

# City of Coral Gables

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



**CORAL GABLES**  
THE CITY BEAUTIFUL

## Meeting Minutes

**Tuesday, February 23, 2016**

**9:00 AM**

**City Hall, Commission Chambers**

### **City Commission**

*Mayor Jim Cason  
Vice Mayor Frank C. Quesada  
Commissioner Patricia Keon  
Commissioner Vince Lago  
Commissioner Jeannett Slesnick*

*Cathy Swanson-Rivenbark, City Manager  
Craig E. Leen, City Attorney  
Walter J. Foeman, City Clerk*

**ROLL CALL**

**Present:** 5 - Mayor Cason, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Commissioner Slesnick

**INVOCATION**

Jeff Sullivan, Executive Administrator at Granada Presbyterian Church gave the Invocation.

**PLEDGE OF ALLEGIANCE**

City Clerk Walter J. Foeman 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. 2016-11 through Ordinance No. 2016-15) (b) Resolution(s) adopted (Resolution No. 2016-51 through Resolution No. 2016-57); (c) Video; (d) Audio Recording; (e) Minutes Folder with Agenda and background information, including items which were submitted at the meeting.

**A. PRESENTATIONS AND PROTOCOL DOCUMENTS**

- A.-1. [16-4804](#) Congratulations to Detective Brad Baena, recipient of the City of Coral Gables “2015 Officer of the Year Award.”

**Attachments:** [COMMISSION COVER MEMO - OFFICER OF THE YEAR 2015](#)  
[NOMINATION MEMO - OFFICER OF THE YEAR 2015](#)  
[NOMINATION - OFFICER OF THE YEAR 2015.1](#)  
[NOMINATION - OFFICER OF THE YEAR 2015.2](#)

[Note for the Record: Following Mayor Cason’s reading of the title to Agenda Item A-1 into the public record, Chief Hudak approached the podium and stated that it has always been his pleasure to be present to recognize those Coral Gables Police Department employees; the chief appeared on behalf of Chief Miller, who was out of town and serves in the capacity of the Selection Awards Committee Chief person for the past year, and as a result of his absence, that Chief Hudak is filling in to talk about the nominees, the selection process, the officers involved with the selection of the Officer of the Year, etc.; further explaining that the selection process was a difficult one-referencing that Officer Smith, the runner-up, had caught a robber in progress, and he was the runner-up, which gives one an idea of the degree of difficulty involved in the selection process, as well as the magnitude of what Detective Baena has accomplished throughout Calendar Year 2015-further describing an incident which occurred in April of 2015, more particularly on North Greenway, where there was a burglary of a house wherein about an estimated \$350,000 in art was taken-Detective Baena was assigned to the case and coordinated with the FBI, as well as the Department of Homeland Security, Broward Sheriff’s Office, Coral Gables Police Department, Miami-Dade County Police Department, along with the Police Departments’ of the cities of Sunny Isles and Hialeah, which conducted many surveillances, as well as working with performances and undercover operations; and finally around the month of May, after working diligently, Detective Baena was able to make an arrest in this case, however, all of the paintings were not recovered at that time; there again on his initiative, Detective Baena not just settling for anything until he had recovered all of the paintings, ultimately recovered all of the paintings and restored them back to their rightful owner, a City of Coral Gables resident-a feat that is not easily done, adding that the work input that goes into something of this magnitude is quite remarkable, in addition to the continual processing of those cases that are received.

Police Chief Hudak further mentioned a second case that occurred in July of 2015, wherein there was a proliferation of package thefts, as evidenced during the Christmas holidays on Palermo, Columbus, Majorca-all had packages taken; there was some video, but a lot of work goes into that, working with social media, working with things

that the department had never used over the years in furtherance of police work, stated the Police Chief; further noting that Detective Baena while working with other police agencies was able to identify those individuals that were taking these packages, namely a man and a woman-stating that what really came down as part of the arresting facts of the case was that one of the subjects that was taking these packages was wearing some of the same kind of speakers, which were identified in the video footage, as well as some distinguished markings on the Lexus vehicle, that was also recorded on three video footage; further stating that Detective Baena's coordination with the U.S. Postal Service, as well as others, along with many other victims throughout Miami-Dade County, along with the detective's tenacity in following up, while leaving no stone unturned, that led to the arrest of the two referenced individuals which culminated in the residential burglary, occupied burglary, grand theft-finally noting that throughout his on-going work throughout Calendar Year 2015, that he was honored to present Detective Brad Baena as the Detective of the Year.

In accepting this accolade, Detective Baena thanked the Mayor, members of the Coral Gables City Commission, City Attorney and City Manager, adding that he did not do it alone, and that it was a team effort; further pointing out that starting with the Property Crimes Unit in the Coral Gables Police Department, which had a strategic initiative team that also helped out on surveillance, along with the County and Federal agencies, who all worked together; finally stating that this is a great honor to be present, and that he was certain that his family would be quite proud if they were able to be in attendance].

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

City Clerk Item No. 4

**A.-2. [16-4817](#)**

Presentation of a Proclamation declaring March 2016 as "Bike 305 Month" in Coral Gables.

[Note for the Record: Mayor Cason acknowledged the month of March 2016 as "Bike 305 Month"; further noting that Commissioner Frank Quesada made a small amendment to the proclamation by adding that it is Bike Month during the month of March and on February 28th, 2016; further stating that this is a great event, and if one has not been in the past, then make sure that you attend said event this upcoming weekend of February 28th, 2016-adding that it is a great family event; further noting that there have been so many changes in our City over the years, such as trying to make our streets more pedestrian friendly; further pointing out that that the City has the Bike Master Plan, along with so many other ideas moving forward, noting that it is a very exciting time, and there are a lot of great sponsors for this event-namely the City of Coral Gables, University of Miami, Baptist, the Underline; further turning the

microphone over to Sue Kawalerski,, who noted that this represents the fourth year that they have partnered with the City of Coral Gables since the inception of Bike 305, and that they are happy to have the City on Board to elaborate further on said event who itemized the following activities associated with the event: Ms. Kawalerski stated that she was hoping that everyone would get on their bikes ; further noting that it is understood that Coral Gables will have its on “Bike to Work Day”; there will also be an event at the University pf Miami Metrorail Station with Miami-Dade County Mayor Carlos Gimenez, and that any people interested in attending should join his group at said location where T-shirts will be given away; further noting that another event will be the Bike Underline on April 2nd, 2016, along with Bike Monday on February 28th, 2016; finally noting that the City of Coral Gables has been a sponsor for Bike 305 for the past four years.

Robert Ruano on behalf of Bike Walk Coral Gables stated that his organization is very excited about this year’s event; and that last year they had approximately 2,000 people come out, almost a total of 300 kids received bike safety training, there was a scavenger hunt, there were landmark tours of the City, so that residents and visitors alike can appreciate the event, and that said event would not have been possible without the assistance from City staff, who worked hard to make this event possible-namely Jessica Keller, Fred Couceyro, the City Manager and the City Commission, adding that this is the fifth year, and that his organization has dealt with two different administrations, two different City Commissions, and that the support keeps getting better and better for said event.

Public Works Assistant Director Jessica Keller mentioned that this year that “Bike to Work Day” that the City of Coral Gables will be hosting a site at the Coral Gables Museum; adding that Bike 305 will be supplying T-shirts for the first 320 participants, light refreshments will be served; Bike 305 has been great with all of its support; further urging everyone to please come out and ride your bike to work on March 4th, 2016, said event starts at 7:30 a.m.; further stating that as part of Bike Month, that the City will be advertising our Citywide Bike and Construction RFQ; finally thanking all for their support, adding that it would not have been possible without all of the affected parties].

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

City Clerk Item No. 3

**A.-3. [16-4822](#)**

Presentation of a Proclamation honoring Senior Judge Paul C. Huck, in recognition of his exceptional service to the public.

