

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2009-101**

A RESOLUTION AMENDING THE REVOCABLE PERMIT ISSUED TO THE CUTLER OAKS ESTATES HOMEOWNERS ASSOCIATION PURSUANT TO CITY RESOLUTION NO. 28730, ADOPTED ON FEBRUARY 28, 1995, WHICH ALLOWED FOR THE CONSTRUCTION OF A GUARDHOUSE AND TRAFFIC CONTROL DEVICE LOCATED AT THE ENTRANCE TO CUTLER OAKS ESTATES SUBDIVISION ON DESTACADA AVENUE, BY ELIMINATING LIVE GUARD SECURITY SERVICE AT SAID GUARDHOUSE, PROVIDING FOR THE INSTALLATION OF CERTAIN PASSIVE INFRASTRUCTURE TO ENHANCE SECURITY MEASURES UPON MEETING ALL CITY PERMITTING REQUIREMENTS, MAINTAINING PUBLIC INGRESS AND EGRESS AT ALL TIMES INTO SAID SUBDIVISION, IN FURTHERANCE OF COMPLIANCE WITH OTHER REQUIREMENTS OF LAW.

**WHEREAS**, pursuant to Resolution No. 28730, adopted February 28, 1995, the City issued a Revocable Permit to the Cutler Oaks Estates Homeowners Association which allowed for the construction of an entrance guardhouse into the subdivision and installation of a traffic control device with a 24-hour live guard security service; and

**WHEREAS**, after 13 years of live guard security service, the Cutler Oaks Estates Homeowners Association desires to eliminate the live guard security and modify said Revocable Permit, as follows:

1. Installation of a pressure sensitive “loop” system that will automatically raise the gate arm for incoming vehicles;
2. Installation of tinted windows in the guardhouse to give the illusion of the presence of a guard;
3. Installation of signage that the premises are monitored by video surveillance;
4. Installation of a video surveillance system with cameras, a digital video recording (DVR), and means to capture and burn a permanent record of the DVR, along with the capability of viewing the guardhouse and surrounding area by property owners, private company or both.

**WHEREAS**, The City will also require amendments to said Revocable Permit to provide for updated insurance and indemnification requirements, contact signage to ensure that ingress and egress are maintained at all times, and recovery of code enforced maintenance costs associated with the guardhouse in the event such activity is required to be performed by the City;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:**

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the Revocable Permit issued to the Cutler Oaks Estates Homeowners Association allowing for the construction of a guardhouse and traffic control device is hereby amended to provide for the elimination of live guard security service, the installation of certain passive infrastructure to enhance security measures upon meeting all City permitting requirements, maintaining public ingress and egress at all times into the subdivision, in furtherance compliance with other requirements of law.

**SECTION 3.** This Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF APRIL, A.D., 2009.  
(Moved: Cabrera / Seconded: Anderson)  
(Yea: Kerdyk, Withers, Anderson, Cabrera, Slesnick)  
(Unanimous: 5-0 Vote)  
(Agenda Item: H-3)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY