

# **City of Coral Gables**

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



## **Agenda - Final**

**Tuesday, December 13, 2022**

**9:00 AM**

**City Hall, Commission Chambers**

### **City Commission**

*Mayor Vince Lago  
Vice Mayor Michael Mena  
Commissioner Rhonda Anderson  
Commissioner Kirk R. Menendez*

*Peter J. Iglesias, P.E., City Manager  
Miriam Soler Ramos, City Attorney  
Billy Y. Urquia, City Clerk*

**The City of Coral Gables will be holding its Regular Meeting on Tuesday, December 13, 2022, commencing at 9:00 a.m.**

**Members of the public may participate in person, but are also able to participate via the Zoom platform. Members of the public may join the meeting via Zoom at (<https://zoom.us/j/3054466800>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 3054466800. To speak prior to the City Commission taking action on an Agenda Item, please "Raise your Hand" or send a message to one of the meeting hosts using the Zoom Platform. If you joined the meeting via telephone, you can "Raise your Hand" by pressing \*9.**

**The public may comment on an item on the agenda using the City's already-established e-comment function which may be found on the City's website at: ([www.coralgables.com/commissionmeetings](http://www.coralgables.com/commissionmeetings)) once the meeting's agenda is published or by sending an email to [cityclerk@coralgables.com](mailto:cityclerk@coralgables.com) prior to the start of the meeting.**

**The Meeting will also be broadcasted live for members of the public to view on the City's website ([www.coralgables.com/cgvtv](http://www.coralgables.com/cgvtv)) as well as Channel 77 on Comcast.**

## INVOCATION

*Fr. Ismael Calderon - St. Mark's Lutheran Church*

## PLEDGE OF ALLEGIANCE

### A. PRESENTATIONS AND PROTOCOL DOCUMENTS

- A.-1. [22-4686](#) Congratulations to The Globe on receiving the Keep Coral Gables Beautiful 2022 Commercial Beautification Award.
- A.-2. [22-4996](#) Congratulations to Firefighter Joel Obregon recipient of the City of Coral Gables "Firefighter of the Month Award," for the month of December 2022.
- A.-3. [22-4949](#) Congratulations to Communications Supervisor Claudia Zaccheo, recipient of the City of Coral Gables "Operator of the Third Quarter Award," for the months of July through September 2022.
- A.-4. [22-4952](#) Congratulations to Officer Nelson Rodriguez, recipient of the City of Coral Gables "Officer of the Month Award," for the month of September 2022...Title

### B. APPROVAL OF MINUTES

- B.-1. [22-4941](#) Regular City Commission Meeting of October 25, 2022.

### C. PUBLIC COMMENTS

*During this portion of the meeting, an individual may address the City Commission on an item that is on the agenda or on a matter which is not on the agenda, but within the scope of the City Commission's jurisdiction. If the individual wishes to address the City Commission on an item that is on the agenda, the individual shall not be given an opportunity to speak again once the item is called. An individual who wishes to speak during a public hearing where the City Commission is sitting in a quasi-judicial capacity, must speak during the public hearing for that item.*

*Individuals who speak during the open public comment portion of the meeting shall be given three (3) minutes during which to address the City Commission. At the conclusion of one (1) hour, if the open public comment section of the meeting has not ended, it shall end automatically, in order to proceed with the rest of the agenda.*