[Note for the Record: City Attorney Craig Leen prefaced his remarks by informing the viewing public that a proclamation document was prepared for Judge Huck, who is a long term resident of the City, who has always professed an interest in the City, as well as being a good citizen; as a consequence thereof a proclamation was prepared concomitant with the unveiling of a portrait; further commenting that he thought that it would be a good idea if Judge Huck would be present and say a few words, and that the City Commissioners would say a few words, and that the Judge would be recognized by the City in which he lives; our City Attorney further reflecting that he was a young City Attorney, having moved here to Miami-Dade County from Boston while working for a long firm in Boston, and having clerked for a judge, namely Judge Robert Keaton, the first federal case he ever had resulted in an appearance before was Judge Huck-further pointing out that Judge Huck was known as a judge who liked to move cases along, and who believed in making the right decision; further pointing out that if one were the government and if your case didn't make a lot of sense, then it would be in your best interest to settle the case, instead of going before Judge Huck in his courtroom; City Attorney Leen further remembering that he once stood in front of Judge Huck during a time when there was a big civil rights case, with the intention of appealing before Judge Huck, more particularly with the intention of requesting that Judge Huck stay discovery in the case, and that City Attorney Leen at this particular time representing Miami-Dade County further remembering Judge Huck inquiring as to whether he really would try to stay this particular case?- having known Judge Huck's reputation for not liking to stay cases, because he does not like to hurt the parties-his mantra being that justice delayed is justice denied; adding that Judge Huck's reputation for being concerned about residents having to pay attorney's fees is a real tribute to him; further remembering that after telling Judge Huck that he was going to appeal and his subsequent inquiry as to who was his client?- and that upon duly noting the City Attorney's response being Murray Greenberg, Esq., the former County Attorney for Miami-Dade County, that he recalled Judge Huck's response being that he knew Murray Greenberg, and that he was a reasonable man, so why not go back and so inform Mr. Greenberg what he ordered, and that he is certain that Mr. Greenberg will tell you to do what he ordered.; further stating that upon notifying Mr. Greenberg what Judge Huck had told him, that Mr. Greenberg immediately told him to do what Judge Huck had said, no order was necessary; further adding that he learned a valuable lesson in terms of taking positions that are reasonable and one that a judge would want to support, particularly when one is the government, society wants you to

do the right thing; further stating that he has learned to respect Judge Huck greatly, and that he is happy that he is in attendance for this occasion, adding that he stands for the proposition that courts should protect the rights of the people, and that government shall do the right thing, noting that Judge Huck believes in judicial restraint, and that he always follows the law and issues orders within a day or two, and that he monitors the docket; and that he has always been impressed with Judge Huck. City Attorney Leen further noted that one of the City's Special Counsel, namely Abbey Corbett was one of his law clerks; finally acknowledging that Judge Huck is a wonderful man that the City is honoring.

Vice Mayor Quesada requested that Judge Huck join him on the dais; pointing out that he is also an attorney who appears in federal court, and that in federal court everything is filed electronically, and that he cannot imagine how many different documents and decisions one has to make on a daily basis; further acknowledging that Judge Huck has been doing this a little less than 16 years, and that it is a great honor to have him as one of our residents in our City; further thanking him for his service, for being a great resident; further inquiring as to why Judge Huck is not serving on one of the City's boards; further stating that if not, then at the right moment when he is eligible, then the City would love to have him on one of the City's boards, and that it is with great pleasure that the City presents this proclamation to you; further thanking him that all he has done for our community at-large.

In accepting this recognition, Judge Huck stated that he is not one who cares much for proclamations or affirmations, except during occasions of funerals, etc.; however, this one he states is special and he considers himself a Coral Gables guy-pointing out that he graduated from Coral Gables High School in 1958, graduated from University of Florida's Law School and came back to Coral Gables in 1965, and has lived in Coral Gables ever since; further stating that he is before the City Commission on this same date because he wanted to say a few things and get some matters off of his mind.

Judge Huck further mentioned that Coral Gables is a great place to raise a family, adding that as an adult that he has been impressed with the leadership in our community, noting that our community is the benchmark and represents the gold standard; further stating that he appreciates all that our elected and appointed officials do, stating that it is not an easy job.

Judge Huck also mentioned that he had another ulterior motive for being here, and that was to acknowledge Craig Leen for all that he has done for the Coral Gables community, pointing out that Craig is very modest and would never acknowledge same-further explaining that he felt somewhat embarrassed after such things that Craig had said about him previous to his comments being made, adding that he is neither a

relative nor a social friend, just to say that he is a dedicated public servant and a professional of the highest magnitude, and a great face of the community having represented the City well in many of the community and civic engagements; further stating that he remembers him well during his appearances before his bench, describing him as a very intelligent guy, and one who is very much appreciated and held in high regard by his fellow peers throughout the legal community; further informing the Commission that he refers to Craig as his attorney, adding that he is one who represents his clients with the highest degree of professionalism and civility; stating that Craig does a great job, just as he did in Miami-Dade County's Civil Division].

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

City Clerk Item No. 1

**B. APPROVAL OF MINUTES**

**B.-1. [16-4816](#)** Regular City Commission Meeting of January 12, 2016.

**Attachments:** [Verbatim Transcript - Agenda Item I-2 - Status update regarding City Commissioner](#)  
[Verbatim Transcript - Agenda Item I-3 - Status update regarding Chapter 164 Res](#)  
[Verbatim Transcript - Agenda Item I-4 - Status report on the Charter Review Com](#)  
[Verbatim Transcript - Agenda Item I-5 - Status update on the Booting Ordinance.p](#)  
[Verbatim Transcript - Emergency Item regarding acquisition of property located at](#)  
[Verbatim Transcript - Agenda Item 2-1 - School Community Relations Committee](#)  
[Verbatim Transcript - Agenda Item C-4 - Resolution authorizing Coral Gables Cor](#)  
[Verbatim Transcript - Agenda Item E-1 - Second Reading Ordinance amending C](#)  
[Verbatim Transcript - Agenda Item E-2 - First Reading Ordinance creating Sectio](#)  
[Verbatim Transcript - Agenda Item E-3 - First Reading Ordinance amending Char](#)  
[Verbatim Transcript - Agenda Item E-4 - First Reading Ordinance amending Appe](#)  
[Verbatim Transcript - Agenda Item E-5 - First Reading Ordinance amending Artic](#)  
[Verbatim Transcript - Agenda Item E-6 - First Reading Ordinance amending Artic](#)  
[Verbatim Transcript - Agenda Item E-7 - Resolution requesting mixed use site pla](#)  
[Verbatim Transcript - Agenda Item F-1 - Resolution changing the title of Commissi](#)  
[Verbatim Transcript - Agenda Item F-2 - Discussion and direction regarding restric](#)  
[Verbatim Transcript - Agenda Item G-1 - Resolution approving a recommendation](#)  
[Verbatim Transcript - Agenda Item G-2 - Resolution accepting the recommendatio](#)  
[Verbatim Transcript - Agenda Item H-1 - Resolution awarding Risk Management ;](#)  
[Verbatim Transcript - Agenda Item H-2 - Resolution accepting CPO recommendat](#)  
[Verbatim Transcript - Agenda Item H-3 - Resolution accepting the CPO recommen](#)  
[Verbatim Transcript - Agenda Item H-4 - Discussion regarding Board of Architects](#)  
[Verbatim Transcript - Agenda Item I-1 - Discussion of options related to enforcem](#)  
[Meeting Minutes.pdf](#)

**A motion was made by Commissioner Lago, seconded by Vice Mayor Quesada, that this matter be approved. The motion passed by the following vote.**

**Yeas :** 4 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

**Absent :** 1 - Commissioner Lago



City Clerk Item No. 7

## C. CONSENT AGENDA

### Passed the Consent Agenda

A motion was made by Commissioner Lago, seconded by Vice Mayor Quesada, to Adopt the Consent Agenda. The motion carried by the following vote:

**Yeas :** 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon, Commissioner Lago and Mayor Cason

### **RESOLUTION NO. 2016-51**

#### C.-1. [16-4798](#)

A Resolution authorizing the acceptance and execution of the Fiscal Year 2015-2016 Emergency Medical Services (EMS) County Grant #C4013 Letter of Understanding and Agreement from the Miami-Dade County Board of County Commissioners and the State of Florida Department of Health; and amending the Fiscal Year 2015-2016 Annual Budget, to recognize the grant award as revenue, and appropriate such funds to cover the cost of the grant expenditures.

**Attachments:** [Draft Resolution - EMS Grant C4013](#)  
[Copy of State Award Letter to the County](#)  
[Work Plan Projects Summary per Revenue Expected from State](#)  
[Work Plan Projects Detail](#)  
[M-D County's Projects Work Plan, rev 9-21-15](#)  
[Letter of Understanding - EMS Cty Grant #C4013](#)  
[CC.02.23.2016 - EMS County Grant #C4013 MOA](#)

A RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXECUTION OF THE FISCAL YEAR 2015-2016 EMERGENCY MEDICAL SERVICES (EMS) COUNTY GRANT #C4013 LETTER OF UNDERSTANDING AND AGREEMENT FROM THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS AND THE STATE OF FLORIDA DEPARTMENT OF HEALTH; AND AMENDING THE FISCAL YEAR 2015-2016 ANNUAL BUDGET TO RECOGNIZE THE GRANT AWARD AS REVENUE AND APPROPRIATE SUCH FUNDS TO COVER THE COST OF THE GRANT EXPENDITURES.

