

City of Coral Gables

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



Meeting Minutes

Tuesday, September 12, 2017

9:00 AM

Meeting Cancelled due to Hurricane Irma.

City Hall, Commission Chambers

City Commission

*Mayor Raul J. Valdes-Fauli
Vice Mayor Patricia Keon
Commissioner Vince Lago
Commissioner Michael Mena
Commissioner Frank C. Quesada*

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

INVOCATION**PLEDGE OF ALLEGIANCE****A. PRESENTATIONS AND PROTOCOL DOCUMENTS**

- A.-1. [17-6383](#) Congratulations to Officer Robert Wright, recipient of the City of Coral Gables "Officer of the Month Award," for the month of June, 2017.

Attachments: [Nominating Memo - Wright - June](#)
[COMMISSION COVER MEMO - OFFICER OF THE MONTH JUNE 2017 - WRIGI](#)

- A.-2. [17-6524](#) Congratulations to Officer Cristino Perez, recipient of the City of Coral Gables "Officer of the Month Award," for the month of July, 2017.

Attachments: [NOMINATION MEMO - July 2017 - PEREZ](#)
[COMMISSION COVER MEMO - OFFICER OF THE MONTH JULY 2017 - PEREZ](#)

- A.-3. [17-6494](#) Presentation of 25 year service pin to Sergeant Jose Baez, Police Department.

Attachments: [Jose Baez 25 Years](#)

- A.-4. [17-6495](#) Presentation of 25 year service pin to Acting Major Brian Lawrence, Police Department.

Attachments: [Brian Lawrence 25 Years](#)

B. APPROVAL OF MINUTES

None

C. CONSENT AGENDA**RESOLUTION NO. 2017-262**

- C.-1. [17-6504](#) A Resolution confirming the appointment of Rafael Gavarrete to serve as a member of the International Affairs Coordinating Council (Appointed by the Council-at-Large) for a two (2) year term, which began on June 1, 2017 through May 31, 2019.

Attachments: [R-2017 Draft- Rafael Gavarrete - IACC](#)
[R-2017-Cover Memo- Rafael Gavarrete - IACC - Council-at-Large](#)
[IACC-Minutes of July 18 2017](#)
[Signed Resolution 2017-262](#)

RESOLUTION NO. 2017-263

- C.-2. [17-6505](#) A Resolution confirming the re-appointment of Dr. Patricia Whitely (Vice President of Student Affairs), Sarah Artecona (Assistant Vice President of Government and Community Relations), David Rivero (University Director of Public Safety), Maxwell Detweiler (Inter-fraternity Council President) and Adrian Nunez (President of Student Government) nominated by The University of Miami to serve as members of the City of Coral Gables/University of Miami Community Relations Committee for a two (2) year term, which began on June 1, 2017 and continues through May 31, 2019.

Attachments: [R-2017 Draft- City of Coral Gables-University of Miami Community Relations Con](#)
[R-2017-Cover Memo- City of Coral Gables-University of Miami Community Relatic](#)
[Signed Resolution 2017-263](#)

RESOLUTION NO. 2017-264

- C.-3. [17-6500](#) A Resolution confirming the re-appointment of Robert Behar to serve as a member of the Planning and Zoning Board (Appointed by the Board-As-A-Whole) for a two (2) year term, which began on June 1, 2017 through May 31, 2019. (08 09 17 PZB recommended approval; Vote 5-0)

Attachments: [Exhibit B - 08 09 17 Excerpts of PZB Meeting Minutes re Robert Behar](#)
[09 26 17 CC Cover Memo - Robert Behar Appointed by the Board-As-A-Whole](#)
[Exhibit A - Resolution re Robert Behar appointment as the Board as a Whole](#)
[Signed Resolution 2017-264](#)

RESOLUTION NO. 2017-261

- C.-4. [17-6503](#) A Resolution accepting the recommendation of the Chief Procurement Officer to authorize negotiations with Kimley-Horn & Associates, Inc., H.W. Lochner, Inc., Kittelson & Associates, Inc., WSP USA, Inc., CH2M HILL Engineers, Inc., and David Plummer & Associates, Inc for continuing contracts for Multimodal Transportation Planning and Engineering Consulting Services, pursuant to Florida Statute 287.055, known as the "Consultants Competitive Negotiation Act" and Request for Qualifications (RFQ) 2017.05.YG.

