

# City of Coral Gables

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



## Agenda

**Tuesday, December 15, 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**

*Father Sean O'Sullivan, Church of the Little Flower*

**PLEDGE OF ALLEGIANCE**

*Walter J. Harvey, School Board Attorney*

**A. PRESENTATIONS AND PROCLAMATIONS**

- A.-1. [09-0801](#) Presentation by Mari Molina, Executive Director of the Coral Gables Business Improvement District, regarding leasing activity on Miracle Mile.
- A.-2. [09-0809](#) Presentation of Statement of Support for Employer Support of the Guard and Reserves Program.
- A.-3. [09-0834](#) Presentation of a Certificate of Appreciation to Mr. R. Alberto Delgado, Public Works Director, on the occasion of his retirement.
- A.-4. [09-0813](#) Congratulations to Katrina Eckenroth, Police Department, recipient of the City of Coral Gables Employee of the Month Award, for the month of January 2010.

**B. APPROVAL OF MINUTES**

- B.-1. [09-0856](#) Regular City Commission Meeting of November 17, 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. [09-0828](#) Resolution appointing Louan Zagarino (nominated by Board-As-A-Whole) to serve as a member of the Pinewood Cemetery Advisory Board, for a two-year term, beginning June 1, 2009 through May 31, 2011.
- C.-2. [09-0811](#) Resolution appointing Paul Zamek (nominated by Board-As-A-Whole) to serve as a member of the Coral Gables Landscape Beautification Advisory Board, for a two-year term, beginning June 1, 2009 through May 31, 2011.
- C.-3. [09-0830](#) Resolution authorizing the waiving of the cost of parking meter rentals for the 59th Annual Beaux Arts Festival of Art.
- C.-4. [09-0838](#) Resolution authorizing the waiving of the cost of parking meter rentals for the 2009 Junior Orange Bowl International Tennis Championship.
- C.-5. [09-0835](#) Resolution declaring the contents of the Preston Scott Design with Flowers Store surplus city property, in accordance with Section 2-920 of the Procurement Code, to authorize disposal of said property by public auction on December 20, 2009.
- C.-6. [09-0836](#) Resolution accepting the recommendation of the Chief Procurement Officer to authorize participation in a piggyback contract with Miami-Dade County for the purchase of gasoline and diesel fuel.
- C.-7. [09-0808](#) Resolution granting permission to The St. Patrick's Day Committee, Inc. to sell alcoholic beverages from Noon until 6:00 p.m. on Saturday, March 13, 2010, at the Fred B. Hartnett/Ponce Circle Park as part of the St. Patrick's Day Festival, subject to Florida Department of Professional Regulation requirements.

- C.-8. [09-0831](#) Resolution amending Resolution No. 2009-225 by changing one of the approved dates for the "Art in the Park Event" and granting a request made by the Kiwanis Club of Little Havana to sell alcoholic beverages at Ponce Circle Park subject to Florida Department of Professional Regulation requirements; more specifically changing the date from January 1, 2010 to January 29, 2010.
- C.-9. [09-0840](#) Resolution authorizing expenditures in the amount of \$250,000.00 from State Forfeited Asset Fund (FAF) monies to reimburse the City of Coral Gables General Fund for expenditures associated with the Police Communications Center Project.
- C.-10. [09-0829](#) Resolution authorizing the implementation of a combined Voluntary Cooperation and Operational Assistance Mutual Aid Agreement between the City of Coral Gables Police Department and the Miami-Dade County Police Department.
- C.-11. [09-0821](#) Resolution authorizing the granting of an easement to American Traffic Solutions for a Photo Red Light System at 525 South Dixie Highway, on the NE corner of Riviera Drive and US1, Coral Gables, Florida.
- C.-12. [09-0822](#) Resolution authorizing the granting of an easement to American Traffic Solutions for a Photo Red Light System at 198 South Dixie Highway on the SW corner of Jefferson Street and US1, Coral Gables, Florida.
- C.-13. [09-0814](#) Resolution supporting and endorsing the South Florida Park Coalition Charter and the principles on which it stands.
- C.-14. [09-0798](#) Resolution establishing a Subsidized Housing Impact Fee Deferral Program; providing findings, intent, authority and definitions; providing for application procedures; providing for reporting; providing for recording of restrictive covenants and lien to insure payment of deferred impact fees; providing for reporting on and suspension of impact fee incentives; and providing for an effective date.
- C.-15. [09-0849](#) Resolution amending the 2008-2009 Annual Budget and authorizing a transfer of funds from the Stormwater Utility Fund and the Sanitary Sewer System Fund into the General Fund for indirect operating costs provided by the General Fund departments for the fiscal year ended September 30, 2009.
- C.-16. [09-0841](#) Resolution electing to use the uniform method of collecting non-ad valorem special assessments levied within the incorporated area of the City; stating a need for such levy; providing for the mailing of this Resolution; and providing for an effective date.
- C.-17. [09-0843](#) Resolution accepting the donation of \$19,250 from the owners of 375 Miracle Mile to be deposited into the Arts Acquisition Fund for the Art in Public Places program in lieu of furnishing public art, as required by Zoning Code Article 5, Division 6, Section 5-604 Coral Gables Mediterranean Style Design Standards and amending Resolution 2007-37 to eliminate language in Section 1. referencing "two (2) abstract sculptures."

- C.-18. [09-0851](#) Resolution providing for certain accounting treatment for use of funds in the Sanitary Sewer System Fund; and providing an effective date.
- C.-19. [09-0845](#) Resolution authorizing transfer of funds in the amount of one hundred sixty-eight thousand dollars (\$168,000), from the Special Revenue Fund entitled "Citywide Records Management Infrastructure, Business Process Improvement: Enterprise Content Management Project" into the General Fund for the fiscal year ended September 30, 2009.
- C.-20. [09-0833](#) Resolution authorizing the American Institute of Wine and Food to sell wine through the American Institute of Wine & Food at the Grand Finale Picnic from 11:00 a.m. to 1:00 p.m. on March 27, 2010 at the Coral Gables Farmers Market.
- C.-21. [09-0700](#) Resolution approving a Memorandum of Understanding between the City of Coral Gables and Fairchild Tropical Botanical Gardens for Fairchild Tropical Botanical Gardens to join the City's fiber Institutional Network operations.
- C.-22. [09-0825](#) Resolution approving an Addendum of the Memorandum of Understanding between the City of Coral Gables and Laro, Inc. of Coral Gables DBA Riviera School for fiber Institutional Network operations.
- C.-23. [09-0703](#) Resolution approving a Memorandum of Understanding between the City of Coral Gables and University of Miami Police Department for University of Miami Police Department to join the City's fiber Institutional Network operations.
- C.-24. [09-0848](#) Resolution authorizing the use of City-owned submerged lands for dredging activities related to the construction of a boat slip on private property at 701 Bella Vista Avenue, subject to all permitting requirements of the City of Coral Gables.
- C.-25. [09-0853](#) Resolution amending the 2009-2010 Annual Budget and authorizing an appropriation of funds in the Capital Improvement Fund for the Comcast I-Net interconnect capital project.

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

- C.-26. [09-0810](#) Landscape Beautification Advisory Board Meeting of November 5, 2009
- C.-27. [09-0812](#) Board of Adjustment Meeting of November 2, 2009
- C.-28. [09-0816](#) Cultural Development Board Meeting of October 26, 2009
- C.-29. [09-0817](#) Cultural Development Board Meeting of November 18, 2009
- C.-30. [09-0818](#) Cultural Development Board Meeting of November 23, 2009
- C.-31. [09-0820](#) Economic Development Board Meeting of November 4, 2009
- C.-32. [09-0824](#) Code Enforcement Board Meeting of November 18, 2009
- C.-33. [09-0826](#) Coral Gables Merrick House Governing Board Meeting of November 9, 2009
- C.-34. [09-0827](#) Pinewood Cemetery Advisory Board Meeting of November 9, 2009
- C.-35. [09-0837](#) Communications Committee Meeting of November 19, 2009
- C.-36. [09-0839](#) Parking Advisory Board Meeting or October 22, 2009
- C.-37. [09-0847](#) Parks and Recreation Advisory Board Meeting of November 20, 2009

**D. PERSONAL APPEARANCES**

None

**E. PUBLIC HEARINGS**

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

**ORDINANCES ON SECOND READING**

- E.-1. [09-0640](#) An Ordinance of the City Commission of Coral Gables amending the previous conditions of approval (Ordinance No. 3587) and changes to the previously approved site plan for the Country Club of Coral Gables to include outdoor dining on south side of property facing North Greenway Drive, enclosed/open air outdoor area on west side of property and improvements to existing porte-cochere on the rear of the property, legally described as Lots 1-9 and 37-39, Block 32, Section "B" (997 North Greenway Drive), Coral Gables, Florida, and including required conditions; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date. (Second Reading November 17, 2009, vote: 2-2)
- E.-2. [09-0671](#) An Ordinance of the City Commission of Coral Gables amending the Zoning Code Section 4-401., Uses Prohibited and Article 8., Definitions to clarify the City's current nightclub provisions, providing severability, providing for codification thereof, and providing for an effective date. (Passed on First Reading November 17, 2009 with 4-1 vote.)
- E.-3. [09-0777](#) An Ordinance of the City Commission of Coral Gables amending Article 5, Division 20, Telecommunications of the City Zoning Code, amending the previous "Amateur radio antennas" provisions to be renamed "Personal radio services antenna support structures" and amending Article 8, Definitions, providing for definitions; providing for severability, repealer, codification, and an effective date. (Passed on First Reading November 17, 2009 with 5-0 vote.)
- E.-4. [09-0778](#) An Ordinance of the City Commission of Coral Gables amending Article 5, "Development Standards", Division 16, entitled "Roofs", to allow for flat roof and roof top terraces in structures built on flood zone properties; and providing for severability, repealer, codification, and an effective date. (Passed on First Reading November 17, 2009 with 5-0 vote.)
- E.-5. [09-0806](#) An Ordinance of the City Commission of Coral Gables amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," relating to optional participation in the Coral Gables Retirement System by appointed officials; providing for an effective date; and repealing all Ordinances inconsistent herewith. (Passed on First Reading November 17, 2009 with a 5-0 vote)

**ORDINANCES ON FIRST READING**

- E.-6. [09-0785](#) An Ordinance of the City Commission of Coral Gables amending the Zoning Code, Article 3, Division 20, entitled "Art in Public Places," in particular Section 20-102, entitled "Definitions"; Section 20-103, entitled "Art Funds"; and Section 3, entitled "Applicability of the Ordinance" to allow for collection of funds to the Historic Public Art Fund and Art Acquisition Fund; providing for severability, repealer and effective date.

**F. CITY COMMISSION ITEMS**

None

**G. BOARDS/COMMITTEES ITEMS**

- G.-1. [09-0819](#) Resolution accepting the recommendations of the Cultural Development Board for FY2009-2010 Cultural Grants.

**H. CITY MANAGER ITEMS**

- H.-1. [09-0854](#) Resolution authorizing agreements for legislative services and waiving the requirements of the Procurement Code, pursuant to Section 2-583(d).
- H.-2. [09-0844](#) Resolution accepting the recommendation of the Chief Procurement Officer authorizing an agreement with the Comprehensive Companies to administer a Voluntary Employee Benefits Program (Section 125 Cafeteria Plan) pursuant to Section 2-828 of the Procurement Code and Request For Quotes (RFQT) 2009.04.14 for an initial two (2) year period, with annual renewals, not to exceed a term of ten (10) years.

**I. CITY ATTORNEY ITEMS**

- I.-1. [09-0852](#) Pending Litigation Report

**J. CITY CLERK ITEMS**

- J.-1. [09-0850](#) Resolution confirming the re-election of Sergeant Agustin Diaz as a Participating Police Officer Representative (Unopposed), and Randy Hoff who was elected as the Participant Regular Full-time Employee Representative, both individuals whom shall serve a two year term beginning January 1, 2010 through December 31, 2011.

**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**