**This Matter was adopted by Resolution Number 2016-51 on the Consent Agenda.**

City Clerk Item No. 9

**RESOLUTION NO. 2016-52**

- C.-2. [16-4818](#) A Resolution authorizing a change order in the amount of amount \$36,290.00, pursuant to Section 2-829 of the Procurement Code entitled "Approval of Change Orders and Contract Modifications," to provide additional funding for unforeseen historic conservation repairs to the Venetian Pool.

**Attachments:** [Change Order RESOL](#)  
[Change Order](#)  
[Signed Cover Memo -Change Order.pdf](#)

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT \$36,290, PURSUANT TO SECTION 2-829 OF THE PROCUREMENT CODE ENTITLED "APPROVAL OF CHANGE ORDERS AND CONTRACT MODIFICATIONS", TO PROVIDE ADDITIONAL FUNDING FOR UNFORESEEN HISTORIC CONSERVATION REPAIRS TO THE VENETIAN POOL.

**This Matter was adopted by Resolution Number 2016-52 on the Consent Agenda.**

City Clerk Item No. 10

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

- 1.-1. [16-4799](#) Arts Advisory Panel Meeting Minutes of October 26, 2015.

**Attachments:** [10.26.15MinutesforCC02.23.16](#)  
[AAP Meeting October 26 2015](#)

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

City Clerk Item No. 11

- 1.-2. [16-4821](#) Budget/Audit Advisory Board Meeting Minutes of January 28, 2016.

**Attachments:** [Agenda - Budget Audit Board meeting of January 28, 2016](#)  
[January 28, 2016 Meeting Minutes](#)

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

City Clerk Item No. 12

- 1.-3. [16-4802](#) Cultural Development Board Meeting Minutes of January 05, 2016.

**Attachments:** [01.05.16MinutesforCC02.23.16](#)  
[CDB Minutes January 05 2016](#)

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

City Clerk Item No. 13

- 1.-4. [16-4805](#) Coral Gables Historic Preservation Board Meeting Minutes of December 17, 2015.

**Attachments:** [HPB.12.17.15MinutesforCC02.23.16](#)  
[HPB.Dec.17.2015-Minutes.Signed](#)

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

City Clerk Item No. 14

- 1.-5. [16-4784](#) Landscape Beautification Advisory Board Minutes of December 3, 2015.

**Attachments:** [022316Cover Memo CC Minutes120315](#)  
[Minutes BC 12-3-15 SIGNED](#)

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

City Clerk Item No. 15

- 1.-6. [16-4785](#) Landscape Beautification Advisory Board Meeting of January 7, 2016.

**Attachments:** [022316Cover Memo CC Minutes010716](#)  
[Minutes BC 1-7-16 SIGNED](#)

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

City Clerk Item No. 16

- 1.-7. [16-4789](#) Library Advisory Board Meeting Minutes of December 9, 2015.

**Attachments:** [022316Cover Memo CC Minutes120615](#)  
[Library Minutes 12-09-15 Signed](#)

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

City Clerk Item No. 17

- 1.-8. [16-4754](#) Parks and Recreation Youth Advisory Board Meeting Minutes of January 20, 2016.

**Attachments:** [Parks and Recreation Youth Advisory Board Meeting of January 20, 2016.pdf](#)

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

City Clerk Item No. 18

- 1.-9. [16-4806](#) Pinewood Cemetery Advisory Board Meeting Minutes of November 16, 2015.

**Attachments:** [11.16.15MinutesCCMtg02.23.16](#)  
[Pinewood-Minutes.Nov.16.2015-Signed](#)

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

City Clerk Item No. 19

- 1.-10. [16-4808](#) Retirement Board Workshop Minutes of November 12, 2015.

**Attachments:** [CC.02-23-2016.November 12, 2015 workshop Minutes workshop 11-12-2015](#)

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

City Clerk Item No. 20

- 1.-11. [16-4809](#) Retirement Board Meeting Minutes of November 12, 2015.

**Attachments:** [Minutes.11-12-2015](#)  
[CC.02-23-2016.November 12, 2015](#)

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

City Clerk Item No. 21

- 1.-12. [16-4810](#) Retirement Board Meeting Minutes of January 11, 2016.

**Attachments:** [Minutes 01-11-2016](#)  
[CC.02-23-2016.January 11, 2016](#)

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

City Clerk Item No. 22

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

- Non** [16-4927](#) Presentation by Miami-Dade County School Board Member Raquel Regalado on Henry S. West Laboratory School expansion.  
**Agenda**

[Note for the Record: The verbatim transcript for this Agenda Item 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. 2

**E. PUBLIC HEARINGS**

**ORDINANCES ON SECOND READING**

**ORDINANCE NO. 2016-11**

**E.-1. 16-4750**

An Ordinance of the City Commission of Coral Gables, amending the Code of the City of Coral Gables by amending Division 2 “Code Enforcement Board” and Division 3 “Supplemental Code Enforcement Procedures” of Article VI “Code Enforcement” of Chapter 101 “Administration and Enforcement”; providing for a repealer provision, severability clause, codification, and providing for an effective date.

**Attachments:** [CM Code Enforcement Procedures - First Reading](#)  
[Draft Ordinance - Code Enforcement Procedures.pdf](#)  
[CC.02.23.2016 - Code Enforcement Board](#)  
[Second Reading - Code Enforcement Procedures Ordinance](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES AMENDING THE CODE OF THE CITY OF CORAL GABLES BY AMENDING DIVISION 2 “CODE ENFORCEMENT BOARD” AND DIVISION 3 “SUPPLEMENTAL CODE ENFORCEMENT PROCEDURES” OF ARTICLE VI “CODE ENFORCEMENT” OF CHAPTER 101 “ADMINISTRATION AND ENFORCEMENT”; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

**A motion was made by Commissioner Lago, seconded by Vice Mayor Quesada, that this matter be adopted by Ordinance Number 2016-11. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Slesnick, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Mayor Cason

City Clerk Item No. 23

**ORDINANCE NO. 2016-12**

- E.-2. [16-4760](#) An Ordinance of the City Commission of Coral Gables sunsetting the Coral Gables Health Facilities Authority, pursuant to Florida Statutes Section 154.207(2); providing for a repealer provision, severability clause, codification, and providing for an effective date.

**Attachments:** [CM Sunsetting Health Facilities Authority - First Reading Draft Ordinance - Sunsetting Health Facilities Authority](#)  
[Second Reading Ordinance - Sunsetting Health Facilities Authority.doc](#)  
[CC.02.23.2016 - Sunsetting Health Facilities Authority](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES SUNSETTING THE CORAL GABLES HEALTH FACILITIES AUTHORITY, PURSUANT TO FLORIDA STATUTES SECTION 154.207(2); PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

**A motion was made by Vice Mayor Quesada, seconded by Commissioner Keon, that this matter be adopted by Ordinance Number 2016-12. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 24

**ORDINANCE NO. 2016-13**

- E.-3. [16-4790](#) An Ordinance of the City Commission of Coral Gables creating City Code Section 2-75, "City Commission Quasi-Judicial Hearings," and establishing guidelines for the submission of documentary evidence to the City Commission; providing for a repealer provision, severability clause, codification, and providing for an effective date.

(Sponsored by Vice Mayor Quesada)

**Attachments:** [Cover Memo - Quasi-Judicial Hearing.pdf](#)  
[Draft Ordinance - Quasi-Judicial Hearings.pdf](#)  
[Second Reading Ordinance - Evidentiary Submission.docx](#)  
[CC.02.23.2016 - Documentary Evidence Guidelines.pdf](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES CREATING CITY CODE SECTION 2-75, "CITY COMMISSION QUASI-JUDICIAL HEARINGS," AND ESTABLISHING GUIDELINES FOR THE SUBMISSION OF DOCUMENTARY EVIDENCE TO THE CITY COMMISSION; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Vice Mayor Quesada, seconded by Commissioner Slesnick, that this matter be adopted by Ordinance Number 2016-13. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

City Clerk Item No. 25

**ORDINANCE NO. 2016-14****E.-4. [16-4752](#)**

An Ordinance of the City Commission of Coral Gables amending the Code of The City of Coral Gables by amending Article VII "Procurement Code" of Chapter 2 "Administration", allowing for the City Manager to issue an alternate recommendation to the City Commission, other than the Selection Committee's, without requiring a bid waiver"; providing for a repealer provision, severability clause, codification, and providing for an effective date.

**Attachments:** [Cover Memo - Procurement Code](#)  
[Draft Ordinance - Procurement Code](#)  
[Second Reading Ordinance - City Manager Alternative Recommendation.docx](#)  
[CC.02.23.2016 - Procurement Code](#)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES AMENDING THE CODE OF THE CITY OF CORAL GABLES BY AMENDING ARTICLE VIII "PROCUREMENT CODE" OF CHAPTER 2 "ADMINISTRATION" ALLOWING FOR THE CITY MANAGER TO ISSUE AN ALTERNATE RECOMMENDATION TO THE CITY COMMISSION, OTHER THAN THE SELECTION COMMITTEE'S, WITHOUT REQUIRING A BID WAIVER; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Lago, seconded by Vice Mayor Quesada, that this matter be adopted by Ordinance Number 2016-14. The motion passed by the following vote.**

**Yeas :** 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon, Commissioner Lago and Mayor Cason

City Clerk Item No. 26

**ORDINANCE NO. 2016-15**

- E.-5. [16-4779](#) An Ordinance of the City Commission of Coral Gables creating in accordance with the City Code, Article III, Division 1, Section 2-64, a Waterway Advisory Board and setting forth guidelines by which such advisory board shall be governed, and providing for a repealer provision, severability clause, codification and providing for an effective date.  
(Sponsored by Commissioner Lago)

**Attachments:** [Cover Memo - Waterway Advisory Board](#)  
[Draft Ordinance - Waterway Advisory Board](#)  
[Second Reading Ordinance - Waterway Advisory Board](#)  
[CC.02.23.2016 - Waterway Advisory Board](#)

[Note for the Record: The verbatim transcript for Agenda Item E-5 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 Ordinance Number 2016-15. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Slesnick, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Mayor Cason

City Clerk Item No. 27

**ORDINANCES ON FIRST READING**

- E.-6. [16-4813](#) An Ordinance of the City Commission of Coral Gables, Florida, regulating the Towing and booting of vehicles in privately-owned, metered, surface lots; providing for enforcement; providing for a repealer provision, severability clause, and providing for an effective date.  
(Sponsored by Commissioner Keon)

**Attachments:** [CC.02.23.2016 - Towing and Booting of Vehicles](#)  
[Draft Ordinance - Towing and Booting of Vehicles](#)  
[03.15.2016 - Signed Cover Memo - Towing and Booting Ordinance](#)  
[03.15.2016 - Draft Ordinance - Towing and Booting Ordinance](#)

[Note for the Record: The verbatim transcript for Agenda Item E-6 is available for public inspection in the Office of the City Clerk and in Legistar].

**A motion was made by Commissioner Lago, seconded by Vice Mayor Quesada, that this matter be adopted by Ordinance Number . The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 28



- E.-7. [16-4812](#) An Ordinance of the City Commission of Coral Gables, Florida, amending the Code of the City of Coral Gables, Florida, by revising Article V (“Noise”) of Chapter 34 (“Nuisances”), to establish quantitative noise level measurements with respect to certain categories of noise; providing for a repealer provision, severability clause, and providing for an effective date.

(Sponsored by Commissioner Lago)

**Attachments:** [Draft Ordinance - Noise Level Ordinance](#)  
[CC.02.23.2016 - Noise Level Ordinance](#)  
[03.15.2016 - Signed Cover Memo - Nuisances.pdf](#)  
[03.15.2016 - Draft Ordinance - Nuisances.pdf](#)

[Note for the Record: The verbatim transcript for Agenda Item E-7 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 Slesnick, that this matter be approved as an Ordinance on First Reading. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

City Clerk Item No. 29

## F. CITY COMMISSION ITEMS

**Time Certain 10:00 a.m.**

### **RESOLUTION NO. 2016-50**

- F.-1. [16-4724](#) Status of ongoing mosquito remediation on the vacant FPL site, along with other outstanding FPL issues.

(Sponsored by Commissioner Keon)

[Note for the Record: The verbatim transcript for Agenda Items F-1 & I-3 is available for public inspection in the Office of the City Clerk and in Legistar].

**A motion was made by Vice Mayor Quesada, seconded by Commissioner Keon, that this matter be adopted by Resolution Number 2016-50. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 5

## G. BOARDS/COMMITTEES ITEMS

None

City Clerk Item No. 30

**H. CITY MANAGER ITEMS****RESOLUTION NO. 2016-53**

- H.-1. [16-4796](#) Review and discussion on planning study options for Kerdyk Tennis Center Pro-Shop facility.

**Attachments:** [Tennis Center pres. DRAFT 02-16-16](#)  
[CC.02.23.2016 - Kerdyk Tennis Center Pro-Shop Facility](#)

[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 Commissioner Keon, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2016-53. The motion passed by the following vote.**

**Yeas :** 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon, Commissioner Lago and Mayor Cason

City Clerk Item No. 31

**RESOLUTION NO. 2016-54**

- H.-2. [16-4795](#) Update on South Dixie Highway Master Plan initiative.

[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].

**A motion was made by Commissioner Lago, seconded by Commissioner Slesnick, that this matter be adopted by Resolution Number 2016-54. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Slesnick, Commissioner Keon, Commissioner Lago, Vice Mayor Quesada and Mayor Cason

City Clerk Item No. 34

**Time Certain 11:00 a.m.**

- H.-3. [16-4823](#) Update regarding the City's current pension funding strategy and investment return assumption of the Coral Gables Retirement System.

**Attachments:** [CC.02.23.2016 - Investment Rate Assumption 2-23-16 Final Funding Strategy Power Point Updated 2-23-16.pptx](#)

[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. 8

**I. CITY ATTORNEY ITEMS**

- I.-1. [16-4824](#) Status update regarding City Commission's request to the Miami-Dade County Mayor and Board of County Commissioners to resolve the lawsuit between Miami-Dade County and the Lola B. Walker Homeowner's Association.

[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].

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 32

- I.-2. [16-4825](#) Status report regarding request by Coral Gables for seat on the Metropolitan Planning Organization, if interdecennial census demonstrates a population of over 50,000.

[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].

**This Agenda Item was Discussed and Filed**

City Clerk Item No. 33

- I.-3. [16-4826](#) Status report regarding implementation of emergency mosquito elimination ordinance by the City of Coral Gables and receipt of resolution from Palmetto Bay.

[Note for the Record: The verbatim transcript for Agenda Items F-1 & I-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. 6

**J. CITY CLERK ITEMS**

**None**

City Clerk Item No. 35

**K. DISCUSSION ITEMS**

Mayor Cason: Commissioner Keon.

Commissioner Keon: I actually have a number of issues.

Mayor Cason: Does anybody want to take a break and have lunch if it's going to be long or is it going to be...?

Commissioner Keon: No, I'll go quickly through it. One is the Mediterranean Village. You know we are getting ready to start the Streetscape and one of the issues that came up, I know at the time that we approved the Mediterranean Village there was an agreement that they would work on the Streetscape from their buildings to the Mile along Ponce to connect that along Ponce, and we are getting ready now to start the Mile, so I don't know where they are, if someone can find out from the Mediterranean Village where they are. I think there were neighborhood improvements that they also were going to do prior to commencing building their building, so I don't know where all that is. What day was it approved on? What day did they get their approval?

Mayor Cason: April or May last, was it?

Commissioner Keon: Yes.

City Manager Swanson-Rivenbark: And so Commissioner you were kind enough to give us the heads-up, so we've been speaking with Ramon as to some of these questions.

Commissioner Keon: OK.

Mr. Trias: The expiration date at this point is August 9, 2017 for the Mediterranean Village for the PAD (Planned Area Development), and...

Commissioner Keon: August 9, 2017?

Mr. Trias: Yes.

Commissioner Keon: And that was extended?

Mr. Trias: It was extended because of the special order from the Governor to allow for an extension recently. So as of today...

City Attorney Leen: What this means is if there is a state of emergency, there is an order by the Governor in state law; state law says that they automatically get extended.