Attachments: [Evaluation Criteria Form - MASTER\(Rank Order\)](#)
[Kimley-Horn](#)
[H.W. Lochner, Inc.](#)
[Kittelson & Associates, Inc.](#)
[WSP USA](#)
[CH2M Hill Engineers, Inc.](#)
[David Plummer & Associates](#)
[Draft Agenda Memo - Multimodal Transportation](#)
[Draft Agenda Reso - Multimodal Transportation](#)
[Signed Resolution 2017-261](#)

RESOLUTION NO. 2017-282

C.-5. [17-6489](#)

A Resolution authorizing the City Manager to enter into a nonbinding letter of interest with the Coral Gables Cinemateque, Inc in support of their efforts to seek outside funding in order to expand into the City owned property located at 240 Aragon Avenue, Coral Gables Florida at the expiration of the existing tenant's (Patio & Things) lease by September 1, 2020. (Proposed lease agreement to be presented to applicable boards and City Commission once recommended terms are agreed upon).

Attachments: [DRAFT Resolution - 9.12.17 \(Cinema\)](#)
[CGC2017LetterofInteresttoLease](#)
[DRAFT Commission Cover - 9.12.17 \(Cinema LOI Expansion\)](#)
[EXCERPT 08-09-17 DRAFT PAB Meeting Minutes Cinema](#)
[EXCERPT 08-24-17 DRAFT EDB Minutes Cinema](#)
[R-2017-282 Signed](#)
[CCMtq September 26 2017 - Agenda Item I-1 - Resolution authorizing CM to ente](#)

RESOLUTION NO. 2017-265

C.-6. [17-6516](#)

A Resolution authorizing Gables Hispanic Cultural Foundation to sell alcoholic beverages from 12:00 pm to 10:00 pm on October 21, 2017 and from 12:00 pm to 8:00 pm on October 22, 2017 at Merrick Park located on Biltmore Way during the "Gables Hispanic Cultural Festival," to benefit the Hispanic Cultural Foundation, subject to Florida Department of Professional Regulation requirements.

Attachments: [Gables Hispanic Cultural Festival 2017 Special Events Application](#)
[Gables Hispanic Cultural Festival 2017 Resolution](#)
[Gables Hispanic Cultural Festival 2016 Cover page](#)
[Signed Resolution 2017-265](#)

RESOLUTION NO. 2017-266

- C.-7. [17-6526](#) A Resolution authorizing Fritz & Franz Bierhaus to sell alcoholic beverages for the 23rd Annual "Octoberfest" for two weeks at Bierhaus Plaza 60 Merrick Way. Week 1 from 6:00 pm to 10:00 pm on Thursday, October 5, 2017, from 6:00pm to 11:00 pm on Friday, October 6, 2017, from 3:00 pm to 11:00 pm on Saturday, October 7, 2017 and from 2:00 pm to 8:00 pm on Sunday, October 8, 2017. Week 2 from 6:00 pm to 10:00 pm on Thursday, October 12, 2017, from 6:00 pm to 11:00 pm on Friday, October 13, 2017, from 3:00 pm to 11:00 pm on Saturday, October 14, 2017 and from 2:00 pm to 8:00 pm on Sunday, October 15, 2017. Selected proceeds to benefit the Woody Foundation, subject to Florida Department of Professional Regulation requirements.

Attachments: [Fritz & Franz Special Event Application - October 2017](#)
[Fritz & Franz October Fest Cover Memo](#)
[Fritz & Franz October Fest Resolution](#)
[Signed Resolution 2017-266](#)

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

- 1.-1. [17-6480](#) Economic Development Board Meeting of August 2, 2017.

Attachments: [08-02-17 DRAFT EDB Minutes](#)

- 1.-2. [17-6481](#) Economic Development Board Meeting of August 24, 2017.

Attachments: [08-24-17 DRAFT EDB Minutes](#)

- 1.-3. [17-6492](#) Historic Preservation Board Meeting of July 20, 2017.

Attachments: [HPB Minutes for July 20th 2017 - VERBATIM](#)
[HPB.07.20.17MinutesforCC09.26.17](#)

- 1.-4. [17-6479](#) International Affairs Coordinating Council Meeting of July 18, 2017.

Attachments: [IACC-Minutes of July 18 2017](#)
[cover letter IACC 07-18-17](#)

- 1.-5. [17-6482](#) Property Advisory Board Meeting of August 9, 2017.

Attachments: [08-09-17 DRAFT PAB Meeting Minutes](#)

D. MAYOR'S COMMENTS

E. PERSONAL APPEARANCES

- E.-1. [17-6498](#) Presentation by Miami-Dade County League of Cities Executive Director Richard Kuper.

F. PUBLIC HEARINGS**ORDINANCES ON SECOND READING****ORDINANCE NO. 2017-33****F.-1. 17-6380**

An Ordinance of the City Commission of Coral Gables, Florida, creating Section 2-244, under Article V, Chapter 2, Conflict of Interest and Code of Ethics, of the City of Coral Gables Code, entitled "Honor Code,"; providing for a repealer provision, severability clause, codification, enforceability and providing for an effective date.
(Sponsored by Mayor Valdes-Fauli)

Attachments: [Cover Memo - honor code - first reading](#)
[Ordinance - honor code - first reading](#)
[Cover Memo - honor code - second reading](#)
[Ordinance - honor code](#)
[Cover Memo - Honor Code - 2nd Reading - 9-26-2017](#)
[Ordinance - Honor Code - 2nd Reading - 09-26-2017](#)
[Signed Ordinance 2017-33](#)
[CCMtg August 29 2017 - Agenda Item F-2 - Ordinance creating Section 2-244 - C](#)

ORDINANCE NO. 2017-34**F.-2. 17-6317**

An Ordinance of the City Commission of Coral Gables, Florida, requesting vacation of a public alleyway pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations" and City Code Chapter 62, Article 8, "Vacation, Abandonment and Closure of Streets, Easements and Alleys by Private Owners and the City; Application Process," providing for the vacation of the twenty (20) foot wide alley which is three-hundred (300) feet in length lying between Tracts A and B, and dedication of substitute perpetual access and utility easement in Block 199, Riviera Section Part 14 (1542 South Dixie Highway), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (07 12 17 PZB recommended approval; Vote 6-0)

Attachments: [08 29 17 Exhibit B - 07 12 17 Staff Report and Recommendation with attachments](#)
[08 29 17 Exhibit C - Excerpts of 07 12 17 PZB Meeting Minutes](#)
[08 29 17 Exhibit D - 08 14 17 Public Notice w attachments](#)
[08 29 17 Exhibit E - PowerPoint Presentation](#)
[08 29 17 CC Cover Memo - Rivera Plaza \(Vacation of Public Alleyway\) Ordinance](#)
[08 29 17 Exhibit A - Draft Ordinance - Riviera Plaza](#)
[09 12 17 CC Cover Memo - Rivera Plaza - 2nd Reading](#)
[09 12 17 Exhibit A - Draft Ordinance - Riviera Plaza](#)
[09 26 17 CC Cover Memo - Rivera Plaza - 2nd Reading](#)
[09 26 17 Exhibit A - Draft Ordinance - Riviera Plaza](#)
[Signed Ordinance 2017-34](#)
[CCMtg August 29 2017 - Agenda Item F-3 - Ordinance requesting vacation of pub](#)

ORDINANCE NO. 2017-32**F.-3. 17-6341**

An Ordinance of the City Commission of Coral Gables, Florida, creating Section 62-101, Chapter 62, Article III, of the City of Coral Gables Code to prohibit excavations on Miracle Mile and Giralda Avenue in the Streetscape area; providing for a repealer provision, severability clause, codification, and providing for an effective date.

Attachments: [Cover Memo-Ordinance on First Reading-prohibiting excavations on Miracle Mile ;](#)
[Draft Ordinance-prohibition on excavations on Miracle Mile and Giralda Avenue](#)
[Cover Memo-Ordinance on Second Reading-prohibiting excavations on Miracle M](#)
[Second Reading-Draft Ordinance prohibiting excavations on Miracle Mile and Gira](#)
[Signed Ordinance 2017-32](#)
[CCMtg August 29 2017 - Agenda Item F-4 - Ordinance creating Section 62-101 pr](#)

ORDINANCES ON FIRST READING**ORDINANCE NO. 2017-35****F.-4. 17-6318**

An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 4, "Zoning Districts," Division 3, "Non-Residential Districts," Section 4-301, "Commercial Limited District" requiring conditional use review for medical-related uses located within a Commercial Limited Zoning District; providing for a repealer provision, severability clause, codification, and providing for an effective date. (07 12 17 PZB recommended approval; Vote 7-0)

Attachments: [09 12 17 CC Cover Memo - Medical Clinics ZC Text Amendment](#)
[09 12 17 Exhibit A - Draft Ordinance](#)
[09 12 17 Exhibit B - 07 12 17 PZB Staff Report and Recommendation with attachr](#)
[09 12 17 Exhibit C - Excerpts of 07 12 17 PZB Meeting Minutes](#)
[09 12 17 Exhibit D - PowerPoint Presentation](#)
[09 26 17 CC Cover Memo - Medical Related Uses ZC Text Amendment](#)
[09 26 17 Exhibit A - Draft Ordinance - Medical Uses](#)
[Signed Ordinance 2017-35](#)

ORDINANCE NO. 2017-39**F.-5. 17-6499**

An Ordinance of the City Commission of Coral Gables, Florida, identifying the Duties and Powers of each Member of the City Commission (including the Mayor and Vice Mayor in their roles as Commissioners) and creating Section 2-29 of the Code of the City of Coral Gables entitled "Commissioners; Duties and Powers," establishing the functions, duties, and responsibilities of the Office of Commissioner; providing for a repealer provision, severability clause, codification, and providing for an effective date.
(Sponsored by Commissioner Lago)

Attachments: [Cover Memo - commissioner ordinance - first reading](#)
[Ordinance - Commission - 1st reading](#)
[Cover Memo - commissioner ordinance - first reading - 09-26-2017](#)
[Ordinance - Commission - first reading - 09-26-2017](#)
[Cover Memo - commissioner ordinance - second reading](#)
[Ordinance - Commission - 2nd reading](#)
[Signed Ordinance 2017-39](#)
[CCMtq September 26 2017 - Agenda Item F-5 - Duties and powers of the City Co](#)
[CCMtq October 10 2017 - Agenda Item F-2 - Ordinance identifying duties and pov](#)

F.-6. 17-6413

An Ordinance Amending Chapter 50 of the "Code of the City of Coral Gables," entitled "Pensions," amending Section 50-26, "Compulsory Participation" to give non-bargaining unit police officers and firefighters hired from outside the City the option to elect to participate in a defined contribution retirement plan, instead of the Coral Gables Retirement System; providing for a repealer provision, severability clause, codification and providing for an effective date.

Attachments: [No Actuarial Impact Letter - 8-31-2017](#)
[Coral Gables Pension Ordinance Optional Participation](#)
[Cover Memo - Pension Participation](#)

ORDINANCE NO. 2017-40

- F.-7. [17-6522](#) An Ordinance of the City Commission of Coral Gables, Florida, amending Chapter 10 of the City of Coral Gables Code Entitled "Animals" by creating Section 10-4 entitled "Peafowl," providing for a repealer provision, severability clause, codification, enforceability, and providing for an effective date.
(Sponsored by Commissioner Lago)

Attachments: [Peafowl Ordinance Cover Memo 9-12](#)
[Peafowl- Creation of Section 10-4](#)
[Peafowl- Creation of Section 10-4 Second Reading](#)
[Peafowl Ordinance Cover Memo Second Reading 10-10](#)
[Signed Ordinance 2017-40](#)
[CCMtg September 26 2017 - Agenda Item F-6 - Ordinance amending Chapter 10](#)
[CCMtg October 10 2017 - Agenda Item F-3 - Ordinance amending Chapter 10 Ani](#)

G. CITY COMMISSION ITEMS

- G.-1. [17-6476](#) A discussion regarding identifying and pursuing a location for an off-leash dog park in Coral Gables.
(Sponsored by Commissioner Mena)

Attachments: [CCMtg September 26 2017 - Agenda Item G-2 - Discussion regarding identifying :](#)

- G.-2. [17-6527](#) A discussion regarding regulation of medical marijuana treatment centers prior to second reading of proposed ordinance related thereto.
(Sponsored by Commissioner Lago)

Attachments: [CCMtg Sept 26 2017 - Agenda Item G-3 - Discussion regarding regulation of medi](#)

H. BOARDS/COMMITTEES ITEMS

[Note for the Record: Board Appointments are an Administrative Act not a Legislative Act, therefore, the City Clerk has requested of the Mayor to have a motion made have the City Clerk accept each elected and appointed officials list of appointees].

I. CITY MANAGER ITEMS**RESOLUTION NO. 2017-255**

- I.-I. [17-6523](#) A Resolution accepting the recommendation of the Public Works Director, upon consultation with the Chief Procurement Officer, to authorize the City Manager and the City Attorney to negotiate and execute a Pre-Construction Services Agreement for the Pre-Construction Phase of the Public Safety Building Project, pursuant to Request for Qualifications (RFQ) 2017.06.YG, in an amount not-to-exceed \$275,000, which will be generally consistent with the terms of the agreement in the attached form, with any modifications the City Manager and City Attorney deem appropriate in the public interest; whereby said approval of a not-to-exceed amount does not indicate a determination of the final contract amount, but rather the City Manager and City Attorney are encouraged to negotiate a lower amount in the best interest of the city and that is fair, competitive, and reasonable.

Attachments: [PSB Form Precon 5-31-17](#)
[1 - Draft Agenda Reso CMR Public Safety Building](#)
[1 - Draft Agenda Memo CMR Public Safety Building](#)
[Signed Resolution 2017-255](#)

J. CITY ATTORNEY ITEMS

- J.-1. [17-6506](#) Status report regarding invocation of Chapter 164 dispute resolution process between the City of Coral Gables and Miami-Dade County Public Schools.

Attachments: [CCMtg September 26 2017 - Agenda Item J-2 - Status report regarding invocation](#)
[CCMtg Sept 26 2017 - Agenda Item J-2 - Status report regarding invocation of Ch](#)

- J.-2. [17-6496](#) Request for an Executive Session (if any).

K. CITY CLERK ITEMS

None

L. DISCUSSION ITEMS

M. EXECUTIVE SESSION

- M.-1. [17-6501](#) Attorney-Client executive session, closed to the public, for purposes of discussing the litigation styled City of Coral Gables v. Instagram LLC and Facebook Miami, Inc., Case No. 17-017450-CA-01. This session may be attended by the following individuals: Mayor Raul Valdes-Fauli, Vice Mayor Patricia Keon, Commissioner Vince Lago, Commissioner Michael Mena, Commissioner Frank Quesada, City Manager Cathy Swanson-Rivenbark, City Attorney Craig Leen, Deputy City Attorney Miriam S. Ramos, and Special Counsel Annie Hernandez-Gamez. A certified Court Reporter will be present to ensure that the session is fully transcribed, and the transcripts will be made available to the public upon the conclusion of the above-stated litigation. At the conclusion of the attorney-client session, the public meeting will be reopened, and termination of the attorney-client session will be announced.

ADJOURNMENT

NOTE

Walter J. Foeman
City Clerk