

# City of Coral Gables

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



## Agenda

**Tuesday, July 7, 2009**

**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*

*Patrick G. Salerno, City Manager  
Elizabeth M. Hernandez, City Attorney  
Walter J. Foeman, City Clerk*

**INVOCATION**

*Pastor Thom Shafer, First United Methodist Church of Coral Gables*

**PLEDGE OF ALLEGIANCE****A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [09-0455](#) Presentation of a Proclamation declaring July 2009 as Parks and Recreation Month in Coral Gables
- A.-2. [09-0492](#) Presentation of the Donald R. Hopkins - William "Bill" Cooper Scholarship 2009/2010 Award to Leigh A. Cooper Peabody

**B. APPROVAL OF MINUTES**

- B.-1. [09-0486](#) Regular City Commission Meeting of May 26, 2009
- B.-2. [09-0487](#) Regular City Commission Meeting of June 2, 2009
- B.-3. [09-0488](#) Regular City Commission Meeting of June 4, 2009

**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. [09-0434](#) Resolution of support for the Police Department's application to the FY 2009 Local Edward Byrne Memorial Justice Assistance Grant (JAG) Program for \$13,767, to fund the purchase of portable graffiti cameras.
- C.-2. [09-0436](#) Resolution of support for the Police Department's application to the Recovery Act, Edward Byrne Memorial Justice Assistance Grant (JAG) Program, for \$56,648, to fund the purchase of NetMotion software that will upgrade the Police Department's computer security system mandated by the FDLE and the FBI.
- C.-3. [09-0355](#) Resolution authorizing the renewal, for a period of one year, the lease agreement with Plumer Management, LLC, for the use of twelve (12) parking spaces at 5915 Ponce de Leon Boulevard at a rate of \$60.00 per space; further providing that the Consumer Price Index (CPI) be factored into the rate for this one-year lease renewal.
- C.-4. [09-0445](#) Resolution authorizing the sale of retired and decommissioned canine "Dag" to Detective William Swikehardt for the amount of One Dollar (\$1.00).
- C.-5. [09-0452](#) Resolution allowing for a name change from Bijan's Coral Gables d/b/a Monty's Coral Gables to Bijan's Coral Gables d/b/a Bijan's Key West Grill located at 2325 Galiano Street, Coral Gables, Florida.
- C.-6. [09-0453](#) Resolution appointing John Carpenter, (nominated by Mayor Slesnick) to serve as a member of the Emergency Management Division for a two (2) year term beginning June 1, 2009 through May 31, 2011.
- C.-7. [09-0432](#) Resolution appointing Richard Heisenbottle (nominated by Board-As-A-Whole) to serve as a member of the Historic Preservation Board, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.
- C.-8. [09-0454](#) Resolution appointing Amy Kutell, (nominated by Mayor Slesnick) to serve as a member of the Library Advisory Board for a two (2) year term beginning June 1, 2009 through May 31, 2011.
- C.-9. [09-0494](#) Resolution appointing Emily Martinez-Lanza (nominated by Commissioner Anderson) to serve as a member of the Parks and Recreation Youth Advisory Board, for a two (2) year term beginning June 1, 2009 through May 31, 2011.

- C.-10. [09-0495](#) Resolution appointing Stuart McGregor (nominated by Commissioner Anderson) to serve as a member of the Construction Regulation Board, for a two (2) year term beginning June 1, 2009 through May 31, 2011.
- C.-11. [09-0500](#) Resolution appointing John Lukacs (nominated by Commissioner Withers) to serve as a member of the Board of Adjustment, for a two (2) year term, beginning June 1, 2009 through May 31, 2011.
- C.-12. [09-0502](#) Resolution appointing John Holian (nominated by Commissioner Cabrera) to serve as a member of the Budget/Audit Advisory Board, for a two (2) year term beginning June 1, 2009 through May 31, 2011.
- C.-13. [09-0503](#) Resolution appointing Eugene Wolman (nominated by Commissioner Cabrera) to serve as a member of the Emergency Management Division, for a two (2) year term beginning June 1, 2009 through May 31, 2011.
- C.-14. [09-0456](#) Resolution awarding the Coral Gables Country Club Environmental Remediation project to Cherokee Enterprises, Inc. (CEI) pursuant to Section 2-828 of the Procurement Code and Request for Proposal (RFP) 2009.06.04 in the amount of \$228,203.00 (Two hundred twenty-eight thousand two hundred three dollars).
- C.-15. [09-0463](#) Resolution renewing the Parking Lot Lease Agreement with Coral Gables Congregational Church for and additional five (5) years beginning February 2, 2009 and ending February 1, 2014 at the rate of \$12,000 annually, payable in quarterly installments.
- C.-16. [09-0484](#) Resolution amending Resolution No. 2009-02, to increase the service agreement with Weatherrol Maintenance Corporation by one hundred thousand dollars (\$100,000.00) for a total amount of three hundred seven thousand dollars (\$307,000.00) for the remainder of the second year contract period to cover the cost of a new air conditioning installation at the Coral Gables Country Club and other citywide miscellaneous repairs.
- C.-17. [09-0489](#) Resolution designating Mayor Donald D. Slesnick to serve as voting delegate to the Annual Conference of the Florida League of Cities (August 13-15, 2009), for the purpose of casting votes on behalf of our municipality, during the business session of said conference that will determine the direction of the Florida League of Cities; further appointing Mayor Donald D. Slesnick to serve as a voting delegate to the National League of Cities, Annual Congress of Cities (November 14-19, 2009).
- C.-18. [09-0490](#) Resolution authorizing application for a grant from the Safe Neighborhood Parks Bond Program and authorizing the execution of contracts for same.
- C.-19. [09-0447](#) Resolution amending Resolution 2008-201 (as amended), which established fees for various licenses, local business taxes, permits, services, and penalties by the City of Coral Gables, by increasing the local business tax rates, inspection fees, and recording fees; providing for the correction of certain scriveners errors and providing for an effective date.

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

- C.-20. [09-0427](#) Citywide Traffic Advisory Board Meeting of May 19, 2009
- C.-21. [09-0428](#) Landscape Beautification Advisory Board Meeting of June 4, 2009
- C.-22. [09-0437](#) Code Enforcement Board Meeting of June 17, 2009
- C.-23. [09-0440](#) Coral Gables Merrick House Governing Board Meeting of May 18, 2009
- C.-24. [09-0442](#) Citywide Traffic Advisory Board Meeting of April 21, 2009
- C.-25. [09-0443](#) Board of Adjustment Meeting of June 1, 2009
- C.-26. [09-0444](#) Library Advisory Board Meeting of June 10, 2009
- C.-27. [09-0449](#) City of Coral Gables/University of Miami Community Relations Committee Meeting of May 4, 2009
- C.-28. [09-0450](#) Retirement Board Meeting of May 14, 2009
- C.-29. [09-0451](#) Economic Development Board Meeting of June 3, 2009
- C.-30. [09-0462](#) Senior Citizens Advisory Board Meeting of June 1, 2009
- C.-31. [09-0472](#) Cultural Development Board Meeting of May 18, 2009
- C.-32. [09-0476](#) Coral Gables Advisory Board on Disability Affairs Meeting of May 6, 2009
- C.-33. [09-0505](#) Property Advisory Board Meeting of June 10, 2009
- C.-34. [09-0481](#) Property Advisory Board Meeting of April 15, 2009
- C.-35. [09-0491](#) School and Community Relations Committee Meeting of April 20, 2009
- C.-36. [09-0483](#) Parking Advisory Board Meeting of May 28, 2009
- C.-37. [09-0485](#) Parking Advisory Board Meeting of June 25, 2009
- C.-38. [09-0499](#) Budget/Audit Advisory Board Meeting of May 21, 2009

**D. PERSONAL APPEARANCES**

- D.-1. [09-0425](#) Mark Pidal, Administrative Director of the Junior Orange Bowl Committee, to introduce the 2009-2010 Board Members and Officers.
- D.-2. [09-0426](#) W. Tucker Gibbs, Esq., on behalf of 396 Alhambra Plaza, LLC, requesting encroachments consisting of precast decorative cornices and moldings, balconies and decorative lighting fixtures adjacent to 396 Alhambra Plaza, Coral Gables.
- D.-3. [09-0459](#) Laura Russo, Esq., of Russo and Baker, on behalf of Lola B. Walker Homeowners Foundation of Coral Gables, Inc. requesting that the City Commission waive all City permit, impact, and variance fees for four affordable housing units to be built in the MacFarlane Homestead District.
- D.-4. [09-0480](#) Laura Russo, Esq., of Russo and Baker, and/or John P. Fullerton, of Fullerton Diaz Architects, on behalf of Groves Properties Ltd., located at 4100 Salzedo Street, to request permission to allow temporary, interior signage for a period of six months for One Village Place Condominiums.
- D.-5. [09-0482](#) Laura Russo, Esq., of Russo and Baker and/or John P. Fullerton, of Fullerton Diaz Architects, on behalf of Groves Properties Ltd., located at 4100 Salzedo Street, to request permission to allow temporary, exterior signage for a period of six months for One Village Place Condominiums.

**E. PUBLIC HEARINGS**

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

**ORDINANCES ON SECOND READING**

- E.-1. [09-0350](#)** An Ordinance of the City Commission of Coral Gables pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations", providing for the vacation of a twenty (20') foot alley between Lots 1-4 and a portion of Lot 44, Lots 45 - 48 inclusive, Block 34, Coral Gables Section "K" and establishment of a new vehicular turnaround on Lots 42-44; and creation of two (2), sixteen (16') foot public access easements on Lots 12-16, Block 34, Coral Gables Section "K," to accommodate public access to the remaining portions of the twenty (20') foot alley within Block 34; the vacation is necessary to allow for the construction of various improvements for the City owned property known as the "Coral Gables Museum", legally described as Lots 1-4, 42-48, and vacated portion of the alley, Block 34, Coral Gables Section "K" (285 Aragon Avenue), Coral Gables, Florida; providing for a repealer provision, a savings clause, and a severability clause, and providing for an effective date (all legal descriptions on file for review). (Passed on First Reading May 26, 2009).

**ORDINANCES ON FIRST READING****Items E.-2 through E.-4. are related****Time Certain: 10:00 a.m.**

- E.-2. [09-0469](#)** An Ordinance of the City Commission of Coral Gables approving a change of land use from "Residential Use (Single Family) Low Density" to "Religious/Institutional Use" for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, a severability clause, and providing for an effective date. (PZB recommended approval 5-0 vote.)
- E.-3. [09-0470](#)** An Ordinance of the City Commission of Coral Gables approving a change of zoning from Single-Family Residential (SFR) to Special Use District (S) for a 1.0 acre parcel proposed for use as an athletic field for the St. Thomas Church/School, located on portions of Lot 2, Avocado Land Company's Subdivision (5450 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, a severability clause, and providing for an effective date. (PZB recommended approval 5-0 vote.)
- E.-4. [09-0471](#)** An Ordinance of the City Commission of Coral Gables granting site plan approval for the new St. Thomas Church/School athletic field and modifications to the existing parking lots, located on portions of Lot 2, Avocado Land Company's Subdivision (5450, 5690 and 5692 North Kendall Drive), Coral Gables, Florida (legal description on file); providing for a repealer provision, a savings clause, a severability clause, and providing for an effective date. (PZB recommended approval 5-0 vote.)

**Items E.-5. through E.-8. are related**

- E.-5. [09-0464](#) An Ordinance of the City Commission of Coral Gables adopting the annual update to the Capital Improvements Element (CIE) within the City's Comprehensive Plan; providing for a repealer provision, a savings clause, a severability clause; and providing for an effective date. (PZB recommended approval 5-0 vote.)
- E.-6. [09-0465](#) An Ordinance of the City Commission of Coral Gables adopting a ten-year water supply facilities work plan and amending the Comprehensive Plan to promote and facilitate better coordination between water supply and local land use planning as required by Florida law; providing for a repealer provision, a savings clause, a severability clause; and providing for an effective date. (PZB recommended approval 5-0 vote.)
- E.-7. [09-0466](#) An Ordinance of the City Commission of Coral Gables adopting the Evaluation and Appraisal Report (EAR) based amendments, various updates of the Goals, Objectives, and Policies, and providing for newly created elements titled: Administration, Design, Public Safety, and Green to the City of Coral Gables Comprehensive Land Use Plan; authorizing transmittal to Florida Department of Community Affairs for review; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (PZB recommended approval 5-0 vote.)
- E.-8. [09-0468](#) An Ordinance of the City Commission of Coral Gables readopting the Comprehensive Plan Map in its entirety and Change of Land Use Map designations for the purpose of correcting inconsistencies between Comprehensive Plan Map and Zoning Map classifications based upon the current use for the following City owned properties:  
(1) Change from "Commercial, Low and Mid-Rise Intensity" to "Public Buildings and Grounds" for 285 Aragon Avenue (Coral Gables Museum) located on Lots 1-4 and 42-48, Block 34, Coral Gables Section "K"; and,  
(2) Change from "no designation" to "Open Space" for the public open space located on all of Block 37, Country Club Section 3; and,  
(3) Change from "Residential (Single-Family) Low Density" to "Public Buildings and Grounds" for the City Utility Station located on Tract A, Block 2, Hammock Oaks Harbor Section 2.  
Providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date.(PZB recommended approval 5-0 vote.)
- E.-9. [09-0473](#) An Ordinance of the City Commission of Coral Gables granting site plan approval for a proposed one story, less than 1,000 square feet "Plant Conservation Building", located centrally within the Montgomery Foundation Property, and legally described as a portion of the Robert H. Montgomery Section (11901 Old Cutler Road), Coral Gables, Florida; providing for a repealer provision, a savings clause, a severability clause, and providing for an effective date. (PZB recommended approval 5-0 vote.)



- E.-10.**    [09-0474](#)        An Ordinance of the City Commission of Coral Gables granting approval to an amendment to the Zoning Code Article 2, Division 5, entitled "Historic Preservation Board", Section 2-503, "Meetings; Quorum; Required Vote", providing for an automatic continuance in the event of a lack of majority vote, providing severability, providing for codification thereof, and providing for an effective date. (PZB recommended approval 5-0 vote.)

**Items E.-11 and E.-12 are related**

- E.-11.**    [09-0475](#)        An Ordinance amending Article III of Chapter 78 of the Code of the City of Coral Gables titled "Sanitary Sewer System" and in particular Sec. 78-99 titled "Compulsory connection required where sanitary sewer available" for the purpose of making the owner solely responsible for the construction, maintenance, repair, cleaning, and cost of inspection of all laterals from their property line to any point of connection with the City's sanitary sewer system.
- E.-12.**    [09-0441](#)        An Ordinance amending Article III of Chapter 78 of the Code of the City of Coral Gables titled "Sanitary Sewer System" and in particular Sec. 78-106.2(2) titled "Sewer connection procedures for properties outside sewer districts; Terms and conditions" for the purpose of reducing the rates applied to connecting outside the City to be 25% greater than the rates applied to the same connections within the City and to comply with section 180.191(1), Florida Statutes.
- E.-13.**    [09-0446](#)        An Ordinance of the City of Coral Gables amending Chapter 2, Article III, Division I, Section 2-60 of the City Code entitled "Terms of members", by providing that a Board Member's term shall continue until the end of the appointing Commissioner's term in office; providing for a repealer provision, a severability clause, and providing for an effective date.

**F.        CITY COMMISSION ITEMS**

None

**G.        BOARDS/COMMITTEES ITEMS**

None

**H. CITY MANAGER ITEMS**

- H.-1. [09-0493](#) Resolution accepting the recommendation of the Chief Procurement Officer pursuant to Section 2-583 to waive the Procurement Code to award a contract for the Coral Gables Country Club Roofing Repair Project in the best interest of the City.
- H.-2. [09-0353](#) Resolution authorizing the execution of an amendment to the Professional Services Agreement between the City and ArcoArt Plus, LLC d/b/a Troline, by granting an extension of time for project implementation and providing for a revised compensation schedule for the Trolley Advertising Program.

**I. CITY ATTORNEY ITEMS**

- I.-1. [09-0448](#) Pending Litigation Report

**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.*

**Patrick G. Salerno**  
**City Manager**