City Manager Swanson-Rivenbark: But that's not unique to this project, that is a...

City Attorney Leen: It's not unique to this property, it applies to all.

Commissioner Keon: Alright, but that's not germane to this property.

City Attorney Leen: Yes it applies to this property.

Commissioner Keon: It does?

City Attorney Leen: Yes, it applies to all.

Commissioner Keon: If there is...

City Attorney Leen: If there is a pending development order.

Commissioner Keon: If there is some extraordinary circumstance occurs, is that what you are saying?

City Attorney Leen: No. It's just if there is a declaration of an emergency then it applies. All they have to do is request it, its automatic.

Mayor Cason: Anyway we need to find out where they are. It doesn't mean they are going to delay any longer.

Commissioner Keon: If there is a declaration of an emergency?

City Attorney Leen: No, no. If there is a declaration of an emergency during the time period, they get the extensions automatically.

Commissioner Keon: Right. If the Governor declares an emergency then it is, so if we have a hurricane or we have flooding, or whatever, but we haven't had any, so absent

of that nothing has been - have we had any emergency?

City Manager Swanson-Rivenbark: I'll look up while you are talking. I think that he declared a declaration of emergency recently.

City Attorney Leen: He did.

Commissioner Keon: For what?

Mr. Trias: There is a letter here that extended the approval of this project, the Mediterranean Village and another project, the Collection Residences...

City Attorney Leen: And there is no discretion. The City has no discretion.

Commissioner Lago: What was the emergency?

Commissioner Keon: What was the emergency?

Mayor Cason: Whatever it is...

City Manager Swanson-Rivenbark: As you continue to talk I will research that.

City Attorney Leen: By the way, I'm not speaking in favor of this practice, that's just what the law says.

Mr. Trias: It was Hurricane Erica.

Commissioner Keon: Hurricane what?

Mr. Trias: Erica.

City Manager Swanson-Rivenbark: That was in September.

Mr. Trias: Yes.

City Manager Swanson-Rivenbark: We thought it was - I happen to know because I had to change my travel plans, you're right. There was a hurricane anticipated in September.

Commissioner Keon: OK. So that was the active emergency.

Mayor Cason: Anyway, I think the important point is you'll find out from us whether there is any intention on their part to delay any of their obligations.

Commissioner Keon: OK. When was it approved though? What was the date of approval?- April?- April/May? Commissioner Slesnick was here on the dais, right?

Commissioner Slesnick: I was.

Commissioner Keon: Yes, she was, so it was May.

Mayor Cason: It was in April.

Vice Mayor Quesada: So April/May.

City Clerk Foeman: June 10th.

Commissioner Keon: Oh, June 10th. OK. So June 10th was...

Mayor Cason: I understand they are getting ready to knock down the Century Bank Building.

Commissioner Keon: Yes, they've been talking about that, we haven't seen it yet.

Mayor Cason: At the end of the month, end of March.

Commissioner Keon: OK. Can we have a discussion with them about the Streetscape elements and if they have hired someone to do them and what the plan is and the implementation of their plan?

Mr. Trias: And what I can update you is that I've had that discussion several times in the past few months and every time they tell me, we hired a consultant, we are ready to go, and my response to that is, great, give us a timeline, and they have not given us a timeline.

Commissioner Keon: Can we ask their consultant to come to the next meeting and tell

us what their timeline is?

Mr. Trias: We certainly could.

Commissioner Keon: Is that appropriate?- OK. At the next meeting could you ask them to please have...

Mr. Trias: But the bottom line is that there has been no progress on this project. There has been a request, I believe at some point to have some sort of foundation permit, which in my opinion it should not be issued at all until we have some progress on all these issues.

Commissioner Keon: OK. But you'll let them know that we'd like to see them at our next meeting.

Commissioner Slesnick: Is there land being used for the Miracle Mile renovation they were talking about using?

Vice Mayor Quesada: Staging.

Mr. Trias: That's the way I understand it, yes.

City Manager Swanson-Rivenbark: Yes, but we said as long as it didn't postpone any of the progress of their project.

Commissioner Keon: But they can also stage right there to do Ponce, so that would be a good time for that staging to take...

Mr. Trias: Yes.

Commissioner Keon: Yes. The North Ponce Study, the recommendations are?

Mr. Trias: We have a draft report with multiple recommendations and I would like to schedule it for Planning and Zoning as soon as we are able to do that, should come fairly soon.

Commissioner Keon: For Planning and Zoning, OK, so then when would it come to us?



Mr. Trias: I mean, I can provide the draft report to you prior to that, if you would like.

Mayor Cason: Yes, if you would, so we can read it.

Mr. Trias: Yes, we can do that.

Commissioner Keon: I just want to know when would it come to us?

Mr. Trias: Probably May, I would think.

Commissioner Keon: Probably May, OK. Thank you. I also spoke with the developers of 33 Alhambra, who told me that they have met with people in the neighborhood about it, the people that were the ones that contacted us that were the ones that spoke to us about it originally, said that they haven't spoken to anyone, so I don't know if we could help the developer get in touch with the residential community that were very vocal about it before, because they haven't been spoken to.

Mayor Cason: I met them recently. I encouraged them to do that and I think they would.

Commissioner Keon: OK. You could help them with the names...

Commissioner Slesnick: Are you saying the neighbors haven't been contacted?

Commissioner Keon: You know what?- they said that they've spoken to people, I don't know who they've spoken to, but I know that the people that came out with the greatest concern about it and were very vocal about it, they haven't spoken to them, so they haven't heard anything about it. So if they would like our help, because we have their contact information, we could assist them with those names to make sure that...

Mayor Cason: Came in last week to talk about it.

Commissioner Keon: Right, but we can help give them those names, so they can have the conversation with the people that we have been in touch with. The other is, have we hired an agronomist?- for Granada?

City Manager Swanson-Rivenbark: Let me get an update. We had some issues with some of the candidates we were discussing, but we do have some other options that we are pursuing. Right now you have a consultant that is on board that is assisting us, but we have not retained, we have budgeted for the hiring of a golf course superintendent and an assistant golf course superintendent, but the consultant is there.

Commissioner Keon: OK. I want to make sure that somewhere in that superintendent order that one of them is an agronomist, or somewhere there is an agronomist that is available to us. I mean, I know like at Doral they have, I can't tell you how many they have and you know they have a lot of them that are not that expensive. There are a lot of people out there that do this, even if we have someone that comes in three days a week or whatever else that they certainly are plenty of people that are available. We made a, I guess a \$400,000 investment in that golf course, and I don't want to see us lose it, because it can go very quickly, if we don't take care of it. I know that the greens weren't great, the T's weren't great and whoever is cutting the fairway its like lawn maintenance, they are not cross-cutting them the way that normally you cross-cut a golf course, a fairway. So whoever, maybe just have a discussion with whoever is doing that to make sure that its being dealt with.

City Manager Swanson-Rivenbark: The two most knowledgeable directors aren't in the room right now, so let us make sure that we get a memo to you all.

Commissioner Keon: Right. And the other thing was, I think I sent you an e-mail with regard to a parcel of land on Sarto, did you look into it?

City Manager Swanson-Rivenbark: Yes.

Commissioner Keon: OK. Thank you.

City Manager Swanson-Rivenbark: We are reviewing several different properties as a part of the Neighborhood Renaissance Plan.

Commissioner Keon: OK. Thank you. That's all I have.

Mayor Cason: For those of you that walk around the golf course, you'll be happy to know that on the Coral Way side of it the drainage work is well underway. It used to be all muddy when it rained, that's pretty far along.

Commissioner Keon: Great.

Commissioner Lago: As per our last meeting, the University of Miami, our yearly meeting, one of the statements that were brought up by one of the Board members was, if we could alleviate the issue that's currently happening at the dock which is the new basketball arena. If anybody had the chance to attend yesterday's game, University of Miami beat the number four team in the nation, I think they were probably ranked top ten. It's going to be a spectacular chance for this university to move forward, hopefully you never know, maybe we become a champion in regards to basketball, its never happened before. One of the items that were brought up was the issue of there were some open seats that are tarped. Yesterday again, I saw them, people brought it up to my attention. The answer is always per our agreement with the University of Miami, we can't open those seats, those seats cannot be used. I would like for this Commission to consider not letting them sell tickets, but let them use those tickets for University of Miami students. It doesn't produce anymore congestion, there are no more cars, it's not an issue about people coming in to make more congestion in the City. It's just an issue of the residents, excuse me, the residents maybe yes, even for residents could be a potential opportunity. Like I live across the street, but more importantly for the students which can't get into the game now because there are no seats available, but it's a shame that those seats are just sitting there in the tarped dock.

Commissioner Slesnick: And the tickets are expensive too.

Commissioner Lago: Yes. They are sitting there in...and they don't even get used and there is no reason why we should continue to have it.

Commissioner Slesnick: Are you talking about sitting on the concrete riser, they are concrete right now without putting seats in.

Commissioner Lago: No, no, we are not putting seats in. I'm just saying they are just there, the ability for somebody to sit there is currently not allowed and it's a shame, in my opinion.

Vice Mayor Quesada: Mr. City Attorney and Madam City Manager, can you guys take a look at the development agreement, or not the development agreement, the agreement that restrict them from using those seats to see what the rationale is?

Commissioner Slesnick: It was because of lack of parking; they didn't have enough parking.

Vice Mayor Quesada: I still want to confirm whatever agreement there is in writing.

Commissioner Lago: I think we have consensus here that if we allow it for student use, there shouldn't be more traffic.

Vice Mayor Quesada: I make a motion to open up those seats for student use, unless the City Attorney or the City Manager advises otherwise pursuant to the agreement that it cannot be done, if that's the case, it will come back to us and let us know what we can do.

Commissioner Slesnick: I think we really ought to study it a while longer before we move on that, that's my opinion.

Mayor Cason: We have a motion and a second.

Vice Mayor Quesada: But it can be stopped anytime by the City Attorney or City Manager.

Commissioner Slesnick: It was very contentious at the time because of all the neighbors and because of going in there and that held up the opening of the arena for about seven months.

Commissioner Lago: Let's do this. How about we make a motion to study it, to have staff take a look at it...

Commissioner Slesnick: I agree.

Commissioner Lago:....maybe talk to some of the residents and understand what's going on. If we gear it to just students, congestion is not an issue.

Commissioner Slesnick: I agree.

Commissioner Lago: And it's a shame, it's a shame, its for students.

Vice Mayor Quesada: So I will withdraw my motion, and I will revise my motion to

what Commissioners Slesnick and Lago said, but I want to make a determination at the next meeting, because...

Commissioner Slesnick: Yes.

Commissioner Lago: It's such a great show, the students are out there trying to get in and they can't get in.

Commissioner Slesnick: It was full last night, it was sold out.

Mayor Cason: So we have a motion and a second. City Clerk.

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

Vice Mayor Quesada: Well hold on a second.

Mayor Cason: Too late.

(Laughter)

Vice Mayor Quesada: Between now and our next - I mean the season's over, so yesterday there is one more home game that's this Saturday.

Commissioner Lago: We are talking about next season.

Mayor Cason: This is for next season, incentive for them to be even better next season.

Commissioner Slesnick: To win.

Commissioner Lago: It's a good opportunity.

Mayor Cason: Anything else you've got?

Commissioner Lago: Yes, I have a few other things just really quick. I want to remind the City Manager, I'm really interested and hoping that we can put together an ordinance which deals with the leaf blower issues. The idea of pushing organic matter off your property into the street, or into your neighbor's property is absolutely contrary to what Coral Gables is all about. It's the most ridiculous thing I've ever seen. That goes along with the swales, that goes along with the garbage pits. We need to figure something out, it makes absolutely no sense. If you go on San Amaro right now, literally I control myself from going to my neighbor, who he is not doing it himself, but his landscaper is blowing it right into the catch basins, which is the most ridiculous thing I've ever seen in my life. Yes, it resolves your problem for that moment, but it becomes a City expenditure and it just becomes a liability for the future. So we really need to be a little bit more courteous and that goes back to what I was talking about the landscapers, there should be a \$5 fee, there should be a \$5 fee, because that way you have a way to tell them, hey, we are changing the law, you have to abide by the following. So I think that's in the works hopefully. I wanted to talk to, one last thing, I wanted to see if I could bring Ramon up here really quick. I've had a few residents, including Mayor Thomson came up to me and was talking to me about the issue of the Aloft Hotel, and I wanted to make sure after doing some extensive background research that we educate the residents and the business community on how the Aloft came to fruition. Again, I don't want to take up too much time here, but if you could give like a quick two or three minute synopsis which explains. Besides, what Ramon is going to say now, I have a copy of the ordinance, Ordinance No. 2008-26, which I'll make available, which dictates exactly how in 2008 the Aloft project, basically the wheels started turning. Can you give a little bit of a quick synopsis on how it happened?

Mr. Trias: Yes. Commissioner, the property was zoned commercial in 2008. At the time it was zoned MFSA, which allows for apartments and townhomes. So at that point, 2008 there was a request to change the zoning to commercial, which would allow hotels eventually, and also to change the land use to high-rise. Now the Commission did not change the land use; the land use stayed low-rise as it was before, but the Commission did change the zoning to commercial at the time. So that project never took off and then a different applicant acquired the property, I believe in 2011, and then through the next couple of years it went through the process. So eventually in 2013, the project was given Mediterranean bonus which allowed the height to be 77 feet, which is the height that is allowed with the low-rise commercial, 50 feet plus the bonus, 77 feet. Right now the project is almost finished in terms of the height. What

you are seeing is the last floor being built, so what you see is pretty much what you are going to get in terms of the overall project.

Mayor Cason: The setback are right in the front, somebody complained that the sidewalk is gone, is that just because of the construction, are we going to have a sidewalk?

Mr. Trias: Yes. The project has an arcade in some areas and in the corner of the building, actually goes all the way to the sidewalk, but the sidewalk is going to be expanded with the ball bollards, so during construction its very tight. The final design will be much wider.

Commissioner Lago: What I find interesting and why I wanted to bring it up, because I think its important to really memorialize exactly what happened was because there were several comments of how did this happen overnight? When this project was rezoned in 2008, and then in 2012 the project was sold, the piece of property was sold to a new owner, they didn't have to come before the Commission.

Mr. Trias: Exactly.

Commissioner Lago: They went through the standard process, BOA (Board of Architects), DRC (Development Review Committee), whatever other use they needed, architects, BOA, excuse me, and that never had to come before the Commission, and correct me if I'm wrong, at that point after the change of zoning in 2008, which was approved by the Commission back then in a 3 to 2 vote, now that project is an as-of-right project.

Mr. Trias: What that means is that it doesn't have to go before the Commission or before Planning and Zoning. It's not completely as-of-right in the sense that the Board of Architects needs to approve the Med bonus.

Commissioner Lago: But it didn't have to come before the Commission. Again, the purpose of these two or three minutes is to really show clarity, show transparency, show that the City does things the right way. Again, there was a change in the zoning made in 2008; someone purchased the property in 2012, it did not have to go to BOA, did not have to go to Planning and Zoning, excuse me, it had to go to BOA, correct?

Mr. Trias: Correct. Correct.

Commissioner Lago: It did not have to go to Planning and Zoning and it didn't have to go before the Commission, so that's why you have what you have today.

Mr. Trias: Correct. Yes.

Commissioner Lago: And that stems back to 2008, when no one on this Commission was even involved in the City.

Commissioner Slesnick: What was approved in 2008 for that site?

Commissioner Lago: The 2008 - I have it here, it was a change in the zoning.

Commissioner Keon: From multi-family to commercial.

Commissioner Lago: From multi-family to commercial.

Commissioner Keon: Which you know is really horrific. I am so surprised to have heard that that happened, because and sadly we lost a lot of historic memory in this City with the changes in staff and whatever else, but I can tell you, I'm sure Commissioner Slesnick can tell you too, having lived here for as long as we did, that LeJeune Road was always the barrier for commercial development. It was just a hallmark of this City. Obviously, it was a practice, but there was never to be commercial, any commercial intrusion into the residential area other than some stuff here along Biltmore Way, because of the structure of Biltmore Way, but after there not at all; and you know there still remains on LeJeune Road where there is an empty lot south of us. The people that wanted to, that owned that property, that owned that lot wanted to put their dentist office in there and went through a very big fight with the City over that. The City won and the individual, I think the home wa...

Commissioner Slesnick: It was a historic house.

Commissioner Keon: It was a historic house, it was a great house, you know and they destroyed it, they bulldozed it. If you can't let me do what I want, they ended up bulldozing the house, and that lot has sat vacant ever since then, and that was when, that really was part of the fabric of the City is that there was no commercial development, no commercial development west of LeJeune Road and to allow that to



happen, I have to tell you I'm very, very sorry that that ever happened.

Mr. Trias: I want to say one thing though. The land use in that parcel was commercial, just like the land use in the parcel north of City Hall is also commercial. That's the only area where there is commercial on the west side of LeJeune. The rest of it is absolutely correct.

Commissioner Lago: The developer that purchased it in 2012...

Commissioner Keon: It was multi-family though.

Commissioner Lago: It was multi-family then it was rezoned in 2008 to commercial. They didn't get any special benefits, they followed the Code, they got a bonus for Mediterranean because they obviously designed it in Mediterranean to get that bonus. So everything is within the context of the Code. To move on, because I don't want to take up anybody's time. I'm going to leave a copy of this with the City Manager and I'm going to leave a copy of this with my office, Martha or Chelsea, you can see them, if you don't want a copy they can send it to you via e-mail. It kind of gives you a synopsis of how the approvals took place and the votes that were cast in reference to Planning and Zoning and the Commission, so it's a very, very detailed breakdown in regards to Ordinance No. 2000-26, if anybody has any further information. Now one last thing. I had the pleasure last week of meeting with some residents on site, along with Chief Hudak, Director Trias, our City Attorney, Director Miner, who was on site, we had the whole A-team there. And it was in reference to Monegro Street. I ask you to swing by and take a look at those streets; five streets, five streets that run parallel to Ponce. The homes, the back of the homes are face back into the City of Miami, excuse me. What we have there, is we have some streets that are just basically dead-end where there is no access, but what you are seeing is people, vagrants, you are seeing people throwing garbage. I'm not going to mention some of the other things that the residents have told me that have happened on those streets, because it's a little bit inappropriate, but it's a very uncomfortable situation for the residents, because people basically hop in from one jurisdiction to another and its very difficult to catch them.

Vice Mayor Quesada: Tell me the location again.

Commissioner Lago: On Monegro Street - there are five streets which I'll give you an example, Camillo Avenue, Sarto...

Commissioner Slesnick: It backs up to 38th Street in the City of Miami.

Commissioner Lago: Those streets Camillo and Sarto Avenue basically dead-end.

Vice Mayor Quesada: Its Romano, Sarto, Camillo, Aledo, and Cadima.

Commissioner Lago: Let me tell you, and Ramon is going to speak really quickly. This is something very interesting that I think is going to change the paradigm here when we are talking about open space, it has to do with open space. So these streets dead-end. Nobody should be using those streets. When I was there with our team on site we saw multitude of people just literally walking right through the bushes. There is no accessibility for cars, there is no accessibility for fire equipment, for police officers, literally it's just bushes with trees, people walk right through them because they access our trolley system or they access our facilities for free, so a lot of children going through. So it's a bit of a troublesome situation. So what I'm proposing is that we, Ramon Trias came up with this idea, so I have to commend him for it, that we somehow, someway clean up, get rid of the asphalt and do these little parks.

Commissioner Slesnick: Great idea.

City Manager Swanson-Rivenbark: Sir, I appreciate the passion and I appreciate Ramon's great idea. Allow us to study it, please don't take an action today without us....

Commissioner Lago: No, no, no, let me finish.

City Manager Swanson-Rivenbark:...because I was not present and I was not briefed on this and I'm uncomfortable.

Commissioner Lago: Let me just tell you what I'm talking about. I'm not going to take action, but I'm telling you is that this is a very interesting opportunity that we have there, and by the way, I prefaced my statement, I'm inviting you to go drive by there. We thought about landscaping in some way and we talked about different opportunities of how to basically block the entrance.

Commissioner Slesnick: You're talking about fencing it off at the end of the street?

Commissioner Lago: We were talking about that, but that's not an opportunity to fence.

Mayor Cason: You can't fence streets.

Commissioner Slesnick: You can't fence?

Commissioner Lago: You can't.

Commissioner Slesnick: Aren't they closed off?

City Attorney Leen: They are already closed off.

Commissioner Lago: They are already closed off.

Vice Mayor Quesada: They are not really closed off though, to vehicle not pedestrians.

Mayor Cason: To vehicle not to people.

Commissioner Lago: To vehicle not pedestrians. So what I'm saying is to make sure the City Manager feels assured. The purpose of my statement today is so that you go and visit, maybe you have different ideas, but the residents are very concerned because of their safety, because people hop over and they are just hanging out in those areas.

Mayor Cason: The only question you have to be careful when you study it is that it doesn't become a park hangout even more inviting for people to hangout. They are cutting through to use the trolley. We've had a lot of, over the last couple of years Police going out and Public Works cleaning the area for the same concerns.

Commissioner Slesnick: There's been some other safety issues over there that I've heard about.

Mr. Trias: The City Manager is correct. We need to study this and this is just a general idea of the options that we have. But I don't think there's any proposal on the table or any specifics.

Commissioner Lago: There is no proposal. The reason why I brought it up was to have

you go there and basically give me ideas, give the City Manager ideas, give our City Attorney who had some great ideas of how to potentially handle the County. He can brief the City Manager on those later, in reference to dealing with the issues of somehow, someday allowing it to be fenced off, negotiating with the County Attorneys, but I think that when you go and you sit down with the residents in that neighborhood they are tired, they are tired of their homes being broken into, they are tired of vagrants in the area, they are tired of people constantly being in that neighborhood. So I think we need to sit down and have a serious discussion.

City Attorney Leen: There is a whole policy discussion that needs to occur. The legal issue is that we have these streets that just end, that people park on and they are arguably an attractive nuisance, regardless we would have sovereign immunity, but the concern was I would have been hearing that there is nothing we can do. We just have to leave it like that. From a legal perspective, 6.02 applies here. We can take whatever action we think is appropriate. Its already a closed road, its not an open road, it's a closed road.

Commissioner Keon: But I think that you - I think there are different definitions for what's closed and what's not closed. But you know what?- I really think that you should give the Manager an opportunity to meet with the Planning staff to really thoroughly discuss this, because there are other places around the City, all over, that may want the same thing and you need to be very careful in how you apply that and what you give to people, please. So let them talk about it, let them determine the differences and what everything else. Please be careful.

Commissioner Lago: This is why I'm telling. OK. Hold on - that's why I preface my statement, go and visit these streets. This is not your standard situation where somebody says, I want to block my street like what happened in my neck of the woods where I live, where all the neighboring streets got blocked by the County, and then all our streets...and what ended up happening was...

Commissioner Keon: They didn't get blocked by the County.

Commissioner Lago: Well, all that traffic is not going onto my street.

Commissioner Keon: They got blocked by the City of Coral Gables.

Commissioner Lago: My point being is this, these streets are already blocked, they are

already blocked. You cannot drive a car through there and it's not because there is a little hedge, its because there is a massive tree in the middle of the street that was planted, so there is no way to get a car across that; and it's a completely different situation because the street that cuts through it, just comes to an abrupt end. I'm just telling you to visit it and...

Mayor Cason: Point made. Point made.

Commissioner Lago: When you visit it you'll see that there is a big difference between what other residents have asked the City with these five streets. Just take a visit.

Mayor Cason: We will do it.

Vice Mayor Quesada: I'm looking at it right now. It's true.

Commissioner Lago: I'm telling you it's true. Take a visit you'll see.

Mayor Cason: Vice Mayor do you have anything?

Vice Mayor Quesada: Nothing.

Mayor Cason: Commissioner Slesnick.

Commissioner Slesnick: Really quickly because I know we all want to go to lunch. There is a new restaurant up on Miracle Mile next to the GNC store, Lou's, which I had dinner at last night, or a couple of nights ago. They are having their grand opening in March, but they have great Cesar Salad, so I recommend it.

Commissioner Keon: What do they have?

Commissioner Slesnick: Great Ceasar Salad. I love Ceasar Salad - Lou's, right next to the GNC store. Also, the Chilli Cook-off was held at Harnett Ponce Circle Park on Saturday. Raised a lot of money for the Rotary Foundation. The judges were Raquel Regalado, our School Board Representative, Blake James, the UM Athletic Director, and me. And I want you to know the number one - there were twenty, so we tasted lots of chilli and....the number one winner was Gables Hospital, Coral Gables Hospital, and number two, the People's Choice Award, which was the number one for the people's choice, was the University of Florida Gator group. So congratulations to

them and they passed out a lot of award-winning prizes and so forth, and it was just a fun day with music, several bands and about 40 or 50 booths and people just walked around and it was a fun day. Last, but not least, I had my Town Hall meeting last Thursday at the Biltmore Hotel and I want to thank Commissioner Keon and Commissioner Lago for attending. I was really happy to see you there, as well as our City Attorney, our City Manager and my guest speaker on my panel our Economic Development Board Director, Javier Betancourt, and Ramon Trias was there. Our panel was Christopher Zohler, who is President of the Coral Gables Board of Realtors, Frank Rodriguez, who is on the Planning and Zoning Board now, former Mayor Dorothy Thomson, and Javier Betancourt, and also in attendance was former Mayor Raul Valdez-Fauli who served on our Charter Review Board, and also on the Charter Review Board, Tom Corge, who had been Chairman of the Planning and Zoning Board for a number of years, especially when we changed the Codes in 2006 and 07. And I think we had a great turnout, the ballroom was full. We didn't accomplish as much as I wanted to accomplish because we were only two hours long and you really couldn't do as much as we wanted to; and the citizens were not as kind to us as I would have liked. They had some negative comments, so it wasn't as positive, but I did pass out a booklet that I did at the end of the meeting. This has all our current developments going on in Coral Gables and I worked on this with Ramon Trias' office and Javier Betancourt's office, to put all of the current projects going up in the City of Coral Gables. Its 24 pages. If anybody would like a copy of this, I have them in my office. If anybody around the City would like a copy just let me know, we have about 150 left in my office. We passed this out at the meeting to the participants, so we have this. Again, it just shows where we are in the City with the square footage that's being proposed and so forth, and hopefully some of these projects like the Collection will come back online, I hope, that's been approved. Everything's in here, basically, and it took us about three weeks to compile it all so that you have an accurate picture of what's going on in the Gables and what's going where, and the Aloft Hotel is in here too. And again, the Aloft Hotel is eight stories, this building is twelve, this one's sixteen and whatever. So thank you Mr. Mayor.

Mayor Cason: Thank you. Just a reminder that we have two vacancies from the Commissioners that are geographically determined for the Waterway Board and one for the City Manager, so we have three vacancies on that. As soon as we get those...

City Manager Swanson-Rivenbark: Mine is Doug...

Mayor Cason: Yes, you got it?

City Manager Swanson-Rivenbark: Yes sir.

Mayor Cason: Just your two.

City Clerk Foeman: And also we have two Commission-As-A-Whole appointments to be made, as well as one Board-As-A-Whole appointment, a total of five pending appointments.

Mayor Cason: OK.

City Attorney Leen: Mr. Mayor there was one other item.

Mayor Cason: I'd like to see, hopefully by the 15th that you come back with some way to resolve the button and the flag and the reflector issue that we discussed over and over again.

Commissioner Keon: And the no-parking in residential.

Mayor Cason: And no-parking; the sign that says "no dumping" which are think are relevant, they don't make any impact on people's behavior. So come back so we can get that taken care of.

City Attorney Leen: Certainly. I know staff is working on it. You know my view is always been, ultimately the Commission should pass legislation of some sort addressing.

Mayor Cason: If you'd draft up something.

City Attorney Leen: Because that provides the City protection and for example, we take all of the buttons, they can't say we stole them, which by the way is on public land, so we have the right to take it, but its better to have that in an ordinance.

Mayor Cason: Right. You had something else before we adjourn?

City Attorney Leen: Yes, I did. There is not much notice provided here because this is a matter that's time sensitive, and I've asked that it be brought to you right now. It's within the Manager's discretion, she has the authority to do this, but she wanted to

raise the issue with you, which I think is appropriate. It will be quick. It's just the Alex A. Cox sculpture. There is \$100,000 worth of site work that needs to be done, which was not included in the original approval. That money can be taken out of either the NRP, the Neighborhood Renaissance Program or the Art Acquisition Fund, that's ultimately up to staff to decide. She just wanted to let you know about it to get an approval.

Mrs. Spain: That was it. That's what I was going to tell you.

Mayor Cason: And this is required to make sure that the drunk drivers going through don't crash into our beautiful new flowers.

City Attorney Leen: So I want to make sure you are fully advised.

Mrs. Spain: The landscaping that's going in there, that was not allocated originally. The original allocation was from the Neighborhood Renaissance Program, and we need \$100,000 more approximately.

Mayor Cason: I don't have a problem.

Commissioner Slesnick: So moved. Do we need to vote on this?

Mayor Cason: I don't think so.

Commissioner Slesnick: It's an appropriation.

Mayor Cason: Unanimous.

City Attorney Leen: You know what, do the vote. I would recommend the vote.

Commissioner Slesnick: So moved.

Vice Mayor Quesada: Second.

Mayor Cason: OK. Commissioner Slesnick made the motion, Vice Mayor seconds. City Clerk.

Vice Mayor Quesada: Yes



Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mrs. Spain: Thank you.

Mayor Cason: You have one more thing.

Commissioner Slesnick: One more item. Again, I forgot to thank the television crews that were there at the Town Hall meeting. They were very helpful in providing lighting and also recording. Last, but not least, we talked about having the meetings, a number of meetings for the U.S.-1 study. The main thing that came out of last Thursday night and we let the people keep talking instead of breaking up in groups, was that they wanted to be heard, and the better the communications are from the City, we are making progress in that. We tried to get everybody to sign up for E-NEWS, and we have about another hundred new people that haven't received E-NEWS to turn into MR (Maria Rosa Higgings), is that people want to be heard. So the more that we have some feedback between the citizens and the City the more appreciative they'll be. So thank you.

Commissioner Keon: Mayor Cason, when will we set our agenda for the summer? We set our meeting dates with budget meetings and whatever else.

Mayor Cason: You don't want to do it on June 3rd, right?

Commissioner Keon: No. I don't care if we do it on June 3rd. I would like that three weeks, four weeks in between June and July to be able to plan some travel and whatever else. It's nice to have that block. So I'd like us to see if we can plan our...

Mayor Cason: Do we have that on the Consent Agenda for the next meeting?

Commissioner Keon: Because there is also the budget meeting and the budget workshop, and everything else, so that we can have that period of time to travel.

Mayor Cason: OK. Meeting adjourned.

City Clerk Item No. 39

**RESOLUTION NO. 2016-55**

**Non** [16-4924](#)  
**Agenda**

A Resolution appointing Blanca Mesa (nominated by Commissioner Lago) to serve as a member of the Library Advisory Board, for the remainder of a two (2) year term, which began on June 1, 2015 and continues through May 31, 2017.

A RESOLUTION APPOINTING BLANCA MESA (NOMINATED BY COMMISSIONER LAGO) TO SERVE AS A MEMBER OF THE LIBRARY ADVISORY BOARD, FOR THE REMAINDER OF A TWO (2) YEAR TERM, WHICH BEGAN ON JUNE 1, 2015 AND CONTINUES THROUGH MAY 31, 2017.

**A motion was made by Vice Mayor Quesada, seconded by Commissioner Slesnick, that this matter be adopted by Resolution Number 2016-55. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Keon, Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick and Mayor Cason

City Clerk Item No. 36

**RESOLUTION NO. 2016-56**

**Non** [16-4925](#)  
**Agenda**

A Resolution of the City Commission of Coral Gables instructing the City Manager and City Attorney to review the University of Miami Development Agreement in order to make the unused seats at the Bank United Center available for students during the University of Miami basketball games.

**A motion was made by Vice Mayor Quesada, seconded by Commissioner Lago, that this matter be adopted by Resolution Number 2016-56. The motion passed by the following vote.**

**Yeas :** 5 - Commissioner Lago, Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon and Mayor Cason

City Clerk Item No. 37

**RESOLUTION NO. 2016-57**

**Non**     [16-4926](#)  
**Agenda**

A Resolution of the City Commission of Coral Gables approving an additional expenditure of \$100,000 in order to complete site work associated with the installation of the sculptures by Alice Aycock.

**A motion was made by Commissioner Slesnick, seconded by Vice Mayor Quesada, that this matter be adopted by Resolution Number 2016-57. The motion passed by the following vote.**

**Yeas :** 5 - Vice Mayor Quesada, Commissioner Slesnick, Commissioner Keon, Commissioner Lago and Mayor Cason

City Clerk Item No. 38

**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 2:24 p.m. The next regular meeting of the City Commission has been scheduled for March 15, 2016, beginning 9 a.m.]

JIM CASON  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK