

# **City of Coral Gables**

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



## **Agenda**

**Tuesday, November 18, 2014**

**9:00 AM**

**City Hall, Commission Chambers**

### **City Commission**

*Mayor Jim Cason  
Vice Mayor William H. Kerdyk, Jr.  
Commissioner Patricia Keon  
Commissioner Vince Lago  
Commissioner Frank C. Quesada*

*Carmen Olazabal, Interim City Manager  
Craig E. Leen, City Attorney  
Walter J. Foeman, City Clerk*

**INVOCATION**

*Rev. Dr. Arnold Perry, St. Mark's Lutheran Church*

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

- A.-1. [14-3514](#) Presentation of a Proclamation declaring November 9, 2014 as "First United Methodist Church of South Miami Day" in Coral Gables.
- A.-2. [14-3482](#) Congratulations to Officer Kevin Kelley and Detective Brad Baena, recipients of the City of Coral Gables "Officer of the Month Award," for the month of September 2014.
- A.-3. [14-3505](#) Congratulations to Firefighter Carlos Revilla, recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of November 2014.
- A.-4. [14-3503](#) Congratulations to Lorena Garrido, Public Works Department, recipient of the "Employee of the Month Award," for the month of November 2014.

**B. APPROVAL OF MINUTES**

- B.-1. [14-3525](#) Regular City Commission Meeting of October 14, 2014.

**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. [14-3489](#) A Resolution of the City Commission of Coral Gables amending Resolution No. 2013-89, known as the fee resolution, by amending the low voltage burglar alarm systems permit fee to comply with the 2013 Florida Statutes.
- C.-2. [14-3506](#) A Resolution appointing Chris Zoller (Nominated By Mayor Cason) to serve as a member of the Code Enforcement Board, for the remainder of a three (3) year term, which began on June 1, 2014 and continues through May 31, 2017.
- C.-3. [14-3513](#) A Resolution accepting the recommendation of the Chief Procurement Officer to award the Venetian Pool Renovation contract to Bejar Construction, Inc., pursuant to Request For Proposals (RFP) 2014.09.22, and Section 2-828 of the Procurement Code entitled "Contract Award."

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

- C.-4. [14-3483](#) Cultural Development Board Meeting of October 3, 2014
- C.-5. [14-3484](#) Budget/Audit Advisory Board Meeting of September 17, 2014
- C.-6. [14-3487](#) Landscape Beautification Advisory Board Meeting of October 2, 2014
- C.-7. [14-3491](#) Board of Adjustment Meeting of April 7, 2014
- C.-8. [14-3492](#) Board of Adjustment Meeting of June 2, 2014
- C.-9. [14-3494](#) Board of Adjustment Meeting of October 6, 2014
- C.-10. [14-3493](#) Board of Adjustment Meeting of November 3, 2014
- C.-11. [14-3495](#) Parks and Recreation Advisory Board Meeting of September 19, 2014
- C.-12. [14-3496](#) Senior Citizens Advisory Board Meeting of October 6, 2014
- C.-13. [14-3497](#) Coral Gables Merrick House Governing Board Meeting of October 13, 2014
- C.-14. [14-3507](#) Traffic Advisory Board Meeting of September 16, 2014
- C.-15. [14-3508](#) Disability Affairs Board Meeting of October 1, 2014

**D. PERSONAL APPEARANCES**

- D.-1. [14-3502](#) Appearance of Dr. Penny Shaffer, Market President, Florida Blue.

**E. PUBLIC HEARINGS**

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

Anyone who wishes to address the City Commission on an item to be considered for public hearing must fill out a Speaker Card and turn it in to the City Clerk. Speaker Cards can be obtained on the credenza located outside the Office of the Mayor, during the day of the City Commission Meeting.

**APPEAL**

- E.-1. [14-3500](#) Appeal by Quality Structures, Incorporated, on behalf of West Range Coral Gables, LLC, for reconsideration of impact fees assessed on 5800 San Amaro Drive.

**ORDINANCES ON SECOND READING**

**Items E-2 and E-3 are related**

- E.-2. [14-3441](#) Change of Zoning. An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review," Division 14, "Zoning Code Text and Map Amendments," from Multi-Family 2 District (MF2) to Commercial District (C), for the property legally described as Lots 6 and 7, Block 26, Douglas section, Coral Gables, Florida; and providing for a repealer provision, severability clause, and providing for an effective date. (Passed on First Reading October 28, 2014)
- E.-3. [14-3442](#) Conditional Use Site Plan review. An Ordinance of the City Commission of Coral Gables, Florida requesting conditional use site plan review pursuant to Zoning Code Article 3, "Development Review," Division 4, "Conditional Uses," and Article 5, "Development Standards," Division 1, "Accessory Uses," Section 5-115, "Drive-throughs, walk-up windows, and automatic teller machines (ATM)," for a drive-through bank facility on property designated Commercial District (C) adjacent to a Multi-Family 2 District (MF2) zoned district, and legally described as Lots 6-10, Block 26, Douglas Section (1200 Ponce de Leon Boulevard), Coral Gables, Florida; including required conditions; and providing for a repealer provision, severability clause, and providing for an effective date. (Passed on First Reading October 28, 2014)

**Items E-4, E-5 and E-9 are related**

- E.-4.**     [14-3443](#)     Change of Land Use. An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan, pursuant to Zoning Code Article 3, "Development Review," Division 15, "Comprehensive Plan Text and Map Amendments," and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Residential Multi-Family Medium Density," to "Commercial Mid-Rise Intensity," for the property legally described as Lots 11-16, Block 203, Riviera Section Part 14 (1500 Venera Avenue), Coral Gables, Florida; and, providing for a repealer provision, severability clause, and providing for an effective date. (Passed on First Reading October 28, 2014)
- E.-5.**     [14-3444](#)     Change of Zoning. An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review," Division 14, "Zoning Code Text and Map Amendments," from Multi-Family 2 District (MF2) to Commercial District (C), for the property legally described as Lots 11-16, Block 203, Riviera Section Part 14 (1500 Venera Avenue), Coral Gables, Florida; and providing for a repealer provision, severability clause, and providing for an effective date. (Passed on First Reading October 28, 2014)

**Items E-6, E-7 and E-10 are related**

- E.-6.**     [14-3445](#)     Zoning Code Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code: amending Article 8, "Definitions," by providing definitions related to medical marijuana uses; amending Article 4, "Zoning Districts," to restrict the location of medical marijuana uses; amending Article 5 "Development Standards," by providing development standards for medical marijuana uses; affirming that the City will only approve uses that are legal under federal and state law; and providing for a repealer provision, severability clause, and providing for an effective date. (Passed on First Reading October 28, 2014)
- E.-7.**     [14-3446](#)     City Code Amendment. An Ordinance of the City of Coral Gables, Florida, providing for text amendment to the City of Coral Gables Official Code of Ordinances: amending Chapter 14, "Businesses," by creating Article V. "Marijuana Sales," to provide regulations, restrictions and procedures for the operation of Medical Marijuana Retail Centers; amending Section 38-6, to prohibit the public consumption of marijuana; affirming that the City will only approve uses that are legal under Federal and State Law; and providing for repealer a provision, severability clause, and providing for an effective date. (Passed on First Reading October 28, 2014)

**ORDINANCES ON FIRST READING**

- E.-8. [14-3510](#) An Ordinance of the City Commission of of Coral Gables, Florida creating in accordance with the City Code, Article III, Division 1, Section 2-64, the Hopkins/Cooper Scholarship Committee and setting forth guidelines by which such Committee shall be governed and providing for a repealer provision, severability clause, codification and providing for an effective date.

**RESOLUTIONS**

**Items E.-4, E.-5 and E.-9 are related**

- E.-9. [14-3499](#) Mixed Use Site Plan Review. A Resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan review pursuant to Zoning Code Article 4, "Zoning Districts," Division 2, "Overlay and Special Purpose Districts," Section 4-201, "Mixed Use District (MXD)," for the mixed use project referred to as "Shoma Park Tower," on the property legally described as Lots 11-16, Block 203, Riviera Section Part 14 (1500 Venera Avenue), Coral Gables, Florida; including required conditions.

**Items E.-6, E.-7 and E.-10 are related**

- E.-10. [14-3488](#) A Resolution of the City Commission of Coral Gables amending Resolution No. 2013-89, known as the Fee Ordinance, by adding a Medical Marijuana Permit Fee in accordance with Section 14-162 of the City of Coral Gables Official Code of Ordinances; affirming that the City will only approve uses that are legal under Federal and state law.

**CONTINUED MATTERS**

- E.-11. [14-3439](#) Appeal of Tree Permits for 1011 and 1015 Lisbon Street; and appeal of Board of Architects' decision on 1015 Lisbon Street; status report regarding settlement, and consideration of potential action related thereto. (Continued from the October 28, 2014 Meeting.)

Please see attached item from the October 28, 2014 Meeting:  
<https://coralgables.legistar.com/LegislationDetail.aspx?ID=1942593&GUID=8C5F27EE-7D7A-41DC-B673-2758F097713C>>

**F. CITY COMMISSION ITEMS**

- F.-1. [14-3518](#) Discussion regarding the Parks and Recreation Youth Advisory Board.  
Commissioner Lago
- F.-2. [14-3519](#) Discussion regarding application and interpretation of City Code relating to trailers used to collect/store trash and debris.  
Commissioner Lago
- F.-3. [14-3520](#) Update from special counsel regarding research related to school choice.  
Commissioner Keon
- F.-4. [14-3522](#) Discussion regarding implementation of tree protection measures.  
Commissioner Keon
- F.-5. [14-3521](#) Discussion regarding implementation and interpretation of Remote Parking Ordinance and the restrictive covenant provision.  
Commissioner Quesada

**G. BOARDS/COMMITTEES ITEMS**

None

**H. CITY MANAGER ITEMS**

- H.-1. [14-3485](#) A Resolution approving the artist and concept for the public art work proposed for the two traffic circles located on Segovia Street at Coral Way and at Biltmore Way.
- H.-2. [14-3509](#) Discussion regarding the status of City of Coral Gables Bicycle and Pedestrian Master Plan.
- H.-3. [14-3511](#) A Resolution accepting the recommendation of the Chief Procurement Officer to authorize contract negotiations with Cooper, Robertson & Partners, and if necessary, with other short-listed consulting firms as the design consultant for the Miracle Mile and Giralda Avenue Streetscape Design project pursuant to Florida Statutes 287.055, known as the "Consultants Competitive Negotiation Act" and Request for Qualifications (RFQ) 2014.09.24.
- H.-4. [14-3515](#) A Resolution authorizing an agreement for legislative services and waiving the requirements of the Procurement Code, pursuant to Section 2-583(d).



**I. CITY ATTORNEY ITEMS**

- I.-1. [14-3523](#) Report regarding appellate rule change related to non-final order appeals and official immunity/sovereign immunity.
- I.-2. [14-3524](#) Status regarding proposed forfeiture ordinance, previously passed on first reading.

**J. CITY CLERK ITEMS**

None

**K. DISCUSSION ITEMS**

*This time is for informal discussion among the City Commissioners, the City Manager and the City Attorney*

**ADJOURNMENT****NOTE**

*Any person who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, must register with the City Clerk, prior to engaging in lobbying activities before city staff, boards, committees and/or the City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall.*

*Any person, or persons, wishing to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, will require a verbatim record of the proceeding upon which the appeal is based. Interested persons should, therefore, take the necessary steps to ensure that a verbatim record of the proceedings is made which contains the testimony and evidence upon which the appeal is based.*

*Any person making impertinent or slanderous remarks or who become boisterous while addressing the Commission, shall be barred from further audience before the Commission by the Chair, unless permission to continue or again address the Commission is granted by the majority vote of the Commission Members present. Clapping, applauding, heckling or verbal outbursts or any remarks in support or opposition to a speaker shall be prohibited. Signs or placards shall not be permitted in Commission Chambers.*

*Any person requiring special accommodations for participation in the meeting should contact Glenn Kephart, Public Works Director, at 305-460-5001, with requests for auxiliary aids or services at least one business day before the meeting.*

**Walter J. Foeman**  
**City Clerk**