOTANICAL CENTER, 11901 OLD CUTLER ROAD, CORAL GABLES, FLORIDA, AND AUTHORIZING THE CITY MANAGER TO CONSIDER AND RENEW APPROVAL FOR FUTURE TEMPORARY SIGNAGE REQUESTS RELATED TO THIS EVENT.

**This Matter was adopted by Resolution Number 2014-213 on the Consent Agenda.**

City Clerk Item No. 17

**RESOLUTION NO. 2014-214**

C.-7. [14-3416](#)

A Resolution amending previous Resolution 2014-193 authorizing Satchmo Blues Bar and Grill, Inc. to sell alcoholic beverages from 1:00 p.m. to 5:00 p.m. at the Plaza located at 60 Merrick Way on Saturday, October 25, 2014 during the El Clásico on the Plaza event to benefit the Woody Foundation, subject to Florida Department of Professional Regulation Requirements.

**Attachments:** [Resolution 2014-193](#)  
[Special Events Application and Permit - Satchmo Blues Bar and Grill \(2\)](#)  
[Resolution Amendment](#)  
[C-7 Signed Cover Memo](#)  
[Signed Resolution 2014-214](#)

A RESOLUTION AMENDING PREVIOUS RESOLUTION NO. 2014-193 AUTHORIZING SATCHMO BLUES BAR AND GRILL, INC. TO SELL ALCOHOLIC BEVERAGES FROM 1:00 P.M. TO 5:00 P.M. AT THE PLAZA LOCATED AT 60 MERRICK WAY ON SATURDAY, OCTOBER 25, 2014 DURING THE *EL CLÁSICO ON THE PLAZA* EVENT TO BENEFIT THE WOODY FOUNDATION, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**This Matter was adopted by Resolution Number 2014-214 on the Consent Agenda.**

City Clerk Item No. 18

**RESOLUTION NO. 2014-215****C.-8. [14-3421](#)**

A Resolution accepting a grant for financial assistance in the amount of \$200,000 from the Florida Department of Environmental Protection (FDEP) for the City's Waterway Bank Stabilization project and authorizing the City Manager to execute an agreement with FDEP for said financial assistance under FDEP Agreement No. 15DA2.

**Attachments:** [15DA2 Agreement](#)  
[\\$200,000 Resolution](#)  
[C-8 Signed Cover Memo](#)  
[Signed Resolution 2014-215](#)

A RESOLUTION ACCEPTING A GRANT FOR FINANCIAL ASSISTANCE IN THE AMOUNT OF \$200,000 FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE CITY'S WATERWAY BANK STABILIZATION PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH DEP FOR SAID FINANCIAL ASSISTANCE UNDER FDEP AGREEMENT NO. 15DA2.

**This Matter was adopted by Resolution Number 2014-215 on the Consent Agenda.**

City Clerk Item No. 19

**RESOLUTION NO. 2014-216****C.-9. [14-3422](#)**

A Resolution accepting a grant for financial assistance in the amount of \$400,000 from the Florida Department of Environmental Protection (FDEP) for the City's comprehensive Inflow and Infiltration Program and authorizing the City Manager to execute an agreement with FDEP for said financial assistance under FDEP Agreement No. LP 13206.

**Attachments:** [LP13206 Agreement](#)  
[\\$400,000 Resolution](#)  
[C-9 Signed Cover Memo](#)  
[Signed Resolution 2014-216](#)

A RESOLUTION ACCEPTING A GRANT FOR FINANCIAL ASSISTANCE IN THE AMOUNT OF \$400,000 FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THE CITY'S COMPREHENSIVE INFLOW AND INFILTRATION PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FDEP FOR SAID FINANCIAL ASSISTANCE UNDER FDEP AGREEMENT NO. LP 13206.

**This Matter was adopted by Resolution Number 2014-216 on the Consent Agenda.**

City Clerk Item No. 20

**RESOLUTION NO. 2014-217****C.-10. [14-3427](#)**

A Resolution approving the concept for a collaborative Virtual History Project entitled, "Coral Gables: a Virtual Historic City - Phase II, in a geospatially enabling learning and discovery web environment"; further allocate an amount of \$51,000 per year for year one (FY 2014-2015) and an amount of \$51,000 for year two (FY 2015-2016) respectively, and an amount of \$52,000 to be allocated in year three (FY 2016-2017), the final year of funding for said project; from Account Code No. 001-0601-511-9002 (i.e. Special Revenue Fund entitled, "Office of the City Clerk/Document Filing Fee"), subject to budget and appropriation.

**Attachments:** [PROFESSIONAL SERVICE AGREEMENT - REVISED 10-09-14 FIU AND CORA R-2014- Draft - FIU Virtual Historic City - Phase II](#)  
[C-10 Signed Cover Memo](#)  
[Signed Resolution 2014-217](#)

A RESOLUTION APPROVING THE CONCEPT FOR A COLLABORATIVE VIRTUAL HISTORY PROJECT ENTITLED, "CORAL GABLES: A VIRTUAL HISTORIC CITY - PHASE II, IN A GEOSPATIALLY ENABLING LEARNING AND DISCOVERY WEB ENVIRONMENT"; FURTHER ALLOCATE AN AMOUNT OF \$51,000 PER YEAR FOR YEAR ONE (FY 2014-2015) AND AN AMOUNT OF \$51,000 FOR YEAR TWO (FY 2015-2016) RESPECTIVELY, AND AN AMOUNT OF \$52,000 TO BE ALLOCATED IN YEAR THREE (FY 2016-2017), THE FINAL YEAR OF FUNDING FOR SAID PROJECT; FROM ACCOUNT CODE NO. 001-0601-511-9002 (I.E. SPECIAL REVENUE FUND ENTITLED, "OFFICE OF THE CITY CLERK/DOCUMENT FILING FEE").

**This Matter was adopted by Resolution Number 2014-217 on the Consent Agenda.**

City Clerk Item No. 21

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

**C.-11. [14-3382](#)**

Economic Development Board Meeting of September 3, 2014

**Attachments:** [EDB 10.14.14 Commission cover](#)  
[EDB Minutes 09-03-14](#)

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

City Clerk Item No. 22

**C.-12. [14-3383](#)**

Cultural Development Board Meeting of August 27, 2014

**Attachments:** [CDB Minutes August 27 2014](#)  
[CDB Commission cover 10-14-14](#)

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

City Clerk Item No. 23

- C.-13. [14-3384](#) Property Advisory Board Meeting of August 11, 2014

**Attachments:** [8-11-14 PAB minutes](#)  
[PAB 10-14-14 Commission cover](#)

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

City Clerk Item No. 24

- C.-14. [14-3385](#) Landscape Beautification Advisory Board Meeting of September 4, 2014

**Attachments:** [101414-Cover Memo CC Minutes90414](#)  
[Minutes BC 9-4-14](#)

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

City Clerk Item No. 25

- C.-15. [14-3386](#) Historic Preservation Board Meeting of August 21, 2014

**Attachments:** [HPB.08.21.14MinutesforCC10.14.14](#)  
[HPB Minutes - August 21 2014](#)

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

City Clerk Item No. 26

- C.-16. [14-3395](#) Parking Advisory Board Meeting of August 28, 2014

**Attachments:** [PAB Minutes 08-28-2014](#)  
[PAB 08.28.2014 meeting minutes-COVER](#)

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

City Clerk Item No. 27

- C.-17. [14-3398](#) Traffic Advisory Board Meeting of August 19, 2014

**Attachments:** [TAB COVER 10-14-2014](#)  
[TAB MINUTES 8-19-14](#)

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

City Clerk Item No. 28

- C.-18. [14-3414](#) Parks and Recreation Advisory Board Meeting of August 22, 2014

**Attachments:** [Cover Sheet.Minutes 08-22-14](#)  
[Minutes 08-22-14 draft](#)

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

City Clerk Item No. 29



- C.-19. [14-3418](#) Communications Committee Meeting of September 18, 2014

**Attachments:** [Agendaitemoctober2014](#)  
[minutes September 2014](#)

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

City Clerk Item No. 30

**Pulled from Consent Agenda**

**RESOLUTION NO. 2014-218**

- C.-5. [14-3411](#) A Resolution authorizing the Coral Gables Chamber of Commerce to sell alcoholic beverages at Fred B. Hartnett Ponce Circle Park on Thursday, November 6, 2014, from 6:00 p.m. to 10:00 p.m. during the Burgerliscious event to benefit Coral Gables Community Foundation, subject to Florida Department of Professional Regulation Requirements.

**Attachments:** [Resolution for Burgerliscious](#)  
[Special Events Application and Permit](#)  
[C-5 Signed Cover Memo](#)  
[Signed Resolution 2014-218](#)

A RESOLUTION AUTHORIZING CORAL GABLES CHAMBER OF COMMERCE TO SELL ALCOHOLIC BEVERAGES AT FRED B. HARTNETT PONCE CIRCLE PARK ON THURSDAY, NOVEMBER 6, 2014, FROM 6:00 P.M. TO 10:00 P.M. DURING THE BURGERLISCIOUS EVENT TO BENEFIT CORAL GABLES COMMUNITY FOUNDATION, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**A motion was made by Commissioner Quesada, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2014-218. 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. 31

**RESOLUTION NO. 2014-219**

- C.-6. [14-3413](#) A Resolution authorizing the Gables Hispanic Cultural Foundation, Inc. to sell alcoholic beverages on Saturday, October 25, 2014 from 11:00 a.m. until 11:00 p.m. and on Sunday, October 26, 2014 from 10:00 a.m. until 8:00 p.m. on Biltmore Way between LeJeune Road and Hernando Street, during the Gables Hispanic Cultural Festival, subject to Florida Department of Professional Regulation Requirements.