### D. MAYOR'S COMMENTS

**E. 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.*

- E.-1.**    [22-4950](#)    A Resolution of the City Commission authorizing the acceptance of the Memorandum of Agreement between City of Miami Fire Rescue, as the sponsoring agency of the Florida Task Force 2 of the national Urban Search and Rescue (USAR) Response System, and Coral Gables Fire Rescue as a participating agency of the Task Force.
- E.-2.**    [22-4835](#)    A Resolution of the City Commission authorizing a contract modification to Allbritton Lee LLC dba RE:site for commissioned artwork, Contract 2021-012, pursuant to Section 2.2, Scope of Services, and Section 3.2, Changes in Scope of Services, in an estimated amount of \$75,000 for additional costs related to changes in scope requested by the City regarding design, engineering, and materials.
- E.-3.**    [22-4948](#)    A Resolution of the City Commission authorizing the execution of an agreement for sewer connection for property located outside the City's sewer district at 3991 SW 14th Street, Miami, Florida into the City of Coral Gables wastewater collection / transmission system, subject to the requirements of the Public Works Department, as provided under Chapters 62 and 78 of the City Code, Ordinance Nos. 2007-29 and 2009-39 and Resolution No. 2008-07; and provided that the executed agreement be made part of this resolution.
- E.-4.**    [22-5006](#)    A Resolution of the City Commission authorizing Beaux Arts of the Lowe Art Museum of the University of Miami to sell alcoholic beverages at the University of Miami Watsco Center Parking Lot on Saturday, January 14th, 2023, from 10:00 a.m. to 5:00 p.m. and Sunday, January 15th, 2023, from 12:00 p.m. to 5:00 p.m. during the 72nd Annual Beaux Arts Festival of Art. Subject to Florida Department of Professional Regulation Requirements.
- E.-5.**    [22-5007](#)    A Resolution of the City Commission authorizing Coral Gables Chamber of Commerce Foundation to sell alcoholic beverages at Alhambra Circle on Thursday, February 9, 2023, from 5:30 p.m. to 9:30 p.m. during the Burgerliscious event to benefit the Coral Gables Chamber Foundation, subject to Florida Department of Professional Regulation requirements.

- E.-6. [22-5018](#) A Resolution of the City Commission appointing James Kohnstamm (Nominated by Mayor Lago) to serve as a member of the Economic Development Board, for remainder of a two (2) year term which began on June 1, 2021 and continues through May 31, 2023.
- E.-7. [22-5053](#) A Resolution of the City Commission accepting the recommendation of the Innovation & Technology (I.T.) Department to waive the competitive process of the Procurement Code and purchase the Zoocha Annual Maintenance Service as a "Special Procurement/Bid Waiver", pursuant to Section 2-691 of the City's Procurement Code.
- E.-8. [22-4997](#) A Resolution of the City Commission authorizing a contract modification to the Fire Prevention Plans Review services contract No. PSA 2022-019, with Fire Code Pro, Inc., Pursuant to Section 2-764(B), approval of change orders and contract modifications, in the amount of \$106,000.00 to accommodate additional work.
- E.-9. [22-5056](#) A Resolution of the City Commission authorizing a contract modification to the Fire Prevention Plans Review services contract No. PSA 2021-007, with Robert Nance., Pursuant to Section 2-764(B), approval of change orders and contract modifications, in the amount of \$27,257.00 to accommodate additional work.
- E.-10. [22-5057](#) A Resolution of the City Commission authorizing the execution of an agreement for sewer connection for property located outside the City's sewer district at 3980 SW 8th Street, Miami, Florida into the City of Coral Gables wastewater collection / transmission system, subject to the requirements of the Public Works Department, as provided under Chapters 62 and 78 of the City Code, Ordinance Nos. 2007-29 and 2009-39 and Resolution No. 2008-07; and provided that the executed agreement be made part of this resolution.

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

- 1.-1. [22-5050](#) Budget Audit Advisory Board Meeting of September 7, 2022.
- 1.-2. [22-5051](#) Budget Audit Advisory Board Meeting of October 4, 2022.
- 1.-3. [22-5026](#) Code Enforcement Board Meeting of November 16, 2022.
- 1.-4. [22-5045](#) Communications Committee Meeting of November 8, 2022.
- 1.-5. [22-5029](#) Construction Regulation Board Meeting of November 14, 2022.
- 1.-6. [22-4992](#) Coral Gables Merrick House Governing Board Meeting of September 12, 2022.
- 1.-7. [22-5055](#) Landscape Beautification Advisory Board Meeting of November 10, 2022.
- 1.-8. [22-4876](#) Planning and Zoning Board Meeting of October 12, 2022.
- 1.-9. [22-5025](#) Retirement Board Meeting of October 18, 2022.
- 1.-10. [22-5020](#) Sustainability Advisory Board Meeting of October 26, 2022.