**Attachments:** [Special Events Application and Permit](#)  
[Gables Hispanic Foundation Resolution](#)  
[C-6 Signed Cover Memo](#)  
[Signed Resolution 2014-219](#)

A RESOLUTION AUTHORIZING GABLES HISPANIC CULTURAL FOUNDATION, INC. TO SELL ALCOHOLIC BEVERAGES ON SATURDAY, OCTOBER 25, 2014 FROM 11:00 A.M. UNTIL 11:00 P.M. AND ON SUNDAY, OCTOBER 26, 2014 FROM 10:00 A.M. UNTIL 8:00 P.M. ON BILTMORE WAY BETWEEN LEJEUNE ROAD AND HERNANDO STREET, DURING THE GABLES HISPANIC CULTURAL FESTIVAL, SUBJECT TO FLORIDA DEPARTMENT OF PROFESSIONAL REGULATION REQUIREMENTS.

**A motion was made by Commissioner Quesada, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2014-219. 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. 32

**D. PERSONAL APPEARANCES**

- D.-1. [14-3407](#) Presentation of the "Florida Guardian Ad Litem" program by Volunteer Recruiters Michael Brennan and Victoria Harris. (Deferred from the October 14, 2014 Meeting).

**This Agenda Item was Deferred**

City Clerk Item No. 33

- D.-2. [14-3406](#) Presentation of the Coral Gables Museum's accomplishments, by Christine Rupp, Director.

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

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 34

**RESOLUTION NO. 2014-220**

- D.-3. [14-3417](#) Presentation and possible action regarding The Underline, by Meg Daly, President of Friends of The Underline.

**Attachments:** [The Underline Presentation](#)  
[Signed Resolution 2014-220](#)

A RESOLUTION OF THE CITY COMMISSION AUTHORIZING THE CITY MANAGER TO ALLOCATE AN AMOUNT OF \$50,000 TO FRIENDS OF THE UNDERLINE IN CONNECTION WITH THE MASTER PLANNING OF THE UNDERLINE BIKE STUDY THAT IS A 10-MILE URBAN TRAIL AND LINEAR PARK FOR RESIDENTS AND VISITORS, AS WELL AS STUDENTS AND FACULTY RUNNING FROM THE MIAMI RIVER BRICKELL STATION THROUGH CORAL GABLES TO DADELAND SOUTH. THIS BIKE STUDY IS EXPECTED TO BE COMPLETED BY JUNE OR JULY OF 2015.

[Note for the Record: The verbatim transcript for Agenda Item D-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 Commissioner Lago, that this matter be adopted by Resolution Number 2014-220. 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. 35

- D.-4. [14-3429](#) Honorable Jennifer D. Bailey and Honorable Jaqueline H. Scola, to speak about the condition of the Miami-Dade Courthouse, at 73 West Flagler Street.

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

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 9

## 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

#### ORDINANCE NO. 2014-30

E.-1. [14-3342](#)

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](#)  
[Signed Ordinance 2014-30](#)

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 FROM UNDER THE OFFICE OF CITY MANAGER TO UNDER THE OFFICE OF CITY CLERK, AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND 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 Commissioner Lago and seconded by Commissioner Quesada, the Mayor instructed the City Clerk to call the roll on said agenda item].

**A motion was made by Commissioner Lago, seconded by Commissioner Quesada, that this matter be adopted by Ordinance Number 2014-30. 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. 38

**ORDINANCE NO. 2014-31****E.-2. 14-3361**

Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code Appendix A, "Site Specific Regulations", by adding Section A-77.1. "Riviera-Maggiore Subdivision", to indicate Lots 1 and 2 are separate building sites; providing for severability, repealer, codification, and an effective date. (Passed on First Reading September 23, 2014)

**Attachments:** [09 23 14 Exhibit C - Copy of Final Plat entitled Riviera-Maggiore Subdivision](#)  
[09 23 14 Exhibit D - 04 09 14 PZB Staff Report](#)  
[09 23 14 Exhibit E- Excerpt of 04 09 14 PZB Meeting Minutes](#)  
[09 23 14 Exhibit F - Ordinance No. 2013-18](#)  
[09 23 14 Exhibit A - Draft Resolution - Final Plat](#)  
[09 23 14 Exhibit B - Draft Ordinance - ZC Text Amendment](#)  
[E-4&E-5 Signed Cover Memo](#)  
[Riviera Maggiore 2nd Reading Ordinance](#)  
[E-2 Signed Cover Memo 10-24-14](#)  
[Signed Ordinance 2014-31](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE APPENDIX A, "SITE SPECIFIC REGULATIONS", BY ADDING SECTION A-77.1. "RIVIERA-MAGGIORE SUBDIVISION", TO INDICATE LOTS 1 AND 2 ARE SEPARATE BUILDING SITES; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

[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 Keon and seconded by Commissioner Quesada, the Mayor instructed the City Clerk to call the roll on said agenda item].

**A motion was made by Commissioner Keon, seconded by Commissioner Quesada, that this matter be adopted by Ordinance Number 2014-31. 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. 39

**ORDINANCE ON FIRST READING****ORDINANCE NO. 2014-222****E.-3. [14-3437](#)**

An Ordinance of the City Commission of Coral Gables, Florida, amending the Code of the City of Coral Gables, Florida, by creating Sections 34-175 through 34-186 of the City Code, "Forfeiture of Abandoned Real Property" of Chapter 34 "Nuisances," to create a process by which the city can take and perfect right, title and interest in and to such properties which are or remain in violation of the City Code or Zoning Code; and providing for a repealer provision, severability clause, codification, and providing for an effective date. (Passed on First Reading October 28, 2014)

**Attachments:** [Abandoned Real Property Ordinance 10-14-14](#)  
[E-3 Signed Cover Memo 10-14-14](#)  
[Signed Resolution 2014-222](#)  
[E-1 Signed Cover Memo 01-13-15](#)  
[Abandoned Real Property Ordinance 01-13-15](#)

A RESOLUTION TO DEFER CONSIDERATION OF AGENDA ITEM E-3 [I.E. PROPOSED FIRST READING TO AMEND THE CODE OF THE CITY OF CORAL GABLES, FLORIDA, BY CREATING SECTIONS 34-175 THROUGH 34-185 OF THE CITY CODE, "FORFEITURE OF ABANDONED REAL PROPERTY" OF CHAPTER 34 "NUISANCES", TO CREATE A PROCESS BY WHICH THE CITY CAN TAKE AND PERFECT RIGHT, TITLE AND INTEREST IN AND TO SUCH PROPERTIES WHICH ARE OR REMAIN IN VIOLATION OF THE CITY CODE OR ZONING CODE]; SAID AGENDA ITEM WHICH WAS CONTINUED FROM THE OCTOBER 14, 2014 CITY COMMISSION MEETING TO THE OCTOBER 28, 2014 CITY COMMISSION MEETING.

[Note for the Record: The verbatim transcript for Agenda Item E-3 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 Keon, that this matter be deferred by Resolution Number 2014-222. The motion passed by the following vote.**

**Yeas :** 4 - Commissioner Quesada, Commissioner Keon, Vice Mayor Kerdyk, Jr. and Mayor Cason

**Absent :** 1 - Commissioner Lago

City Clerk Item No. 40

**F. CITY COMMISSION ITEMS**

- F.-1.**     [14-3428](#)     Discussion regarding “Caring for our Community Day” at William A Cooper Park, located at 4920 Washington Drive. The event is going to be on Saturday, November 15th, starting at 8:30 AM until 1 PM.

Commissioner Vince Lago

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

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 42

**G. BOARDS/COMMITTEES ITEMS**

**None**

City Clerk Item No. 43

**H. CITY MANAGER ITEMS****RESOLUTION NO. 2014-223****H.-1. [14-3396](#)**

A Resolution of the City of Coral Gables, Florida authorizing the negotiation of a loan in an amount not to exceed \$25,000,000 from the Sunshine State Governmental Financing Commission; to finance certain capital improvements within the City of Coral Gables; approving the execution and delivery of one or more loan agreements; establishing the Borrower's intent to reimburse certain capital project costs incurred with proceeds of future tax-exempt financing or other obligations; providing certain other matters in connection with the making of such Loans.

**Attachments:** [Form Loan Agreement-Giralda](#)  
[Form Loan Agreement-Miracle Mile](#)  
[Streetscape Resolution](#)  
[H-1 Signed Cover Memo](#)  
[Signed Resolution 2014-223](#)

A RESOLUTION OF THE CITY OF CORAL GABLES, FLORIDA AUTHORIZING THE NEGOTIATION OF A LOAN IN AN AMOUNT NOT TO EXCEED \$25,000,000 FROM THE SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION; TO FINANCE CERTAIN CAPITAL IMPROVEMENTS WITHIN THE CITY OF CORAL GABLES; APPROVING THE EXECUTION AND DELIVERY OF ONE OR MORE LOAN AGREEMENTS; ESTABLISHING THE BORROWER'S INTENT TO REIMBURSE CERTAIN CAPITAL PROJECT COSTS INCURRED WITH PROCEEDS OF FUTURE TAX-EXEMPT FINANCING OR OTHER OBLIGATIONS; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN.

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

**A motion was made by Vice Mayor Kerdyk, Jr., seconded by Commissioner Quesada, that this matter be adopted by Resolution Number 2014-223. 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. 41



**RESOLUTION NO. 2014-240**

- H.-2. [14-3404](#) A Resolution approving the implementation of a Residential Sidewalk Restoration Program. (Continued from the October 14, 2014 City Commission Meeting).

**Attachments:** [City Code Section 58-80](#)  
[H-1 Signed Cover Memo](#)  
[Sidewalk Restoration Program Resolution](#)

[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].

**This Resolution was Continued**

City Clerk Item No. 44

- H.-3. [14-3420](#) Discussion regarding financing for proposed new trolley maintenance and storage facilities and renovations and expansion of Fire Station 2.

**Attachments:** [Site development conceptual plan](#)  
[H-3 Signed Cover Memo](#)

[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].

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 45

**RESOLUTION NO. 2014-221 (As Amended)**

- H.-4. [14-3415](#) A Resolution rescinding Resolution No. 2005-119 and reinstating the City-Wide Anti-Crime Committee and setting forth guidelines by which such Committee shall be governed.

**Attachments:** [City Map with Police Patrol Zones](#)  
[City-Wide, Anti-Crime Committee Reso](#)  
[H-4 Signed Cover Memo](#)  
[Signed Resolution 2014-221](#)

A RESOLUTION RESCINDING RESOLUTION NO. 2005-119 AND REINSTATING THE CITY-WIDE ANTI-CRIME COMMITTEE AND SETTING FORTH GUIDELINES BY WHICH SUCH COMMITTEE SHALL BE GOVERNED.

[Note for the Record: The verbatim transcript for Agenda Item H-4 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 2014-221. 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. 36

- H.-5. [14-3423](#) Update on the Police Department.

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

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 37

**I. CITY ATTORNEY ITEMS**

**RESOLUTION NO. 2014-226**

- I.-1. [14-3424](#) 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 Reso-pdf](#)  
[Evaluation Committee Results](#)  
[Laz Parking Proposal](#)  
[Chief Procurement Officer's Recommendation](#)  
[I-1 Signed Cover Memo](#)

[Note for the Record: The verbatim transcript for Agenda Item I-1 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 Quesada, that this matter be adopted by Resolution Number 2014-226. 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. 49

**RESOLUTION NO. 2014-225**

- Non** [14-3504](#) Resolution of the City of Coral Gables, waiving the Lobbyist Fee for the representative of  
**Agenda** Laz Parking.

**A motion was made by Commissioner Quesada, seconded by Vice Mayor Kerdyk, Jr., that this matter be adopted by Resolution Number 2014-225. 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. 48

**RESOLUTION NO. 2014-224 (As Amended)**

- I.-2. [14-3436](#) A Resolution of the City Commission related to criteria for waiver of appeal fees for City residents demonstrating financial hardship.

**Attachments:** [Waiver of Appeal Fees Resolution](#)  
[I-2 Signed Cover Memo](#)

[Note for the Record: The verbatim transcript for Agenda Item I-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 2014-224. 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. 46

- I.-3. [14-3438](#) A Resolution of the City Commission of Coral Gables amending Resolution Number 2013-89, which established fees for appeals of City Board decisions to the City Commission, providing for severability and an effective date.

**Attachments:** [I-3 Signed Cover Memo](#)  
[Resolution Amending 2013-89](#)

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

**This Resolution Failed**

City Clerk Item No. 47

**J. CITY CLERK ITEMS**

**None**

City Clerk Item No. 50

**K. DISCUSSION ITEMS**

City Attorney Leen: There were a couple other quick items. I'll be quick. First, I just wanted to recognize Zilma Osle, there is going to be a retirement party for her tomorrow, but she had done a tremendous service to the City for a long time and to you in particular.

[Applause]

City Attorney Leen: And in my office worked directly for you and I know that she had interacted with you and I just want to thank her. She is wonderful. Also, I wanted to request Executive Session in two additional cases: Murray v. City of Coral Gables, Case No. 13-20731, Eleventh Judicial Circuit and Navarro v. City of Coral Gables, Case No. 13-15577, Eleventh Judicial Circuit. Maria is the COLA case; Navarro v. City of Coral Gables is a property case in Coco Plum. We have a proposed settlement, which I'm going to talk to the Manager about and then bring to you at an Executive Session. In addition, I wanted to report to you that the City prevailed in the Supreme Court in the case of Detournay v. Coral Gables. By prevail it doesn't mean that the Court entered a decision; the Court found I declined to exercise jurisdiction. This is a complicated case; it involves the boat slips on the Maji waterway near U.S. -1. The Riviera Neighborhood Association and a number of residents are very unhappy with the boat slips and there was a suit with the City of Coral Gables related to whether we could be compelled to proceed with the Code Enforcement matter. As a pure matter of governance, it's good that we prevailed in the case because the City needs to have the discretion on when and when not to prosecute the Code. However, during the case and my intent was to stand by it. We are prepared to proceed with this matter now. We do have a proposal to bring this to, and I wanted to make it clear for the record and for the residents, assuming that the Commission agrees, the proposal would be to bring this to the Board of Adjustment or to the Code Enforcement Board, probably the Board of Adjustment to make a determination as to whether these are legally non-conforming or not. At that point if its determined to be a Code violation, we proceed with Code Enforcement, if not, they would be legalized, some or all of them. It ultimately would be a legal decision made by the Board of Adjustment; it could be appealed to you. I wanted you to know and give you my assurance that we do intend to, now that the case is over, pursue this matter.

Commissioner Quesada: Ingraham in that area and LeJeune Road on the Miami side of the property, obviously Coral Gables is directly on the other side of the street, and

there has been a question from some residents and e-mails that I received and I will forward them to staff, so they can forward them to you guys, if you guys haven't received them, and it looks like they are asking us for money to help remediate Merry Christmas Park, which is a City of Miami park, obviously. I will tell you, I am somewhat conflicted on the issue because at one point I see the fact that Coral Gables residents use it, but - and this is actually something I briefly discussed it with the Manager yesterday and she brought up a great point. Where does it start and where does it end? You know they have remediation issues with the park they have on 37th Avenue and Bird Road as well, that's close to Coral Gables as well. If we were to decide to give any money to remediate Merry Christmas Park does that mean that we also have to remediate for that park over there? At the same time they have a lot of residents that use Miracle Mile, should we be asking City of Miami to give money toward our Miracle Mile renovation?- it doesn't really make sense, and should we be spending taxpayer money on improvements or remediation for a park?-or another property outside of our City for an issue we did not create?

Mayor Cason: That's my point. I think that - we are doing a remediation on 72nd Street, we haven't asked the neighbors there to help us with that. It seems to me that we need to use taxpayer's money for things within Coral Gables. We have plenty of opportunities, plenty of things that need to be fixed, and we pay a lot of money to Miami-Dade, and I think they need to find their own monies.

Vice Mayor Kerdyk: It's actually the City of Miami.

Mayor Cason: City of Miami, but I mean it's....

Commissioner Lago: But we all, we all - goes off with what the Mayor was saying right now. I agree with what Commissioner Quesada was saying. My purpose was, Commissioner Sarnoff reached out to me and that was about two days ago, and he brought this to my attention. I was aware, like all of us are in regard to the issues that are going on at Merry Christmas Park, but I wasn't aware that it was an additional about \$300,000, that they are going to need to properly remove some of this contaminated waste. He asked me if the City of Coral Gables would get involved. My response was, let me speak with my colleagues and just brief them in regards to the issue and see if we can start looking into this, but I'm sorry I just walked in since we took that 5 minute break. I think if we do decide, let's just say, to offer a helping hand either monetarily, either intellectually, either we can help somehow, someway, I think that we open ourselves up for some liability, which Craig, I don't know if you want to

maybe discuss this right now. Talking about issues of potential liability and then going off what the Mayor said, maybe the only option here is potentially going to the County, joining forces, City of Miami, City of Coral Gables and going to the County and stressing the importance of having this project properly remediated because, I'll be honest with you, I just received probably about 10 e-mails since this morning from residents who live adjacent to that property. A lot of them are Coral Gables residents. Their main concern is that if this property is designated "brown field" and supposedly if we proceed, if the City of Miami proceeds in the manner they are headed currently, it would be designated "brown field", because they will not be cleaning up all the waste. What they will be doing is basically compacting it on clean - clean fill will be about 2 feet supposedly, which will hopefully cover up the waste, but it will be considered a "brown field" and that would potentially impact property values. Again, I haven't confirmed that, that's not written in stone, but I think that it's something that we need to look into and maybe we can go to the County and say, listen...what do you think Commissioner?

Commissioner Keon: It was my understanding that the Merrie Christmas Park they also found contaminants in the water underneath the park which made it - would make it an even bigger issue than it just being in the soil, and I don't know that it sits on top of an aquifer, I don't know what it is but I think we should get all of the facts. I do remember though that there were contaminants in the water as well.

Commissioner Lago: This is the major concern I was mentioning before. Depending on the magnitude of the scope of the City of Miami is going to undertake here, we don't know what it is to a full extent. I've gotten some information from Alice Bravo who sent me some documents today, but I haven't had a chance to look at them. One of the documents is 350 pages, Danette has it, so if you want to look at them. Depending on the scope and the magnitude of the project in regards to the remediation of this waste, I'm just extremely concerned on the amount of Coral Gables residents that use this park, Number One; and Number Two, the Coral Gables properties that abut this park whether if this park is named the "brown field" or designated "brown field", which supposedly it already has been, is my understanding, will resolve in obviously property values suffering in the area.

Commissioner Keon: Well it may be named as a "brown field" in order for them to access funds to do the remediation and the clean-up, and I know a lot of times or frequently with contaminated soil or whatever, the process to actually remove it creates more contamination than capping it.

Commissioner Lago: Supposedly they are going to remove the contaminants then spread it over a larger area throughout the park. Again, I can't confirm that because I haven't looked at all the documents.

Commissioner Keon: I have to believe that DERM is very involved in whatever the process is that they are using to do the remediation and it's done under government regulations, so I think we would clarify DERM and who the other governmental bodies exactly what's going on before we worry about rumor or whatever.

Vice Mayor Kerdyk Your understanding that the number was \$300,000?

Commissioner Lago: For full remediation.

Vice Mayor Kerdyk: Full remediation.

Commissioner Lago: Because right now - again the number supposedly was about like a million dollars, from my understanding, but they are falling short of being able to remove all the material because from the e-mails that I've gotten, I'm looking at one right now from one of the residents and they basically say here, I write to ask you through the City of Coral Gables recognize the interest and take appropriate measures in regards to not just removing certain contaminants, removing all of the contaminants, because their fear is that they are going to take the contaminants which are currently piled up and spread them even throughout the park and then putting a layer, like Commissioner Keon was saying, to cap it.

Commissioner Keon: To cap it - but I think the best thing is to ask the City of Miami and DERM to maybe hold a meeting for the community to inform them like they did when it was determined that there were contaminants.

Commissioner Lago: The removal of the contaminants would be about \$300,000.

Commissioner Keon: Right - but I think we can confirm with both the County and the City because there is some County regulation over this too, but we just investigate with the other governments and ask them and then ask if they would, I'm sure they would like to inform their residents as well and we would like to notice ours in that area, because it's such a widely used park that we could have some sort of a meeting, so people could be informed and we can use one of our facilities to do it in if they'd like.



Maybe they can do it in the auditorium at the Youth Center, or someplace that we have the ability to gather a large number of people.

Commissioner Lago: Here I have an e-mail which basically explains it from the City of Miami: "Attached please find the relevant information regarding the remediation project at Merrie Christmas Park. As part of the remediation a 2-foot layer of clean soil will be placed over the areas containing ash to create an engineering control or barrier that prevents human contact with heavy metals. Due to the needs to tie in elevations at the highest points of the park near LeJeune Road, some of the contaminated soil is to be removed from the high area and placed at the low area, bottom of the slope, east of where the tree lines, the road near our approved plans. Some residents have expressed a preference to have this material hauled off site to a dump. We have estimates of hauling and disposal will cost an additional \$300,000. That \$300,000 is not currently in the scope, and the residents that abut the park, obviously would like to see that material moved".

Commissioner Keon: I think that whatever they, the City of Miami have to meet a certain standard to remediate. Now there are some people that will tell you that to put that in trucks and to try and remove it and moving it around creates more contamination than actually what they are going to do is - now one of the beauties of that park is that it has that huge depression in it, what you can do is you are going to lose some of that because they are going to fill it.

Commissioner Lago: The purpose of bringing it up, frankly, I was out of the Chambers. The purpose of today is just to bring it to everyone's attention as it was brought to my attention, and hopefully start a discussion maybe our City Attorney or City Manager can have some sort of discussion and get further information from the City of Miami.

Vice Mayor Kerdyk: The real question though is we're willing to even think about funding \$300,000?- or is it just to educate...

Commissioner Lago: First of all, I want to educate from what was brought to me, number one; number two, my biggest concern is obviously the health of the residents because I don't have exact numbers, but it's my understanding that a large portion of the individuals that use that park are Coral Gables residents.

Commissioner Keon: I think a lot of Coral Gables...

Commissioner Lago: They gave me a figure but I don't want to give that figure without - it's very, very high, without actually having some sort of actual document that supports that, that's number two; and number three, now that it has been designated a "brown field", like you mentioned to probably access some federal and state dollars, what if that results in a downturn in regards to property values in the area? I just want to discuss that.

Commissioner Quesada: Commissioner Lago, answer the Vice Mayor's question. Would you be willing to use - let's say its \$1,000, me sitting here right now -- no. I wouldn't want to spend taxpayer's money on property outside.

Vice Mayor Kerdyk: I own a house three blocks away from it, so my old house is on San Vicente that would be impacted. I used to use that a lot in this particular case, but I still have a tough time spending our money, because if we have something happen on the Biltmore Golf Course, a lot of Dade County people, Miami people play there, are they going to help remediate that golf course.

Commissioner Quesada: That's true.

Mayor Cason: We are paying that right now out of our own budget.

Vice Mayor Kerdyk: Should we educate?- 100 percent. I just don't want to falsely lead people down a road that we may or may not do it.

Commissioner Quesada: Agreed.

Vice Mayor Kerdyk: I've got to tell you. For them to \$300,000 knowing that area that it's in, that's a high income for that community. I would think that would be a hard thing...

Commissioner Quesada: If anything Commissioner Lago what you mentioned is let's reach out to the County, that's a good idea.

Vice Mayor Kerdyk: That's a very good idea.

Commissioner Lago: I think that's what where we as a body can really make the most impact. I mean obviously, we all agree with the fact that we want to limit our exposure

in regards to the park and exposure to the residents, and we are not willing to put \$300,000.

Commissioner Keon: But we know that DERM is involved, so we know that we would get an answer from DERM as well as from the City of Miami to tell us what they are doing, and is it adequate?- and assure people.