## F. PUBLIC HEARINGS

*All Individuals testifying in a quasi-judicial proceeding shall be sworn in.*

*Presentations made to the City Commission are subject to the City's False Claims Ordinance, Ch. 39 of the City of Coral Gables Code.*

### ORDINANCES ON SECOND READING

- F.-1. [22-4842](#) An Ordinance of the City Commission amending Chapter 78 "Utilities", Article I "In General" Section 78-1 "Utility Easement" and Article VI "Underground Utilities" Sections 78-280 Through 78-282 of the Code of Ordinances, by requiring attaching entities to underground and remove co-located facilities, requiring pole-owners to remove redundant utility poles, providing for procedures related to major hardening projects, and requiring property owners to cooperate and comply with access to utility easements, access to property, and location of facilities, providing for severability clause, repealer provision, codification, and providing for an effective date.
- F.-2. [22-4903](#) An Ordinance of the City Commission creating Section 42-41 "Smoking in Parks" prohibiting smoking in all parks operated by the City, providing for a repealer provision, severability clause, codification, and providing for an effective date.  
(Sponsored by Mayor Lago)
- F.-3. [22-4993](#) An Ordinance of the City Commission authorizing the City to enter into a Second Amendment to the Second Amended and Restated Master Lease Agreement for the property commonly known as the Village of Merrick Park, with Merrick Park, LLC, f/k/a Rouse Coral Gables, LLC, amending Section 3.1 relating to parking and approving the general terms of a corresponding License Agreement for certain parking uses; providing for a repealer provision, severability clause, and providing for an effective date.  
(Sponsored by Mayor Lago)
- Lobbyist: N/A
- F.-4. [22-4426](#) An Ordinance of the City Commission amending the City of Coral Gables Zoning Code, Article 6 "Landscape," Section 6-104 "Landscape Requirements for Public Rights-of-Way: to amend planting height and various other provisions, providing for a repealer provision, severability clause, codification, and providing for an effective date.  
(Sponsored by Commissioner Anderson)

**ORDINANCES ON FIRST READING**

- F.-5. [22-4844](#) An Ordinance of the City Commission dissolving the Business Improvement District of Coral Gables as a Special District; providing for repeal, severability clause, and providing for an effective date.
- F.-6. [22-4879](#) An Ordinance of the City Commission providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 15, "Notices" to require online publication of historical determination letters and Article 8, "Historic Preservation" revising the process of historical determination letters; providing for severability clause, repealer provision, codification, and providing for an effective date.  
(Sponsored by Commissioner Anderson)
- F.-7. [22-4878](#) An Ordinance of the City Commission providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 15, "Notices" to include mailed notice to all properties within the applicable mailing distance; providing for severability clause, repealer provision, codification, and providing for an effective date.  
(Sponsored by Commissioner Anderson)

**RESOLUTIONS**

- F.-8. [22-5049](#) A Resolution of the City Commission amending Resolution No. 2019-338 which approved a mixed-use site plan for the project known as "ZOM Coral Gables" located at 363 Granello Avenue and 300 Greco Avenue, Coral Gables, Florida providing for amended conditions of approval to allow for certain undergrounding of utilities to be completed after the issuance of the Certificate of Occupancy as provided in an Escrow Agreement.  
(Sponsored by Mayor Lago)

**G. CITY COMMISSION ITEMS**

- G.-1. [22-4940](#) Update regarding Dover Kohl's bicycle infrastructure plan on Biltmore Way, Andalusia Avenue and possibly Valencia Avenue.  
(Sponsored by Commissioner Anderson)
- G.-2. [22-5000](#) A Resolution of the City Commission supporting the City's partnership with the University of Miami to host "Codemania 2023" a coding competition for high school students.  
(Sponsored by Commissioner Menendez)

**H. BOARDS/COMMITTEES ITEMS**

None



**I. CITY MANAGER ITEMS**

- I.-1. [22-5002](#) Planning of events for centennial update.
- I.-2. [22-5004](#) A Resolution of the City Commission authorizing Coco Cigars II, located in the Shops at Merrick Park, 320 San Lorenzo Avenue, Suite 1250, to add the sale of alcoholic beverages for consumption on premises as an accessory use to the retail of cigars and tobacco products, as permitted by state law, provided that total receipts from the sale of alcoholic beverages not exceed 25 percent of the total annual gross receipts, and permanent bars or counters not exceed 45 square feet in surface area, subject to a valid certificate of use and local business tax; and providing for an effective date.
- I.-3. [22-5005](#) A Resolution of the City Commission authorizing the City Manager to evaluate options and begin negotiations for the sale and/or development of the city-owned surface parking lot at 234 Navarre Avenue, FL 33134 (Folio #03-4108-006-1100) with Location Acquisitions, LLC and provide recommendations to the City Commission.
- I.-4. [22-5048](#) A Resolution of the City Commission accepting a recommendation to authorize the award of a contract with Islamorada Pools as a "Sole Source Procurement", pursuant to Section 2-689 of the City's Procurement Code.
- I.-5. [22-5028](#) A Resolution of the City Commission approving the City's 2023 Legislative Priorities in substantially the attached form.
- I.-6. [22-5052](#) A Resolution of the City Commission authorizing an encroachment into the public right-of-way consisting of one flagpole and associated lighting located at 2020 Salzedo Street, adjacent to Minorca Avenue; subject to requirements of the Public Works Department.

**J. CITY ATTORNEY ITEMS**

None

**K. CITY CLERK ITEMS****Time Certain 10:00am (Agenda Item K-1)**

- K.-1. [22-5001](#) A Resolution of the City Commission electing \_\_\_\_\_, in accordance with Section 1 of the City Charter, to fill the vacancy in Commission Group IV until the next general biennial election.

- K.-2.**     [22-5054](#)     A Resolution of the City Commission in accordance with Section 2-30 of the City Code, entitled "Regular Meetings, Special Meetings," setting forth the meeting dates through December 5, 2023.     Tuesday, January 10, 2023 - Commission Meeting; Tuesday, January 24, 2023 - Commission Meeting; Tuesday, February 14, 2023 - Commission Meeting; Tuesday, February 28, 2023 - Commission Meeting; Tuesday, March 14, 2023 - Commission Meeting; Tuesday, March 28, 2023 - Commission Meeting; Tuesday, April 2023 - No Commission Meeting; Tuesday, May 9, 2023 - Commission Meeting; Tuesday, May 23, 2023 - Commission Meeting; Tuesday, June 13, 2023 - Commission Meeting; Wednesday, June 14, 2023 - Capital Workshop (Project Selection & Funding); Tuesday, July 11, 2023 - Commission Meeting; Wednesday, July 12, 2023 - Budget Workshop - Annual Budget Presentation; Tuesday, August 22, 2023 - Commission Meeting; Wednesday, September 13, 2023 - Commission Meeting; Wednesday, September 13, 2023 - Special Assessment Public Hearing - 3:00pm; Wednesday, September 13, 2023 - First Budget Hearing - 5:01pm; Tuesday, September 26, 2023 - Commission Meeting; Tuesday, September 26, 2023 - Second Budget Hearing - 5:01pm; Tuesday, October 10, 2023 - Commission Meeting; Tuesday, October 24, 2023 - Commission Meeting; Tuesday, November 14, 2023 - Commission Meeting; Tuesday, December 5, 2023 - Commission Meeting.  
(All meetings start at 9:00 a.m. unless otherwise stated above)

- K.-3.**     [22-5061](#)     A Resolution of the City Commission confirming the re-election of Troy Easley, who ran unopposed for the City of Coral Gables Retirement Board, Firefighter Employee Representative Seat, for a term beginning January 1, 2023 through December 1, 2024.

**L.     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 who needs assistance in another language in order to speak during the public hearing or public comment portion of the meeting should contact the City 's ADA Coordinator Raquel Elejabarrieta, Esq., Director of Labor Relations and Risk Management (E-mail: [relejabarrieta@coralgables.com](mailto:relejabarrieta@coralgables.com), Telephone: 305-722-8686, TTY/TDD: 305-442-1600), at least three (3) business days before the meeting.*

**Billy Y. Urquia**  
**City Clerk**