Vice Mayor Kerdyk: By the way just for fun, Mayor Gimenez's house is about 2 blocks away on LeJeune Road....(Laughter).

Mayor Cason: No more items - you have anything?

Commissioner Lago: No. The only item that I had was that and obviously, hopefully again please, everyone come out November 15th, we'd love to have you.

Vice Mayor Kerdyk: That's a great project, by the way.

Commissioner Quesada: No pants are allowed for the Vice Mayor - November 15th you are not allowed to wear pants.

Vice Mayor Kerdyk: No, I'm not doing it. I'm coming in shorts. Two things real quickly - Code Enforcement does such a great job. When they are out looking around, do they look at our facilities and tell you hey, what's good and what's bad, because they are great at citing ours, but they forget sometimes right behind ours is, excuse me...

Commissioner Quesada: Great at citing everyone else.

Vice Mayor Kerdyk: Great at citing everyone else, but you have to look at ours. Can you make sure when they are out there looking around that they can give you some ideas; and the second things is that, we are going to have this Old Spanish Village discussion some time and I'm not sitting up here advocating one way or the other, but I've got to tell you that site looks horrible, horrible. There are trees growing up, there are fences falling down, there is the wrapping going around, you know they need to clean that up, that's not even right, that needs to be looking better please.

Commissioner Keon: I had asked Craig if he would check on the notice, the typical number of notices that are sent out for the 1,000 radius in a single family home area,

it's about 200. So if you want 30 percent you have to have 60 people, which I think is high, I think 60 people is high for a petition.

City Attorney Leen: And if it's in an apartment building they just did one with 1,500, so it would be 450. So if you are in an apartment building it would be virtually impossible. I just had a thought. I know that the Commission had indicated really the goal here from what all of you told us at the last meeting was, you wanted to make it easier for residents to be able to appeal, and my concern is with what's happened today, which makes a lot of sense, doesn't really achieve that goal because the only residents that it would be easier for them to appeal would be ones that have a serious financial hardship, because it can be very hard for them to reach these numbers. So I wanted to at least raise that to your attention.

Commissioner Quesada: No, but that wasn't the original intent though. It came up with the Country Club and the Liberty Café and that was coming from, I think it was coming from the former Mayor.

City Attorney Leen: That was coming from the former Mayor.

Commissioner Quesada: It was that group, which they don't have a financial hardship.

City Attorney Leen: No, no, that's what I'm saying.

Commissioner Keon: No but still...

City Attorney Leen: It doesn't address their situation.

Commissioner Quesada: Maybe what we do is - OK, so what was the number that you came up with?- 30 homes within 1,000...?

City Attorney Leen: Let's say 260, you would need 60 to be 30 percent.

Commissioner Quesada: 60 homes - 60 residents.

City Attorney Leen: 60 households.

Commissioner Quesada: 60 households.

Commissioner Keon: Which is quite a few, I think that's a lot and I think actually now, I remember we were looking at that formula for...if you are doing a random sample whatever that formula was, if your base number was so much and you needed a random sample, that's about what it came up to.

Commissioner Quesada: Why don't we just do no matter what, 30, why don't we do 30 households, and if it's in a building as well, 30 households as well.

Commissioner Keon: Instead of 10.

Commissioner Quesada: That's fine - 30 households.

Commissioner Keon: How do we do that now?- do we ask to bring that item back?

City Attorney Leen: You can do it by unanimous consent, it's a resolution.

Mayor Cason: Unanimous consent that we go to 30 versus 30 percent.

City Attorney Leen: Thank you.

Mayor Cason: I don't have any items. My question now is, do we close this meeting and go to the Executive Session?

City Attorney Leen: Just recess the meeting and then we are going to have the Executive Session in here.

Mayor Cason: OK. So we are going to recess for this Session.

City Clerk Item No. 51

**L. EXECUTIVE SESSION**

- L.-1. [14-3434](#) Attorney-Client Executive Session, closed to the public, for purposes of discussing the lawsuit pending in the Eleventh Judicial Circuit entitled Cascar, LLC v. City Of Coral Gables et al., Case No. 13-29113 CA 40 (Fla. 11th Judicial Cir.). This session may be attended by the following individuals: Mayor Jim Cason, Commissioner Patricia Keon, Vice Mayor William H. Kerdyk, Commissioner Vince Lago, Commissioner Frank C. Quesada, Interim City Manager Carmen Olazabal, City Attorney Craig Leen, Deputy City Attorney Bridgette Thornton, Assistant City Attorney Yaneris Figueroa, Special Counsel John Lukacs, and Special Counsel Susan Trevarthen. A certified Court Reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-stated litigation. At the conclusion of the Attorney-Client session, the City Commission meeting will be reopened and the person chairing the Commission meeting will announce the termination of the Attorney-Client session.

City Clerk Item No. 52

**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 3:23 pm on October 14, 2014. The next regular meeting of the City Commission has been scheduled for October 28, 2014, beginning 9 a.m.]

JIM CASON  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK