

MINUTES OF ADJOURNED MEETING OF CITY

COMMISSION ON JUNE 7, 1935.

Pursuant to the adjournment at the meeting of June 4th, 1935, the Commission of the City of Coral Gables convened in adjourned session at 5:00 o'clock, P. M., at the City Hall on Friday, June 7th, 1935.

Mayor Wyman in the Chair.

Present: Commissioners Bryant  
McGarry

Absent: Commissioners Brunstetter  
Garris

RESOLUTION NO. 1491

A RESOLUTION ACCEPTING A DEED  
TO LOTS 7 and 25 OF BLOCK 16,  
SECTION "B", FOR STREET PURPOSES  
UNDER CERTAIN CONDITIONS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the deed of the Coronado Investment  
Company to the City of Coral Gables, conveying:

Lots 7 and 25, Block 16, Section  
"B", Coral Gables, according to the  
plat filed in Plat Book 5, Page 111,  
of the Public Records of Dade County,  
Florida,

whereby said premises are conveyed to said City  
for street purposes, be and the same is hereby  
accepted on condition that the grantor proceed  
to improve the said lots by constructing thereon  
a pavement not less than eighteen (18) feet in  
width, extending from the ends of the present  
City pavement opposite to said lots to the far-  
ther end of the same, such pavements to be con-  
structed of crushed rock, rolled and oiled, and  
the same kind and character as is required by  
the City of Coral Gables in the construction of  
its pavements, all to be done to the approval  
of the City Manager of the City of Coral Gables,

was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Bryant.

The resolution was adopted by unanimous vote.



## RESOLUTION NO. 1492

A RESOLUTION MAKING TRANSFERS WITHIN  
THE APPROPRIATIONS FOR THE YEAR 1934-35.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

1. That the Director of Finance be, and he is hereby, authorized to transfer to the Contingent Fund the following balances found to be in excess of the amount necessary to operate the below departments to the close of the fiscal year 1934-35:

City Manager's Office	\$ 50.00
Department of Parks and Park- ways	3,185.00
Department of Streets, Sewers, Equipment,	1,000.00
City Attorney's Office	50.00
	<u>\$4,285.00</u>

2. That, from the funds made available in the Contingent Fund by Section 1 hereof, the Director of Finance be, and he is hereby, authorized to transfer to the below named departments the following amounts to supply funds necessary for the operation of said departments to the close of the fiscal year 1934-35:

City Commission	\$450.00
Inspector's Office	150.00
Operation of City Hall	175.00
Department of Finance	1,875.00
Department of Sanitation	800.00
Department of Public Safety	175.00
Department of Public Welfare	560.00
News Bureau	100.00
	<u>\$4,285.00</u>

3. That the Director of Finance be, and he is hereby, authorized to transfer to and from the detail appropriations within any of the several departments of the City in order that excess funds in one or more of said detail appropriations may be applied to deficits incurred in other detail appropriations of the same department,

was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Bryant.

The resolution was adopted by the following roll

call:

"Yes"- Mayor Wyman  
Commissioners Bryant  
McGarry

"No"- None

Absent- Commissioners Brunstetter  
Garris

## RESOLUTION NO. 1493

A RESOLUTION MAKING CERTAIN APPROPRIATIONS  
FROM THE CONTINGENT FUND.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:



Section 1. That the following amounts be, and they are hereby, appropriated from the Contingent Fund for the purposes set opposite thereto:

Item 1. For expense of promoting Army and Navy Colony	30.00
Item 2. For Air Meet Trophies	30.00
Item 3. For expense of bond adjustment campaign, and for defense of suits brought upon City indebtedness	3,500.00
Item 4. For expense in connection with Homestead Exemption Amendment	335.00
Item 5. For various convention expenses	175.00
Item 6. For contribution to Florida League of Municipalities' expense during Legislative Session	985.00
Item 7. For maintenance of Directory Board	35.00
Item 8. For International Radio Party expense	30.00
Item 9. For expense of operation of Visitor's Bureau	600.00
Item 10. For Report to Taxpayers	90.00
Item 11. For Health Pamphlet costs	316.00
Item 12. For cost of appraisal of taxable property	90.00
Item 13. For expense in connection with local bills in Legislature	145.00
Item 14. For Drum and Bugle Corps trip	100.00
Item 15. For Master's fee in tax foreclosure suit	2,850.00
Item 16. For expense of City Attorney to Tallahassee	100.00
Item 17. For deposit to apply on costs in tax foreclosure suit (Master's Sale)	500.00
Item 18. For various litigation costs	1250.00
Item 19. For assistance and supervision of CWA and FERA projects	2,500.00
Item 20. For operation of Salvadore Park	1,110.00

Section 2. That all commitments or disbursements heretomade by the Director of Finance and the City Manager on account of any purposes or projects appropriated for herein, not in excess of the amount provided herein, plus any previous similar appropriation, be, and the



same are hereby, ratified and confirmed,  
was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Bryant.

The resolution was adopted by the following roll call:

"Yes"- Mayor Wyman

Commissioners Bryant  
McGarry

"No"- None

Absent- Commissioners Brunstetter  
Garris

RESOLUTION NO. 1494

A RESOLUTION RATIFYING AND CONFIRMING  
PAYMENTS ON DEBT SERVICE DURING THE  
FISCAL YEAR 1934-35

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL  
GABLES, FLORIDA:

That the acts of the Director of Finance in making  
the following payments to apply on indebtednesses of  
the City of Coral Gables:

General Improvement Bond Interest	\$11,060.00
Special Improvement Bond Interest	5,850.00
Special Improvement Bond Principal	3,000.00
Judgment held by Sarah McGuire	9,245.00
Judgment held by Ellen Hepkins	1,653.00
Notes held by J. E. Canning	1,310.00
Notes held by The Gamewell Company	1,075.00
Judgment held by Gordon B. Hayes	7,621.75
Account due Claude-Neon Southern Corporation	920.81
Account due Rensselaer Valve Co.	300.00

during the fiscal year 1934-35 be, and the same are  
hereby, ratified and confirmed.

was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Bryant.

The resolution was adopted by the following roll

call:

"Yes"- Mayor Wyman

Commissioners Bryant  
McGarry

"No"- None



Absent- Commissioners Brunstetter  
Garris

RESOLUTION NO. 1495

A RESOLUTION APPROPRIATING THE SUM OF  
TWENTY THOUSAND DOLLARS FROM THE CONTIN-  
GENT FUND FOR THE PURPOSE OF REPAIRING  
AND REPAVING STREETS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL  
GABLES, FLORIDA:

That the sum of Twenty Thousand Dollars (\$20,000)  
be, and the same is hereby, appropriated from the Con-  
tingent Fund for the purpose of repairing or repaving  
certain streets as recommended to the Commission by  
the City Manager.

was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Bryant.

The resolution was adopted by the following roll

call:

"Yes"- Mayor Wyman  
Commissioners Bryant  
McGarry

"No"- None

Absent- Commissioners Brunstetter  
Garris

RESOLUTION NO. 1496

A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO PROCEED WITH CERTAIN STREET IMPROVEMENTS;  
AND TO PROVIDE FOR SUPPLEMENTAL CONTRACTS  
TO THE CONTRACT NOW IN PROGRESS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL  
GABLES, FLORIDA:

That the City Manager be, and he is hereby,  
authorized to negotiate with the contractor now  
under contract with the City for certain previous-  
ly authorized street repair and repaving work, to  
determine whether the present contract may be ex-  
tended, by supplemental contracts to include the  
work provided for in the foregoing Resolution,  
No. 1495; and if that is found to be possible, to  
make and execute with that contractor supplemental  
contracts, similar in terms and conditions to those  
contracts now in effect and uncompleted.

was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Bryant.

The Resolution was adopted by the following roll

call:



"Yes"- Mayor Wyman  
Commissioners Bryant  
McGarry

"No"- None

Absent- Commissioners Brunstetter  
Garris

There being no further business, upon motion,  
duly seconded, and unanimously carried, the meeting was ad-  
journed.

Approved:

ATTEST:

CITY CLERK.  
G. N. Shaw



MAYOR.  
Vincent D. Wyman



MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON JUNE 13, 1935.

Pursuant to the requirement that the City Commission canvass the returns of the election and declare the results thereof within two days after the day of the election, the Commission of the City of Coral Gables convened at the City Hall at 8:00 o'clock P. M., on Thursday, June 13th, 1935.

Mayor Wyman in the Chair.

Present: Commissioners Brunstetter  
Bryant  
Garris  
McGarry

The Clerk read the following report of the Clerks and Inspectors of the General Election held on June 11th, 1935:

CERTIFICATE OF INSPECTORS AND CLERKS  
GENERAL ELECTION, CITY OF CORAL GABLES,  
FLORIDA.

STATE OF FLORIDA :  
COUNTY OF DADE :  
CITY OF CORAL GABLES:

We, the undersigned, Inspectors and Clerks for Coral Gables of the General Election in the City of Coral Gables, Florida, on Tuesday, June 11th, 1935, in accordance with the provisions of law and the Charter of the City of Coral Gables, DO HEREBY CERTIFY that 1501 ballots were cast at said General Election in Coral Gables.

WE DO FURTHER CERTIFY that there were cast at said election for the candidates for City Commissioners of the City of Coral Gables the number of votes set opposite the respective names, as follows:

MARTIN F. AVERY	769
M. B. GARRIS	663
HOLLIS RINEHART, JR.	864
O. A. SANDQUIST	626
ALFRED M. SEABER	308
PAUL C. WARDE	652
JOE WHITLEY	499

WE DO FURTHER CERTIFY that there were cast at said election for candidates for Mayor of the City of Coral Gables the number of votes set opposite the respective names, as follows:

MARTIN F. AVERY	1
ROSCOE BRUNSTETTER	871
M. B. GARRIS	560
HOLLIS RINEHART, JR.	7
O. A. SANDQUIST	5
ALFRED M. SEABER	5
PAUL C. WARDE	1
JOE WHITLEY	1



WE DO FURTHER CERTIFY THAT 19 ballots were thrown out and not counted on account of being marked on the wrong side or otherwise defaced or spoiled.

WITNESS our signatures, this eleventh day of June, A. D. 1936.

(Signed)

Walter E. Schaefer,	Clerk
H. R. Anderson,	Clerk
Karl D. Schmitz,	Clerk
Irving S. Copeland,	Inspector
E. T. Hollingsworth,	Inspector
Randolph Dickins,	Inspector
Mrs. Earl S. Hoag	Inspector
Lewis W. Fogle,	Inspector
Wm. R. Brown,	Inspector
John A. Cook,	Inspector
Harry S. Lord	Inspector
Charles E. McLain,	Inspector
H. C. Johanson,	Inspector
Mrs. D. H. Estill,	Inspector
John S. Gibbens,	Inspector.

Philip E. Paine then appeared before the Commission, representing Paul C. Warde, a candidate for the office of Commissioner in that election, and filed a petition for a recount by said Paul C. Warde, as follows:

PETITION FOR RE-COUNT

To the Honorable Mayor and Commissioners of the City of Coral Gables:

The petition of Paul C. Warde respectfully represents:

1. THAT he was a candidate for the office of City Commissioner of Coral Gables in the election held June 11th, 1935, and that the results of the election, as shown by tabulation of votes by the Election Board, gives him a total vote of 652, and gives to Mr. Garris, one of the other candidates for the office of City Commissioner, a total of 663 votes, thereby indicating that M. B. Garris was elected to the office of City Commissioner and your petitioner was defeated for that office.
2. THAT your petitioner has been informed, and believes that many errors were made in the tabulation of votes from the official ballots, and that if a re-count was made of the votes, substantially different election results would be shown, and that your petitioner would be declared to have been elected to the office of City Commissioner.
3. THAT your petitioner attaches hereto as exhibits, affidavits sustaining his contention of the errors made in tabulating the votes in the official ballots.
4. THAT your petitioner believes that justice requires a re-count of the votes cast for him and said M. B. Garris, for the office of City Commissioner in the election above referred to.

WHEREFORE, your petitioner respectfully prays that said Honorable Body do order a re-count of the votes as disclosed by the official ballots cast in the election



above referred to.

(Signed) Paul C. Warde

State of Florida:  
County of Dade :

BEFORE ME, a Notary Public, personally came PAUL C. WARDE, who, being duly sworn according to law, did depose and say: THAT the statements contained in the foregoing petition are true and correct.

(Signed) Paul C. Warde

Subscribed and sworn to before me, this 13th day of June, A. D. 1935.  
Karl D. Schmitz,  
Notary Public, State of Florida.  
My Commission expires: 7/26/38.

There was then presented to the Commission the following affidavits in support of the petition by Paul C. Warde:

State of Florida:  
County of Dade :

BEFORE ME, a notary public, personally came WM. R. BROWN, who, being duly sworn according to law, did depose and say that he was Inspector of Election at the City election held in the City of Coral Gables, June 11th, 1935, and that he served in that capacity during the entire time of the holding of said election and tallying of votes from the ballots following the election,

AND THAT he watched the ballots as ~~to~~ the names and votes were read therefrom,

AND THAT, in his opinion, errors were made in tabulating the votes shown by the ballots; that the number of the ballots counted as valid had been defaced and should not have been counted as lawful ballots,

AND THAT, it is his firm belief that a re-count of the votes disclosed by the ballots would result in a substantial change in the election results.

(Signed) Wm. R. Brown

Sworn to and subscribed by me, this 13th day of June, A. D. 1935.  
Karl D. Schmitz,  
Notary Public.  
My Commission expires: Jul 26, 1938.

State of Florida:  
County of Dade :

BEFORE ME, a Notary Public, personally came WM. L. LUTZ, who, being duly sworn according to law, did depose and say that he was a Watcher during the counting of votes in the recent Coral Gables City election held June 11th, 1935; that he saw a number of ballots rejected as defaced or improperly voted, when in truth and in fact the way the votes were marked clearly disclosed the intention of the voter to designate certain choices for office;

THAT he saw other ballots on which the votes were counted, when the ballots were irregularly marked, contained erasures, and were, in his opinion, so defectively prepared by the voter that the intention of the voter was not clearly disclosed;

THAT the votes on so many ballots were rejected when they should have been counted, and so many others were counted when they should have been rejected that in his



opinion a proper re-counting of the votes would substantially change the election results.

(Signed) Wm. L. Lutz

Subscribed and sworn to  
before me, this 13th day  
of June, A. D. 1935.  
Karl D. Schmitz,  
My Commission expires: July 26, 1938.

State of Florida:  
County of Dade :

BEFORE ME, a Notary Public, personally came HENRY W. MORGENTHALER, JR., who, being duly sworn, according to law, did depose and say that he was a Watcher during the counting of votes in the recent Coral Gables City election held June 11th, 1935; that he saw a number of ballots rejected as defaced or improperly voted, when in truth and in fact, the way the votes were marked clearly disclosed the intention of the voter to designate certain choices for office; and

THAT he saw other ballots on which the votes were counted, when the ballots were irregularly marked, contained erasures and were, in his opinion, so defectively prepared by the voter that the intention of the voter was not clearly disclosed; and

THAT the votes on so many ballots were rejected when they should have been counted, and so many others were counted when they should have been rejected that in his opinion a proper re-counting of the votes would substantially change the election result.

(Signed) Henry W. Morgenthaler, Jr.

Subscribed and sworn to  
before me, this 13th day of  
June, A. D. 1935.  
Karl D. Schmitz, Notary Public.  
My Commission expires: July 26, 1938.

State of Florida:  
County of Dade :

BEFORE ME, a Notary Public, personally came J. J. CURNIN, who, being duly sworn, according to law, did depose and say that he was a Watcher during the counting of votes in the recent Coral Gables City election held June 11th, 1935; that he saw a number of ballots rejected as defaced or improperly voted, when in truth and in fact the way the votes were marked clearly disclosed the intention of the voter to designate certain choices for office, and

THAT he saw other ballots on which the votes were counted, when the ballots were irregularly marked, contained erasures and were, in his opinion, so defectively prepared by the voter that the intention of the voter was not clearly disclosed; and

THAT the votes on so many ballots were rejected when they should have been counted, and so many others were counted when they should have been rejected, that, in his opinion, a proper re-counting of the votes would substantially change the election results.

(Signed) J. J. Curnin

Subscribed and sworn to  
before me, this 13th day  
of June, A. D. 1935.  
Karl D. Schmitz, Notary Public.  
My Commission expires: 7/26/38.



## RESOLUTION NO. 1497

A RESOLUTION WAIVING CALL OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter, be and the same is hereby waived, and

BE IT FURTHER RESOLVED that the Commission consent to any business that may come before it for consideration,

was introduced by Commissioner Brunstetter, and read.

Motion for adoption by Commissioner Brunstetter.

Seconded by Commissioner Bryant.

The resolution was adopted by the following roll call:

"Yes"- Mayor Wyman  
Commissioners Brunstetter  
Bryant  
McGarry  
Commissioner Garris not voting.

## RESOLUTION NO. 1498

A RESOLUTION ORDERING THE CITY CLERK TO BRING THE BALLOT BOX BEFORE THE COMMISSION FOR THE PURPOSE OF MAKING A RECOUNT OF VOTES AS TO CANDIDATES M. B. GARRIS AND PAUL C. WARDE.

WHEREAS, Paul C. Warde has filed a verified petition, making certain allegations to the Commission of the City of Coral Gables, concerning errors in the count of ballots at the election of June 11, 1935, as to candidates M. B. Garris and Paul C. Warde, such allegations being supported by affidavits attached thereto and spread upon the earlier minutes of this meeting; and

WHEREAS, if the allegations of such petition and affidavits be true, the results of the election might be changed as to said candidates, and the Commission deems it advisable to determine the correctness of the count of ballots as to such candidates;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Clerk, as official custodian of the ballot box, be and he is hereby instructed to bring said box into the Commission Chamber, for examination of its contents and judge of the election as to M. B. Garris and Paul C. Warde by the City Commission under authority of Section 10 of the City Charter,

was introduced and read.

Motion for adoption by Commissioner Brunstetter.

Seconded by Commissioner Bryant.



The Resolution was adopted by the following roll call:

"Yes"- Mayor Wyman  
Commissioners Brunstetter  
Bryant  
McGarry

"No"- Commissioner Garris

W. G. Ward, attorney, appeared on behalf of Commissioner Garris and objected to the proposed re-count on the following grounds:

1. That the Commission has no right to recount the ballots.
2. That the Commission has no right to open the ballot box without a court order.
3. That the box has not been in the hands of proper custodians since the election.
4. That the Commission is not vested with jurisdiction or authority other than to canvass the returns and declare the results.

Mayor Wyman instructed the Clerk to note upon the Minutes that he, the Clerk, is the ex-officio Supervisor of Registration under the Charter and Ordinances of the City of Coral Gables, and is, therefore, the custodian of the ballot box, and that the ballot box has been in his custody since the date of the election.

George J. Baya, attorney, then appeared and asked that the records show the request that time be given Commissioner Garris to consider the matter and confer with the City Attorney, to attempt to convince him of the illegality of the contemplated procedure, and to give candidates Sandquist and others time to file petitions; and, also, to request that he be noted on the Minutes as offering the same objections previously offered by Attorney Ward.

Commissioner McGarry moved that Resolution No. 1498 previously offered by Commissioner Brunstetter, in this same meeting, and adopted by the Commission, be rescinded.

Motion seconded by Commissioner Brunstetter, and carried by unanimous vote.



## RESOLUTION NO. 1499

A RESOLUTION DECLARING THE RESULTS OF  
THE GENERAL ELECTION OF JUNE 11, 1935.

WHEREAS, there has been filed with the Commission of the City of Coral Gables, a certificate of the Inspectors and Clerks of the General Election held on June 11, 1935, and such certificate has been examined by the Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the report of the Inspectors and Clerks is hereby accepted;

And that upon the face of such report, it appears that the following were elected at said election:

For Commissioner for a period of four years:  
Messrs. Hollis Rinehart, Jr. and Martin F. Avery.

For Commissioner for a period of two years:  
Mr. M. B. Garris.

For Mayor for a period of two years: Mr. Roscoe Brunstetter

AND, BE IT FURTHER RESOLVED:

That the certificate of the Clerks and Inspectors of said election be filed with the papers of the Commission of the City of Coral Gables.

was introduced and read.

Motion for adoption by Commissioner Brunstetter.

Seconded by Commissioner McGarry.

The Resolution was adopted by the following vote:

"Yes"- Mayor Wyman  
Commissioners Brunstetter  
Bryant  
Garris  
McGarry

## RESOLUTION NO. 1500

A RESOLUTION ORDERING THE CITY CLERK TO BRING THE BALLOT BOX BEFORE THE COMMISSION FOR THE PURPOSE OF MAKING A RE-COUNT OF VOTES AS TO CANDIDATES M. B. GARRIS AND PAUL C. WARDE

WHEREAS, Paul C. Warde has filed a verified petition, making certain allegations to the Commission of the City of Coral Gables, concerning errors in the count of ballots at the election of June 11, 1935, as to candidates M. B. Garris and Paul C. Warde, such allegations being supported by affidavits attached thereto and spread upon the earlier minutes of this meeting; and



WHEREAS, if the allegations of such petition and affidavits be true, the results of the election might be changed as to said candidates, and the Commission deems it advisable to determine the correctness of the count of ballots as to such candidates;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Clerk, as official custodian of the ballot box, be and he is hereby instructed to bring said box into the Commission Chamber, for examination of its contents and judge of the election as to M. B. Garris and Paul C. Warde by the City Commission under authority of Section 10 of the City Charter,

was introduced by Commissioner Brunstetter, and read.

Motion for adoption by Commissioner Brunstetter.

Seconded by Commissioner McGarry.

The Resolution was adopted by the following roll call:

"Yes"- Mayor Wyman  
Commissioners Brunstetter  
Bryant  
McGarry

"No"- Commissioner Garris.

#### RESOLUTION NO. 1501

A RESOLUTION ORDERING THE BALLOT BOX OF THE ELECTION OF JUNE 11, 1935, TO BE OPENED AND THE BALLOTS THEREIN TO BE COUNTED AS TO M. B. GARRIS AND PAUL C. WARDE

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the box containing the ballots cast in the election of June 11, 1935, be opened and counted in the presence of the Commission, for the purpose of determining the number of votes cast in the election for M. B. Garris and Paul C. Warde, respectively,

was introduced and read.

Motion for adoption by Commissioner Brunstetter.

Seconded by Commissioner Bryant.

The Resolution was adopted by the following roll call:

"Yes"- Mayor Wyman  
Commissioners Brunstetter  
Bryant  
McGarry

"No"- Commissioner Garris

Commissioner Garris asked that the records show his objection on the ground that the Commission has no authority to open the ballot box.



Attorneys Ward and Baya asked to be permitted to renew the objections previously stated.

The Clerk then secured the ballot box from the vault, and brought it into the Commission room, and opened it in the presence of the City Commission, breaking the seal which had been placed upon the box by a member of the Election Board, which officiated at the election of June 11th. The Clerk then asked that several of those present gather about to over-see his handling of the contents of the ballot box in order to definitely establish the fact that he did not, at any time during the proceedings, alter, add to, or detract from, any of the contents of said box, and to watch and verify the accuracy of his count.

Those appearing for that purpose were: H. J. Murray, Nicholas J. Murphy, Francis M. Dolan, Paul C. Warde, and Philip E. Paine, who stood close at hand during the entire process of the count which followed, and observed each handling of the material in the box, and each vote counted.

The Clerk then removed from the box the ballots which had been thrown out by the Election Board, and submitted them to the City Commission for examination; the Commission found that the Election Board had ample reason for discarding the nineteen (19) ballots which it had reported as spoiled, or defaced, or improperly cast.

The Clerk then removed the accepted ballots from the box, and proceeded to call votes for candidates Garries and Warde; the number of votes was checked and tallied on tally sheets by City Manager E. M. Williams and City Attorney Morton B. Adams; Commissioners Brunstetter and McGarry and Mayor Wyman conducted independent tally sheets. As the count progressed, any ballots which might have been questioned because of slight irregularity in marking, but which had been accepted by the Election Board, were referred to the Commissioners for ruling; each of these ballots was examined by the City Commissioners and by Attorney W. G. Ward, and by



others present; and the Commission found no reason for throwing out any ballots which had been accepted by the Election Board. At the conclusion of the count, the tally sheets were found to agree exactly with the report of the Clerks and Inspectors of the election; namely: M. B. Garris, 663 votes; Paul C. Warde, 652 votes.

Those who were in the Commission Chamber during the count, and who observed the conduct of the count, were:

Clarence Francis, Pauline Spofford, George J. Baya, O. D. Batchelor, C. E. McLain, W. L. Freeland, Walter Schaefer, Gilbert Chaplin, O. T. Flynn, Wm. Ward, Francis Dolan, O. A. Sandquist, Nicholas Murphy and daughter, Mr. and Mrs. Harry J. Murray, Paul C. Warde, Henry Morgenthauer, Jr., Philip E. Paine and J. J. Curnin.

Following the recount, all of the material was returned to the ballot box, in the same condition as when it had been removed, and the box was locked by the City Clerk and Ex-officio Supervisor of Registration, and returned to his vault.

#### RESOLUTION NO. 1502

#### A RESOLUTION DECLARING THE RESULTS OF THE GENERAL ELECTION OF JUNE 11, 1935.

WHEREAS, the Commission of the City of Coral Gables, Florida, has examined and re-counted the ballots cast for Paul C. Warde and M. B. Garris, at the General Election of June 11, 1935, and finds that the report by the Inspectors and Clerks of the votes cast at the June 11th, 1935, election is correct;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Commission declares that the election was fairly and legally held;

That the report of the Inspectors and Clerks is hereby accepted and approved;

And that the following are found to have been duly and legally elected at said election:

For Commissioner for a period of four years:  
Messrs. Hollis Rinehart, Jr. and Martin F. Avery.

For Commissioner for a period of two years:  
Mr. M. B. Garris.



For Mayor for a period of two years, Mr. Roscoe Brunstetter.

AND, BE IT FURTHER RESOLVED:

That the certificates of the Clerks and Inspectors of said election be filed with the papers of the Commission of the City of Coral Gables, as spread upon the earlier Minutes of this meeting.

was introduced and read.

Motion for adoption by Commissioner Brunstetter.

Seconded by Commissioner McGarry.

The Resolution was adopted by the following roll call:

- "Yes"- Mayor Wyman
- Commissioners Brunstetter
- Bryant
- Garris
- McGarry

There being no further business, upon motion, duly seconded and unanimously carried, the meeting was adjourned.

Approved:

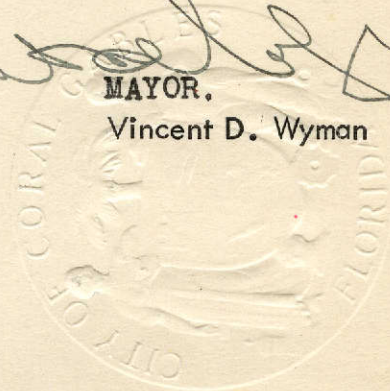
*[Handwritten signature of Vincent D. Wyman]*

MAYOR.

Vincent D. Wyman

ATTEST:

*[Handwritten signature of G. N. Shaw]*  
 CITY CLERK.  
 G. N. Shaw





For Mayor for a period of two years. Mr. George Brown  
letter.

AND, BE IT FURTHER RESOLVED:

That the certificate of the Clerk and Inspectors  
of said election be filed with the papers of the Com-  
mission of the City of Coral Gables, as agreed upon  
the earlier minutes of this meeting.

was introduced and read.

Notice for election by Commissioner Brewster.

Seconded by Commissioner Hoxley.

The Resolution was adopted by the following roll

call:

\*Yes - Mayor Brown  
Commissioner Brewster  
Hoxley  
Clegg  
Hoxley

There being no further business, upon motion, duly

seconded and unanimously carried, the meeting was adjourned.

Approved:



ATTEST:

CITY CLERK  
C. M. Shaw



MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON JUNE 14, 1935.

In accordance with Charter requirement that the Commission of the City of Coral Gables convene at 12:00 o'clock, noon, on the third day following an election for the purpose of inducting into office the newly elected Commissioners, the Commission of the City of Coral Gables convened in the Council Chamber at the City Hall at twelve o'clock, noon, on Friday, June 14th, 1935.

Mayor Wyman in the Chair.

Present: Commissioners Brunstetter  
Bryant  
Garris  
McGarry

Mayor Wyman announced the purpose of the meeting, and administered the oath of office and the Athenian oath to Mayor-elect Roscoe Brunstetter and Commissioners-elect Hollis Rinehart, Jr., Martin F. Avery and M. B. Garris.

Mayor Brunstetter then assumed the Chair and declared the new Commission regularly convened. There followed an invocation by Dr. Barnette of the Coral Gables Congregational Church, and speeches by the retiring and newly elected Commissioners, and several of those present.

Upon motion, duly seconded, and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw



MINUTES OF MEETING OF THE COMMISSION OF  
CITY OF CORAL GABLES ON  
JUNE 18, 1935.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M., on Tuesday, June 18th, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
Garris  
McGarry  
Rinehart

The minutes of the meetings of June 7th and June 13th, 1935, were read and approved.

AN ORDINANCE ZONING CERTAIN PARTS OF THE CITY OF CORAL GABLES AGAINST THE SALE OF INTOXICATING LIQUORS OTHER THAN IN ORIGINAL PACKAGE LOTS AND BY LICENSED PACKAGE LIQUOR STORES; PROVIDING FOR LICENSE FEES; AND ALSO ZONING CERTAIN PARTS OF SAID CITY AGAINST USE FOR SLOT MACHINES OR OTHER GAMBLING DEVICES, WHETHER OR NOT LICENSED BY THE STATE OF FLORIDA; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE

was read by title on first reading and carried forward to the next regular meeting for further consideration.

RESOLUTION NO. 1503

A RESOLUTION EXPRESSING APPRECIATION FOR THE EFFORTS AND ACTIVITIES OF MAYOR VINCENT D. WYMAN, RETIRED, IN BEHALF OF THE CITY OF CORAL GABLES AND ITS PEOPLE AND PROPERTY OWNERS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That this Commission does hereby express and convey to Vincent D. Wyman, retired Mayor, its sincere and heartfelt appreciation for his able and untiring efforts and activities in behalf of the City and its people and property owners, and its sincere regret and feeling of great loss that the condition of his health has made it necessary that his official connection with the government of the City of Coral Gables not be continued.

That the City Clerk be, and he is hereby, instructed to forward certified copies of this resolution to Vincent D. Wyman, retired Mayor.

was introduced and read.



Motion for adoption by Commissioner Rinehart.

Seconded by Commissioner McGarry.

The Resolution was adopted by unanimous vote.

RESOLUTION NO. 1504

A RESOLUTION EXPRESSING APPRECIATION FOR THE EFFORTS AND ACTIVITIES OF COMMISSIONER FRANK E. BRYANT, RETIRED, IN BEHALF OF THE CITY OF CORAL GABLES, AND ITS PEOPLE AND PROPERTY OWNERS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That this Commission does hereby express and convey to Frank E. Bryant, retired Commissioner, its sincere and heartfelt appreciation for his able and unselfish efforts and activities in behalf of the City and its people and property owners, and its sincere regret and feeling of great loss upon his decision not to continue his official connection with the City Government.

That the City Clerk be, and he is hereby, instructed to forward certified copies of this resolution to Frank E. Bryant, retired Commissioner.

was introduced and read.

Motion for adoption by Commissioner Rinehart.

Seconded by Commissioner Avery.

The Resolution was adopted by unanimous vote.

RESOLUTION NO. 1505

A RESOLUTION RATIFYING AND CONFIRMING THE AUTHORITY GRANTED TO SPECIAL COUNSEL JAMES E. CALKINS TO RAISE THE QUESTION OF INVALIDITY IN DEFENSE OF THE CASE OF EDWIN H. BARKER, ET AL, VS. THE CITY OF CORAL GABLES

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the authority previously granted to James E. Calkins, Special Counsel, to file pleas setting forth the invalidity of certain of the bonds of the City of Coral Gables in the defense of the case of Edwin H. Barker, et al, vs. City of Coral Gables, which case was brought to reduce to a judgment bonds held by the Bondholders' Protective Committee of the City of Coral Gables, be and the same is hereby ratified and confirmed.

was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Rinehart.

The Resolution was adopted by majority vote; Commissioner Garris voting "no" on the ground of his opposition to the use of the question of invalidity as a defense in the case.



## RESOLUTION NO. 1506

A RESOLUTION DELEGATING TO MAYOR ROSCOE BRUNSTETTER POWER AND AUTHORITY TO NEGOTIATE FOR AN ADJUSTMENT OF THE CITY'S DEBT

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Mayor Roscoe Brunstetter be, and he is hereby, delegated and appointed by the Commission to carry on such negotiations as may be necessary, in his judgment, with the advice and consent from time to time of the Commission of the City of Coral Gables, to bring about a speedy and workable settlement of the City debt problems.

was introduced and read.

Motion for adoption by Commissioner Avery.

Seconded by Commissioner McGarry.

The Resolution was adopted by unanimous vote.

## RESOLUTION NO. 1507

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED DOLLARS (\$100.) FROM THE CONTINGENT FUND FOR THE PURPOSE OF SECURING A ONE PAGE ADVERTISEMENT IN THE FLORIDA INDUSTRIAL DIRECTORY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of One Hundred Dollars (\$100.) be, and the same is hereby, appropriated from the Contingent Fund for the purpose of securing a one-page advertisement of the City of Coral Gables in the "Florida Industrial Directory" to be published by the Record Company of St. Augustine,

was introduced and read.

Motion for adoption by Commissioner Garris.

Seconded by Commissioner McGarry.

The Resolution was adopted by the following roll

call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

## RESOLUTION NO. 1508

A RESOLUTION CONFIRMING THE APPOINTMENT OF COMMISSIONER PAUL D. MCGARRY AS VICE-MAYOR

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:



That Mayor Roscoe Brunstetter's appointment of Commissioner Paul D. McGarry as Vice-Mayor of the City of Coral Gables, Florida, be, and the same is hereby, approved and confirmed.

was introduced and read.

Motion for adoption by Commissioner Rinehart.

Seconded by Commissioner Avery.

The Resolution was adopted by unanimous vote.

RESOLUTION NO. 1509

A RESOLUTION DECLARING THE OFFICE OF MUNICIPAL JUDGE VACANT; AND APPOINTING PHILIP E. PAINE AS MUNICIPAL JUDGE; AND APPOINTING ANDREW T. HEALEY AS ASSOCIATE MUNICIPAL JUDGE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the office of Judge of the Municipal Court of the City of Coral Gables be, and the same is hereby, declared to be vacant as of this date.
2. That Philip E. Paine be, and he is hereby, appointed Judge of the Municipal Court of the City of Coral Gables, effective Wednesday, June 19th, 1935.
3. That Andrew T. Healey be, and he is hereby, appointed Associate Judge of the Municipal Court of the City of Coral Gables, effective Wednesday, June 19th, 1935.

was introduced and read.

Motion for adoption by Commissioner Avery.

Seconded by Commissioner Rinehart.

The Resolution was adopted by the following roll

call:

"Yes"- Mayor Brunstetter  
 Commissioners Avery  
 McGarry  
 Rinehart  
 "No"- Commissioner Garris

An application was received from the Papeya Company for assistance in the form of tax reduction or elimination in the establishment of a factory and sales office for Papeya products in the building at the southeast corner of Alhambra Circle and LeJeune Road. The Commission expressed itself favorably impressed with the proposition; and instructed the City Clerk to write the Somerset Company, owners



of the building, and E. J. Hess, of the Papoia Company, advising them that the Commission would make suitable adjustment of the taxes based upon the establishment and continued operation of the Company. If further assistance is required after the first year, the Commission will consider the proposition upon the application of the PaPoya Company, supported by a financial statement.

There being no further business, upon motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw





MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON  
JUNE 20TH, 1935.

Pursuant to call of a special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at five o'clock, P. M. on Thursday, June 20th, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1510

A RESOLUTION WAIVING CALL OF SPECIAL  
MEETING AND GRANTING CONSENT TO ANY  
SPECIAL BUSINESS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter, be and the same is hereby waived, and

BE IT FURTHER RESOLVED that the Commission consent to any business that may come before it for consideration,

was introduced and read.

Motion for adoption by Commissioner Rinehart.

Seconded by Commissioner McGarry.

The Resolution was adopted by the following roll call.

"Yes"- Mayor Brunstetter

Commissioners Avery  
Garris  
McGarry  
Rinehart

A communication was received from the Coral Gables Real Estate Board, protesting against the action of the Building Inspector, under advice of the Zoning Board of Appeals, in granting a permit to Warren Zinsmaster to construct guest houses upon the four twenty-five foot lots owned by him at the rear of his residence property at the intersection of Milan and Madrid. A petition, signed by residents and



property owners on El Rado Street, was submitted to the Commission, requesting that the permit be revoked. Attorney John C. Sullivan appeared in behalf of the petitioning residents and property owners. Commissioner Rinehart, former Chairman of the Zoning Board of Appeals, explained the matter, and stated that the Zoning Board of Appeals had found that Mr. Zinsmaster was violating none of the Ordinances and requirements of the City of Coral Gables; and that since there were no provisions in the deed to the property in Davis Orchard Subdivision requiring minimum values of houses to be erected therein, the City had no grounds upon which to require the construction of a house of any particular size or value, and could only require that set-back requirements and full compliance with the construction code be carried out. Mayor Brunstetter explained to the petitioners that before the Commission could take action upon the matter, they would have to bring evidence of violations of the City Ordinances; and that the City would undertake to see that Mr. Zinsmaster complied fully with all requirements enforceable by the City.

RESOLUTION NO. 1511

A RESOLUTION INSTRUCTING THE TAX  
ASSESSOR TO PREPARE HIS ROLL UPON  
THE BASIS OF FULL VALUE.

WHEREAS, an amendment to the Charter of the City of Coral Gables enacted by the Legislature of 1935 permits the City to designate the basis upon which its Assessment Roll will be prepared, up to full cash value, and requires that the City Commission designate by Resolution the basis upon which the assessment is to be made; and,

WHEREAS, the operation of the Homestead Exemption Amendment to the State Constitution will seriously increase taxes on non-homestead property unless the Assessment Roll of the City is made upon the basis of full cash value;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Tax Assessor be, and he is hereby, instructed to prepare his Tax Assessment Roll for the year 1935 upon the basis of one hundred per cent. of cash value as to all taxable real and personal property within the limits of the City of Coral Gables, Florida,

was introduced and read.



Motion for adoption by Commissioner Rinehart.

Seconded by Commissioner McGarry.

The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter

Commissioners Avery  
Garris  
McGarry  
Rinehart

AN ORDINANCE ZONING CERTAIN PARTS OF THE CITY OF CORAL GABLES AGAINST THE SALE OF INTOXICATING LIQUORS OTHER THAN IN ORIGINAL PACKAGE LOTS AND BY LICENSED PACKAGE LIQUOR STORES; PROVIDING FOR LICENSE FEES; AND ALSO ZONING CERTAIN PARTS OF SAID CITY AGAINST USE FOR SLOT MACHINES OR OTHER GAMBLING DEVICES, WHETHER OR NOT LICENSED BY THE STATE OF FLORIDA; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE,

which had been first read at the meeting of June 18th, 1935, was read again in full.

Commissioner McGarry moved that the Ordinance be amended by the addition of the words "Section L" after the words "Section K" in the first sentence thereof.

Motion seconded by Commissioner Rinehart, and adopted by the following roll call:

"Yes"- Mayor Brunstetter

Commissioners Avery  
Garris  
McGarry  
Rinehart

Commissioner Garris then moved the adoption of the Ordinance, as amended.

Motion seconded by Commissioner Avery.

The Ordinance was adopted by the following roll call:

"Yes"- Mayor Brunstetter

Commissioners Avery  
Garris  
McGarry  
Rinehart

Mayor Brunstetter then declared the Ordinance adopted and ordered its publication as Number 246.



There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw





MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON JUNE 25, 1935.

Pursuant to a call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at 7:30 o'clock, P. M., on Tuesday, June 25th, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1512

A RESOLUTION WAIVING CALL OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter, be and the same is hereby waived, and

BE IT FURTHER RESOLVED that the Commission consent to any business that may come before it for consideration,

was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Avery.

The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter

Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1513

A RESOLUTION APPROPRIATING THE SUM OF SEVEN THOUSAND, FIVE HUNDRED DOLLARS (\$7,500.) FROM THE CONTINGENT FUND FOR THE PURPOSE OF SECURING PUBLICITY

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Seven Thousand, Five Hundred Dollars (\$7,500.) be, and the same is hereby, appropriated from the Contingent Fund to the appropriation for miscellaneous publicity, for the purpose of securing a general



publicity program for the City of Coral Gables to promote an increased year-round tourist patronage,

was introduced and read.

Motion for adoption by Commissioner Avery.

Seconded by Commissioner Rinehart.

The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter

Commissioners Avery  
McGarry  
Rinehart

"No"- Commissioner Garris.

RESOLUTION NO. 1514

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO EXECUTE AND DELIVER A CERTAIN CONTRACT FOR PUBLICITY

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager and the Director of Finance be, and they are hereby, authorized and instructed to execute and deliver a contract between the City of Coral Gables, Florida, and Carl Byoir and Associates, in words and figures as follows:

AGREEMENT, Made this 28th day of June, 1935, between CITY OF CORAL GABLES, FLORIDA, First Party, and CARL BYOIR AND ASSOCIATES, New York City, SECOND PARTY,  
W I T N E S S E T H:

1. First Party hereby employs second party to conduct a national publicity campaign, publicizing the advantages, climatic and otherwise, of the City of Coral Gables, by such methods and in such manner as the second party shall deem most advisable to promote the interests of the City of Coral Gables and of the property owners, taxpayers, and business therein, with the following particular objectives:

(a) To insure a continuance and increase of the 1934-35 winter season volume of winter tourist business.

(b) To lengthen the stay of those resort visitors who are already in Coral Gables or who have already made plans to be in Coral Gables this season.

(c) To bring to Coral Gables a large volume of new tourists and residents for all seasons and also to convince the people of the country that the spring and summer climate of Coral Gables is most healthful and comfortable.

(d) To increase the value of property in Coral Gables by greatly increasing the demand for homes and apartments.



(e) To create a greater desire among the better type of people to live in Coral Gables and to provide for apartment house and hotel owners and other lessors a market of customers who are willing and accustomed to paying prices which are fair and which will give a reasonable return to the owner.

(f) To keep the name and advantages of Coral Gables continually before the traveling public.

(g) To combat the false and dangerous propaganda that rents are unreasonable and that all desirable accommodations have already been taken.

(h) To publicise the University of Miami so as to increase student enrollment and attract endowment funds thereto.

2. First party agrees to pay said Carl Byoir and Associates for such service, and all other expenses in connection therewith, the sum of Seven Thousand, Five Hundred Dollars (\$7,500.), payable fifty per cent (50%) upon the signing of this contract and the remaining fifty per cent. (50%) ninety (90) days after date of signing of contract.

3. The said second party agrees to accept said employment and maintain an organization to conduct said publicity campaign with objectives as above provided; to cause to be written, circulated and published such news and publicity matter as will, in the judgment of the second party, best serve to achieve the purposes aforesaid, to properly publicise, in all practical ways consistent with the consideration above mentioned and in national scope, the advantages of visiting and residence in Coral Gables, including apartment, hotel and residence facilities, as well as recreational, climatic and health advantages, and, for that purpose, to use, to the extent deemed necessary and proper by second party, newspaper, magazine, radio, moving picture and other publicity. Said work to commence as soon as practicable.

The said second party agrees to submit to the said first party a general plan of such publicity and/or advertising, for the acceptance and approval of said first party; and, from time to time, as the campaign progresses, and at the completion of the campaign, said second party agrees to submit to the first party clippings and reports of the accomplishments in the campaign.

4. The said second party, being under the terms of this contract subjected to the necessity of entering necessary publicity and/or advertising contracts with some or all of said newspapers, magazines, radio stations, moving picture producers and others, incurring thereby obligations and expenses in his own name, and being desirous of assurance of the full payment of the consideration herein, particularly in view of the state of finance and indebtedness of said first party, requires as a part of the consideration herein that all moneys to be paid to the second party hereunder be placed in escrow in the Coral Gables First National Bank, or some equally accredited agency, and the first party accepts and agrees to such provision.



IN WITNESS WHEREOF, the parties have caused this instrument to be executed the day and year first above written.

WITNESSES:

CITY OF CORAL GABLES,

\_\_\_\_\_ By E. M. WILLIAMS, (Signed)  
City Manager

\_\_\_\_\_ By G. N. SHAW " "  
Director of Finance

CARL BYOIR AND ASSOCIATES,

P. E. Spofford (Signed) By John D. Montgomery (Signed)  
Duly authorized representative.

was introduced and read.

Motion for adoption by Commissioner Avery.

Seconded by Commissioner Rinehart.

The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter

Commissioners Avery  
McGarry  
Rinehart

"No"- Commissioner Garris.

Mayor Brunstetter reported to the Commission that he had appointed John C. Sullivan, Attorney, as Chairman of the Zoning Board of Appeals, thereupon the following Resolution:

RESOLUTION NO. 1515

A RESOLUTION CONFIRMING THE APPOINTMENT OF JOHN C. SULLIVAN AS CHAIRMAN OF THE ZONING BOARD OF APPEALS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the appointment by Mayor Roscoe Brunstetter of John C. Sullivan, attorney, as Chairman of the Zoning Board of Appeals of the City of Coral Gables, Florida, be, and the same is hereby, approved and confirmed.

was introduced and read.

Motion for adoption by Commissioner Avery.

Seconded by Commissioner Rinehart.

The Resolution was adopted by unanimous vote.



## RESOLUTION NO. 1516

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO CANCEL ALL TAXES DUE THE CITY OF CORAL GABLES, AND TO ISSUE CREDIT MEMORANDUM FOR 1935 CITY TAXES, ON A CERTAIN TRACT OF LAND IN CONSIDERATION FOR DEDICATION OF A HIGHWAY RIGHT-OF-WAY

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Director of Finance be, and he is hereby, authorized and directed to cancel and satisfy all taxes due the City of Coral Gables, through the year 1934, and to issue a credit memorandum for the cancellation and satisfaction of 1935 City taxes, when due, upon that certain tract described as:

"The North 230 ft. of the  $S\frac{1}{2}$  of  $S\frac{1}{4}$  of Section 28, Township 54 South, Range 41 East, and that part of the North 230ft. of the  $S\frac{1}{4}$  of the  $SE\frac{1}{4}$  of Section 29, Township 54 South, Range 41 East, lying East of the Miami-Cutler Road"

upon being furnished evidence that a road right-of-way has been granted and dedicated to and accepted by the County of Dade,

was introduced and read.

Motion for adoption by Commissioner Garris.

Seconded by Commissioner Avery.

Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF REGULAR MEETING OF  
THE COMMISSION OF THE CITY OF CORAL GABLES  
ON JULY 2ND, 1935

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M. , on Tuesday, July 2nd, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
Garris  
McGarry  
Rinehart

The Minutes of the meetings of June 18th, June 20th and June 25th, 1935, were read and approved.

Messrs. Baya and Avant appeared in behalf of the Investment Securities Corporation , seeking tax relief on the building occupied by the University Hospital and the University Hospital Nurse's Home; the Commission took the matter under advisement.

Mr. John C. Sullivan, Chairman of the Zoning Board of Appeals, submitted the following report of the meeting held on July 1st, 1935, by that Board:

At a meeting of the Zoning Appeal Board held in my office on the first day of July, A. D. 1935, the following Resolution was unanimously adopted:

WHEREAS the attention of this Board has been called to the fact that the restrictions in Block 50 of Country Club Section Part 4 of Coral Gables require any residence to be set back 50 feet from the street and 50 feet from the golf course; and

WHEREAS, in the opinion of the Board, this is too much of a set-back to require of those lots in Block 50 west of the canal,

NOW, THEREFORE, BE IT RESOLVED: That this Board recommend to the City Commissioners of the City of Coral Gables, Florida, that the restrictions covering the lots in Block 50 west of the canal be modified so as to require any residence to be set back 35 feet from the street and 25 feet from the golf course.

The Commission discussed the matter with Mr. Phineas Paist, a member of both the Planning Board and the Zoning Board of Appeals, and decided to alter the set-back requirement recommended by the Zoning Board of Appeals, as follows: set-back



from street, 35 feet; set-back from golf course, 40 feet.

There was then offered:

AN ORDINANCE AMENDING ORDINANCE NO. 153 OF THE CITY OF CORAL GABLES ADOPTED DECEMBER 15, 1930, ENTITLED "AN ORDINANCE ESTABLISHING A PLAN FOR DIVIDING THE CITY OF CORAL GABLES INTO DISTRICTS FOR THE PURPOSE OF REGULATING THE LOCATION OF TRADE, AND INDUSTRIES, ETC." AS TO AREA DISTRICT REQUIREMENTS ON LOTS 24 TO 99, BOTH INCLUSIVE, BLOCK 50, COUNTRY CLUB SECTION NO. 4

was read by title on first reading and carried forward to the next regular meeting for further action.

RESOLUTION NO. 1517

A RESOLUTION MAKING AN APPROPRIATION OF THE SUM OF \$210. FROM THE CONTINGENT FUND OF 1934-35 FOR THE PURPOSE OF BUYING CERTAIN LAW BOOKS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA.

That the sum of Two Hundred, Ten Dollars (\$210.) be, and the same is hereby, appropriated from the Contingent Fund of the appropriation for the year 1934-35 for the purpose of purchasing a six volume annotated set of the Compiled General Laws of Florida, 1927, and the 1934 Supplement thereto, and an 8 volume set of McQuillin on Municipal Corporations; and the City Clerk be, and he is hereby, authorized to purchase such legal volumes,

was introduced and read,

Motion for adoption by Commissioner Avery.

Seconded by Commissioner Rinehart.

The Resolution was adopted by the following roll

call:

"Yes"- Mayor Brunstetter

Commissioner Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1518

A RESOLUTION APPROPRIATING THE SUM OF THREE THOUSAND DOLLARS (\$3,000.) FROM THE CONTINGENT FUND OF THE APPROPRIATION FOR THE YEAR 1934-35 FOR THE PURCHASE OF A GARBAGE TRUCK

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:



That the sum of Three Thousand Dollars (\$3,000.) be, and the same is hereby, appropriated from the Contingent Fund of the appropriations for the year 1934-35 for the purpose of buying a garbage truck to replace unserviceable equipment; and the City Manager be, and he is hereby, authorized to negotiate and conclude the purchase of such truck,

was introduced and read.

Motion for adoption by Commissioner McGarry.

Seconded by Commissioner Garris.

The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter

Commissioners Avery  
Garris  
McGarry  
Rinehart

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw



MINUTES OF REGULAR MEETING OF  
THE COMMISSION OF THE CITY OF CORAL GABLES  
ON JULY 16TH, 1935.

Mayor Brunstetter and Commissioners Rinehart  
and McGarry being absent from the City, the regular  
meeting of Tuesday, July 16th, 1935, failed for lack of  
a quorum.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw





MINUTES OF MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES

ON JULY 25TH, 1935.

Pursuant to requirement by the City Charter for public hearings upon the proposed appropriation ordinance for the year 1935-36, the Commission of the City of Coral Gables convened in special session at the City Hall at 7:30 o'clock, P. M., on Thursday, July 25th, 1935.

Present: Commissioners Avery  
Garris  
Rinehart

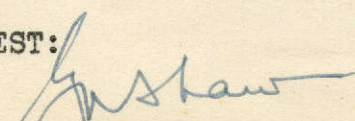
Absent from the City: Mayor Brunstetter  
Commissioner McGarry

Commissioner Rinehart moved that the Commission resolve itself into a Committee of the Whole to hear the public on the question of the appropriation ordinance; motion seconded by Commissioner Garris, and carried by unanimous vote of all Commissioners present.

Commissioner Rinehart then declared the purpose of the meeting of the Committee, and requested the City Clerk to read the Ordinance. Upon the conclusion of the reading, Commissioner Rinehart asked if there were any present who wished to comment upon the Ordinance. There being no comments, the Committee took up its own discussion of the proposed Ordinance, which continued throughout the meeting.

Commissioner Garris moved that the Commission, sitting as a Committee of the Whole, adjourn until 7:30 o'clock, P. M., on Friday, July 26th, 1935, for the purpose of conducting a second public hearing upon the proposed appropriation ordinance, and continuing its discussion of the matter; the motion was duly seconded and carried by unanimous vote of all Commissioners present.

ATTEST:

  
CITY CLERK.  
G. N. Shaw

APPROVED:

  
MAYOR.  
Roscoe Brunstetter



MINUTES OF ADJOURNED MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES ON  
JULY 26TH, 1935.

Pursuant to adjournment at the meeting of July 25th, 1935, the Commission of the City of Coral Gables convened, as a Committee of the Whole, for the purpose of conducting a public hearing upon the proposed appropriation ordinance for the year 1935-36, at 7:30 o'clock, P. M., on Friday, July 26th, 1935.

Present: Commissioners Avery  
Garris  
Rinehart

Absent from the City: Mayor Brunstetter  
Commissioner McGarry

Commissioner Rinehart announced the purpose of the meeting and asked if there were any present who wished to comment upon the proposed appropriation ordinance. There being no comments, the Commission again took up its own consideration of the matter.

Commissioner Rinehart moved that the Commission adjourn its session as a Committee of the Whole, and reconvene as a special Commission meeting; motion seconded by Commissioner Avery and carried by unanimous vote of all Commissioners present.

Commissioner Rinehart then requested the Clerk to give the proposed appropriation ordinance its first reading, as required by Charter; the Clerk thereupon read the following ordinance in full:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF THE OPERATION OF THE CITY OF CORAL GABLES AND ITS INCOME PROPERTIES FOR THE FISCAL YEAR COMMENCING JULY 1, 1935, AND FOR PAYMENT UPON THE SERVICE OF ITS BONDED AND OTHER DEBTS.

Commissioner Garris then moved that the Commission adjourn until 8:45 A. M., on Saturday, July 27th, 1935, for the purpose of taking further action upon the budget ordinance; the motion was duly seconded and unanimously carried by all Commissioners present.

APPROVED:

ATTEST:

*G. N. Shaw*  
CITY CLERK, G. N. Shaw

*Roscoe Brunstetter*  
MAYOR.  
Roscoe Brunstetter



MINUTES OF AN ADJOURNED MEETING  
OF THE COMMISSION OF THE CITY OF CORAL GABLES  
ON JULY 27TH, 1935.

Pursuant to adjournment at the meeting of July 26th, 1935, the Commission of the City of Coral Gables convened in adjourned session at the City Hall at 8:45 o'clock, A. M., on Saturday, July 27th, 1935.

Present: Commissioners Avery  
Garris  
Rinehart

Absent from the City: Mayor Brunstetter  
Commissioner McGarry

The following Ordinance, which had been first read at the meeting of July 26th, 1935, was read again in full:

AN ORDINANCE MAKING APPROPRIATIONS  
FOR THE EXPENSES OF OPERATION OF  
THE CITY OF CORAL GABLES AND ITS  
INCOME PROPERTIES FOR THE FISCAL  
YEAR COMMENCING JULY 1, 1935, AND  
FOR PAYMENT UPON THE SERVICE OF ITS  
BONDED AND OTHER DEBTS.

Motion for adoption of the Ordinance by Commissioner Rinehart; seconded by Commissioner Garris. The Ordinance was adopted by the following roll call:

"Yes"- Commissioners Avery  
Garris  
Rinehart

"No"- none

Absent- Mayor Brunstetter  
Commissioner McGarry

Commissioner Rinehart then declared the Ordinance adopted and ordered its publication as Number 247.

NOTE: Commissioner Rinehart moved that the appropriation ordinance and the vote thereon be reopened and reconsidered; by unanimous consent, the matter was carried forward for further consideration.

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw



MINUTES OF SPECIAL MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES, ON JULY 31, 1935.

Pursuant to a call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at 7:30 o'clock, P. M., on Wednesday, July 31st, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
Garris  
Rinehart

Absent from the City: Commissioner McGarry.

RESOLUTION NO. 1519

A RESOLUTION WAIVING CALL OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter, be, and the same is hereby, waived, and

BE IT FURTHER RESOLVED that the Commission consent to any business that may come before it for consideration,

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
Garris  
Rinehart

"No"- None

Absent: Commissioner McGarry.

RESOLUTION NO. 1520

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO REFUND TO ALTHEA MERRICK A PORTION OF THE AMOUNT PAID ON COMBINATION SETTLEMENT RECEIPT NO. 623

WHEREAS, on July 22nd, 1935, George E. Merrick, acting for and on behalf of Eunice Merrick, paid through 1934 all taxes on Lots 4, 5 and 6, and the S. 175' of the W. 84.45' of Lot 10, of Peacock's



Resub. of Block 35, Section "B", Coral Gables, on Combination Settlement Receipt No. 623, such payment and receipt being in the amount of \$714.92; and

WHEREAS, the said George E. Merrick was unaware that the City had authorized special adjustment discounts to stimulate new building, and did not announce to the Finance Department the fact that the purpose of the sale was to promote the immediate construction of a building upon the said property; and

WHEREAS, had such facts been known, at the time of payment, to the said George E. Merrick and the Finance Department, the amount of payment required for the settlement of such taxes on the above described property would have been \$420.26;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That the Director of Finance be, and he is hereby, authorized to revise Combination Settlement Receipt No. 623, as described above, so as to place the same upon the basis authorized for the promotion of new and immediate building; and to refund to George E. Merrick the amount of \$294.66 of overpayment produced by such revision.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Garris. The Resolution was adopted by the following roll call:

"Yes"-- Mayor Brunstetter  
Commissioners Avery  
Garris  
Rinehart

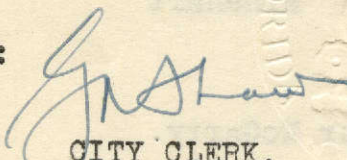
"No"-- None

Absent- Commissioner McGarry.

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

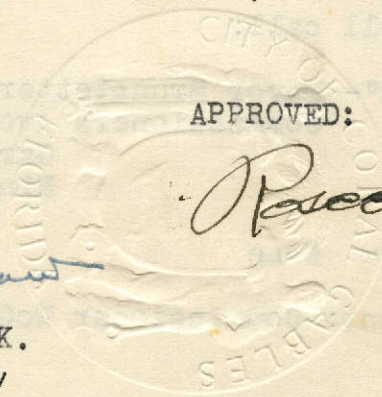
APPROVED:

ATTEST:

  
CITY CLERK.  
G. N. Shaw



MAYOR.  
Roscoe Brunstetter





MINUTES OF REGULAR MEETING OF THE  
 COMMISSION OF THE CITY OF CORAL GABLES ON  
 AUGUST 6, 1935.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M., on Tuesday, August 6th, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

RESOLUTION NO. 1521

A RESOLUTION APPROVING TENTATIVE  
 AGREEMENT FOR COMPROMISE AND REFUND-  
 ING OF THE INDEBTEDNESS OF THE CITY OF  
 CORAL GABLES

WHEREAS, Mayor Roscoe Brunstetter and Commissioner Hollis Rinehart, Jr., as representatives of the City of Coral Gables, held a conference with Edwin H. Barker, Sanders Shanks, Jr., and Prentiss deV. Ross, as the Bondholders' Protective Committee of the City of Coral Gables, Florida, in New York on July 15th through July 24th, 1935, for the purpose of attempting to arrive at a tentative agreement for the compromise and refunding of its bonded and other indebtedness, and

WHEREAS, at said conference the representatives of the City and the Committee arrived at the following principles and understandings as a basis for developing a permanent compromise and refunding agreement, to-wit:

"MEMORANDUM OF UNDERSTANDINGS

July 25th, 1935.

The following is intended as a memorandum of the ideas and understandings developed at the several conferences held at the office of Edwin H. Barker, 100 Broadway, New York City, July 15th, through July 24th, between Edwin H. Barker, Sanders Shanks, Jr., and Prentiss deV. Ross, constituting the Bondholders' Protective Committee of the City of Coral Gables, Florida; and Roscoe Brunstetter, Mayor, and Hollis Rinehart, Jr., Commissioner of the City of Coral Gables.

I.

The Committee understands from Mayor Brunstetter and Commissioner Rinehart that the City desires to make a permanent settlement with its creditors at the earliest possible date, and recognizing that the Committee possesses legal title to more than seventy-five per cent. (75%) of the debts of the City now outstanding and, further, that the depositors of debts with the Committee number approximately eight hundred (800), constituting the great majority in numbers of those injured by the default by the City, the City Commission now acknowledges to the Committee that the City is prepared to issue in satisfaction of the debts in default and accrued interest thereon, new refunding bonds for part of the debt, and for the balance,



to assign all interest in all delinquent tax certificates, delinquent improvement liens, tax title and other assets owned by the City, as more specifically mentioned in this memorandum. The Committee acknowledges this desire of the City to tender settlement and the views herein recorded are expressed for the purpose of bringing such about.

## II. DEFINITIONS.

As used in this memorandum the following terms shall have the meanings herein stated, to-wit:

1. "Committee" means the Bondholders' Protective Committee of the City of Coral Gables, Florida, composed of Edwin H. Barker, Prentiss deV. Ross and Sanders Shanks, Jr., or their successors.
2. "City" means the City of Coral Gables, Florida.
3. "Commission" and "City Commission" means the duly elected and qualified City Commissioners of the City of Coral Gables, Florida.
4. "Debt Service" means all moneys due or to be due and to be raised by the City for the annual payment on its debts, on account of either principal or interest thereof.
5. "Operating Expense" means the annual cost of carrying on the governmental functions of the City, together with such additional functions as legally performed, but excluding payments made and/or due on account of the City's debt.
6. "Allowable Operating Budget" means the maximum amount of revenues the City may appropriate for operating expenses under the terms of this agreement without being required to appropriate and raise an additional amount for the Sinking Fund.
7. "Improved and Unimproved Properties". By "Improved Properties" is meant fixed buildings or other improvements and the lot or lots of land upon which the buildings or other improvements rest, and the lot or lots immediately contiguous thereto, that with the buildings or other improvements constitute a unit of property. By "Unimproved Property" is meant that land, either plotted as lots or as acreage, but without fixed building or other improvements thereon.

## III. REFUNDING BOND ISSUE.

1. BONDS. It is agreed that the City of Coral Gables shall issue refunding bonds in the total sum of Four Million Dollars (\$4,000,000.) and that these bonds, together with other assets herein mentioned, will be distributed pro rata among all the present creditors of the City in full satisfaction of the claims they now have against the City. The aggregate amount of these claims do not exceed approximately Ten Million Five Hundred Thousand Dollars (\$10,500,000.), including accrued interest.

2. MATURITY. The refunding bonds shall mature at the end of forty (40) years from date of issue and shall be callable on any interest date upon due notice at a price of One Hundred and Five Dollars (\$105.) for each One Hundred Dollars (\$100.) of the par value thereof.



3. INTEREST. The refunding bonds shall bear interest as follows:

2 $\frac{1}{2}$ %	per	annum	for	first	two	years
2 $\frac{1}{2}$ %	"	"	"	next	"	"
3%	"	"	"	"	"	"
3 $\frac{1}{2}$ %	"	"	"	"	"	"
4%	"	"	"	"	"	"
5%	"	"	"	thereafter,		

subject to approval on a showing by the City of the necessity for these interest rates.

IV.

COVENANT TO PLEDGE ADDITIONAL POWER.

While said refunding bonds or any of them remain outstanding, the City of Coral Gables will covenant that there shall be annually assessed, levied and collected upon all taxable property in said City, at the same time and in the same manner as other City taxes are assessed, levied and collected, a tax sufficient to pay at maturity the interest on said bonds. The City of Coral Gables further covenants to establish and maintain a sinking fund for the payment of the principal of said bonds, and that there will be assessed, levied and collected upon all the taxable property in said City a tax, beginning in the sixteenth (16th) year after the date of said bonds, sufficient to provide an annual sinking fund payment as called for in Article VI of this memorandum.

The City further will covenant that the rate of taxation to be levied annually to provide for the payment of maturing interest on said bonds and the annual sinking fund payment shall be that rate which, after applying the experience of collectibility for the taxes of the previous year, taking into account reduction or increase of valuations on property delinquent to the City the previous year, will raise the amount required for said purposes. By 'experience of collectibility for taxes of the previous year', it is intended that the definition of 'delinquent taxes' expressed in Article VIII shall apply.

V.

REVOLVING FUND.

All surplus moneys remaining in the Debt Service and Operating Expense Funds after payment of interest and operating expense for any year, shall be placed in a separate trust fund, to be known as the Revolving Fund, and accumulated until the fund amounts to Sixty Thousand Dollars (\$60,000.) As moneys for this Revolving Fund are received, they shall be forwarded to the Committee until a Depositary, as hereinafter provided for, shall have been appointed. Upon appointment of a Depositary, the Committee will deposit the moneys in the Revolving Fund with the Depositary and thereafter all such moneys shall be paid directly to the Depositary. This fund shall continue for a period of ten (10) years after the refunding has been consummated. When terminated, all moneys derived from debt service levies then remaining in the Revolving Fund shall be placed in the Sinking Fund for the Refunding Bonds and the balance thereof paid to the City. The City shall have the privilege of borrowing on tax anticipation notes from this fund to meet the requirements of the Debt Service or Operating Fund; also for emergency use for hurricane damage repair, the cost of such repairs to be paid out of taxes levied and spread over not longer than the three (3) next fiscal years.

VI.

SINKING FUND.

All moneys remaining in the Debt Service Fund after payment of interest and after the Revolving Fund shall have been built up to the sum of Sixty Thousand Dollars (\$60,000.) shall be paid into the Sinking Fund which shall be deposited



with the Depository.

Beginning with the sixteenth (16th) year, after this refunding plan becomes effective and continuing each year thereafter, the City shall levy a Debt Service millage which after taking into consideration the delinquency of the tax collections of the fifteenth (15th) year, shall be sufficient to pay currently accruing interest and, in addition thereto, to provide such sum as necessary to amortize over the remaining period of the bonded indebtedness herein provided for and then outstanding; provided, that for the first ten (10) years of such levy, viz: between the sixteenth (16th) and twenty-fifth (25th) years after the refunding plan becomes effective, the City shall not be required to place in the Sinking Fund a sum in excess of Twenty-Five Thousand Dollars (\$25,000.) per year.

When the money in the Sinking Fund amounts to Twenty-five Thousand Dollars (\$25,000.), the Trustee of the Sinking Fund shall call for tenders of bonds and shall exhaust the money then in the Sinking Fund by purchase of bonds at the lowest prices offered. If sufficient bonds to exhaust the funds then available are not tendered at less than One Hundred and Five Dollars (\$105.) for each One Hundred Dollars (\$100.) of the par value thereof, the Trustee shall call bonds for retirement by drawing lots and shall continue this until all moneys then in the Sinking Fund shall have been used for this purpose.

#### VII.

#### TRUSTEE AND DEPOSITARIES.

Banks or trust companies with main places of business either within or without the State of Florida shall be agreed upon by the City and the Committee as depositaries and trustees for the purposes of the refunding plan. Further details concerning the depositary and trustee shall be agreed upon hereafter.

#### VIII.

#### DELINQUENT TAXES.

All taxes uncollected six (6) months after the close of the fiscal year for which levied shall be considered as delinquent for the purposes of this agreement. Moneys representing taxes levied for Debt Service for the calendar year 1935, and subsequent years, when collected, shall be paid into the Debt Service Fund and those representing taxes levied for City operating expenses after July 1, 1935, when collected, shall belong to the City for operating expenses.

#### IX.

#### TAX COLLECTION POLICY.

The City agrees to pursue a program of tax collections whereby delinquencies in the payment of taxes will be discouraged. Promptly following the legally allowable date, the City shall sell all delinquent tax certificates and at the earliest legally allowable date reduce the properties to title. Such title shall remain in trust for the benefit of the City's operating expenses and the debt service as the interest of each appears.

#### X.

#### FORECLOSURE OF DELINQUENT LIENS.

The City agrees to establish and/or foreclose all tax and improvement liens when it deems advisable, or when requested by the Committee, or by the corporation or trust when organized as soon as the same are legally foreclosable.



The expense of establishing and/or foreclosing these liens shall be chargeable against the funds representing the collections from the liens against the property, and in the event that at the time title to such properties is passed to the corporation or trust, there remains any unsatisfied balance of said charge or charges, the same shall be chargeable against the funds representing collection of taxes levied for debt service for the fiscal year 1935-36, or from collection of delinquent taxes for prior years.

It is understood that the Supreme Court of Florida has rendered a decision in effect holding that many of the delinquent improvement liens levied against certain properties are unenforceable and that the City has the authority to re-assess them and to re-establish the lien for the cost of the improvements in question. The City agrees that, should it be deemed by the Committee advisable, the City will re-assess the properties and levy for the said improvements to the limit of the City's full legal authority. The improvement liens thus established shall be deemed for the benefit of the corporation or trust herein referred to and shall be assigned to said corporation or trust.

#### XI. OPERATING EXPENSE.

The City agrees to limit its annual appropriations for operating expense to Two Hundred and Twenty Thousand Dollars (\$220,000.) per year, including deficits of operating utilities and the contribution of Twenty-Five Thousand Dollars (\$25,000.) to the University of Miami. For each home built after the year 1935, the City may increase its annual appropriation for operating expenses by the sum of One Hundred and Forty Dollars (\$140.) Each apartment unit in an apartment house and each garage apartment shall be classed as a home but each such home shall entitle the City to increase its operating budget by the sum of One Hundred Dollars (\$100.) only.

However, the City shall have the right to levy a special millage for publicity, for installing a sewage system, for constructing a sewage disposal plant, for constructing a garbage incinerator, for repairing hurricane damage, for making necessary street repairs and for similar extraordinary purposes, and the taxes so levied shall be added to and included in the above limit of allowable operating budget.

Should the City appropriate for operating expenses for any one year more than the allowable operating budget, the City shall appropriate the levy, and collect for debt service an additional sum equal to the excess over said allowable operating budget, which sum shall be paid into the Sinking Fund.

#### XII. VACANT PROPERTY.

Should the City become the purchaser at sales in the foreclosure of taxes now delinquent on vacant property, said property shall be considered as held for the benefit of the creditors participating in the contemplated plan of refunding; the City agrees to so hold and dispose of the vacant property as may be mutually agreed upon between the City and the Committee as a part of the contemplated plan of refunding; provided, however, that the property when sold or resold shall be sold subject to such reasonable restrictions as to building and homestead rights agreeable to the City and the Committee, as may be hereafter defined; the purpose of such



restriction being to encourage the development of such vacant properties as a high class residential district for the purpose of producing revenues for operating the City, having in mind the home-stead exemption from taxation. The Committee shall agree to consent to the City reserving such plots of said vacant property as to be selected by the City, as may be agreed by the Committee and the City as appropriate for park and recreational development.

#### XIII.

##### MILLAGE FOR FISCAL YEAR 1935-36.

For the fiscal year 1935-36, the City agrees to levy five (5) mills tax for Debt Service and twelve (12) mills tax for operating expenses on the full one hundred per cent. (100%) value of all taxable property. The City shall pay directly to the owners of its floating debt their pro rata share of said Debt Service funds and shall pay to the Committee the balance thereof. The Committee shall surrender for cancellation to the City past due interest coupons of the full par value of the money thus paid to the Committee.

#### XIV.

##### FUTURE BORROWING AND BUDGET.

The City agrees that it shall at all times incur no direct or indirect liability for the payment of moneys not appropriated for in its annual budget of the current or previous years, except as herein otherwise provided.

The City agrees that its budget of appropriations for operating expenses for any fiscal year shall never exceed one hundred ten per cent. (110%) of the actual amount of the previous year's levies for operating expenses then collected or satisfied. For this purpose, the amount of the previous year's levy actually collected, plus the amount of the uncollected or unsatisfied taxes imposed upon the improved real estate that is then free from a lien of all taxes other than those of the year just past, shall be deemed the limit of operating expense budget to which the one hundred ten per cent. (110%) is applied. The limitations imposed by this paragraph shall not apply when the delinquencies in tax collection result from damage by hurricane, floods and other similar unusual catastrophies beyond the control of the City.

The City agrees that it shall not borrow in any one fiscal year against the taxes levied in excess of fifty per cent. (50%) of the amount of the taxes levied against improved properties and in no event shall the aggregate of all tax anticipation borrowings, including those of the current year, exceed the amount of taxes levied the current year against the improved properties. Other than tax anticipation borrowings, no liabilities shall be incurred by the City not satisfied in full by the current tax levies except as herein otherwise provided, unless for capital improvements or replacements and then not until nor unless the bonds have been duly authorized, sold and the proceeds actually received by the City. The maturity of the bonds issued therefor shall not exceed the reasonable life of the improvement and the tax for the interest and Sinking Fund shall be levied, effective the current year of sale.

No bonds shall be issued except if approved by the affirmative vote of the duly qualified freeholders expressed at a special election called for the purpose.

In order to meet the aggregate of the appropriations



called for in its budget for any one year, the City agrees that the amount of funds estimated to be received by the City from sources other than that of a direct tax upon the property within the City, shall never exceed the amount actually received from such identical sources during the previous fiscal year. This shall not be construed to prevent the City from estimating an increased revenue from such identical sources if the increase is based upon an increase unit levy or rate charged. All moneys applicable to operating expenses, actually received during the fiscal or budget year from all sources in excess of the allowable operating budget shall be held in reserve and applied as against the appropriations for allowable operating expenses of the next year, thereby reducing by such the amount of the tax that would otherwise have to be levied for the allowable operating budget appropriations of that year; provided, however, that this method of disposing of such surplus funds shall not apply until the revolving fund provided for in Article V of this Memorandum shall have been built up to Sixty Thousand Dollars (\$60,000.).

XV.

CONTRIBUTIONS TO UNIVERSITY OF MIAMI.

Unless and until there can be collected a special tax levied against the improved properties of the City to raise the funds desired to be contributed towards the maintenance of the Miami University, located within the limits of the City of Coral Gables, no funds raised from the general tax levied for operating expense shall be so contributed in excess of the Twenty-Five Thousand Dollars (\$25,000.) per annum now being contributed and this contribution shall cease not later than the fiscal year ending June 30, 19\_\_\_. Should the University of Miami discontinue or remove its principal educational activities beyond the limits of the City of Coral Gables, all financial contributions from the City shall cease forthwith.

All or any part of the Twenty-Five Thousand Dollars (\$25,000.) now annually contributed to the University of Miami and included in the allowable amount of operating expenses of the City when discontinued shall be deducted from the allowable operating budget.

XVI.

DEBT NOT SATISFIED BY THE \$4,000,000. OF THE REFUNDING BONDS.

The City agrees to satisfy the balance of the outstanding indebtedness, including all interest accrued thereon to date of issuance of refunding bonds, by assigning to a private corporation or trust, to be organized by the Committee, title to all lands, vacant and/or improved, to which title was or hereafter may be acquired by the City through foreclosure of tax and/or improvement liens, and all improvement liens and delinquent tax certificates representing taxes levied for years prior to January 1, 1935. All proceeds received by the City from the sale or redemption of all of the above-mentioned assets prior to the organization of the above-mentioned corporation or trust shall be delivered to the Committee. The above is understood not to apply to those limited number of lots to which local taxpayers have already secured tax deeds.

Should any refunding bonds be outstanding at the time of sale of the present transportation facilities and franchise, the Venetian Pool, Coliseum, and Country Club, the proceeds thereof shall be applied to the



Sinking Fund of the refunding bonds; provided, however, that the City may sell any of its transportation equipment and re-invest the proceeds thereof in other transportation equipment. Should the land composing the present municipal Golf Course be sold, the proceeds thereof shall be for the benefit of the above-mentioned corporation or trust, or, if then not organized, shall be held in trust for the beneficiaries of such contemplated corporation or trust.

When the corporation or trust takes title to the liens and assets, the City agrees that the proposed refunding plan shall provide for the exemption from or the payment of the estimated amount of taxes which might be levied by the City during the next succeeding ten years to the extent that the assets be held by the corporation or trust during that period.

#### XVII.

It is to be agreed by the City that, at such time following the execution by the City and the Committee of the formal agreement of refinancing contemplated by the present undertakings that the Committee deems appropriate, the City will, upon request by the Committee, promptly either

1. petition the Federal Court to act upon the plan and agreement of refinancing in keeping with the amendment to the Federal Bankruptcy Act, or
2. declare the plan operative and put its terms into effect.

The City shall act as called for by #1 if the Committee at the time can legally bind to the plan not less than the minimum amount required under the Amendment to the Federal Bankruptcy Act for Municipalities in default, or, as called for by #2, if the amount of bonds not legally pledged to the plan aggregate an amount and are so distributed as afford, in the opinion of the Committee and the City, no serious impairment to the successful carrying out of the plan and the pledges embodied therein.

#### XVIII.

It is understood by Mayor Brunstetter and Commissioner Rinehart that the Committee could not bind the bonds pledged with it to any agreement requiring the Committee to take new bonds in satisfaction of those now in default until and unless

1. The Supreme Court of Florida renders a decision holding the bonds of the City of Coral Gables now outstanding are not affected by the State of Florida exempting homesteads from the payment of taxes, the Split Tax Law or any other laws enacted since the issuance of the old bonds, and deemed by the Committee's counsel as adversely affecting any of the pledges contained in these bonds or limiting in any way the enforceability of such pledges.
2. The Supreme Court of Florida renders a decision holding that refunding bonds retain all legal enforceability of the bonds now outstanding and to be refunded.



## XIX.

The data respecting the conditions and fiscal affairs of the City represented by the attached exhibits and that incorporated in this Memorandum were presented by the Mayor and Commissioner Rinehart, and the Committee accepted the data in good faith. The ideas and understandings arrived at and recorded in this Memorandum represent the efforts of the Mayor and Commissioner Rinehart and the Committee to interpret the statistical position of the City as revealed by these data and to determine therefrom the capacity of the City to meet its obligations now in default within the measure of these statistics. The form and amount of the new securities to be issued in satisfaction of the debts now in default and the extent and character of the pledges contained in and relating thereto have been developed in keeping with the necessities and desirabilities as reflected by these same statistics. Should it be found by the Committee upon re-examination and further exploration that the statistical position of the City inadvertently has not been completely nor accurately recorded in these data presented at these conferences, Mayor Brunstetter and Commissioner Rinehart of the City understand that the Committee then would be warranted in modifying the understandings now arrived at consistent with the changes in the statistics of the factual conditions existing.

## XX.

All steps contemplated by the understandings herein arrived at shall not be undertaken until and unless the legality and form of all matters pertaining therewith have been approved by the counsel for the Committee; this relates to the steps involved in the preliminary undertakings, as well as those relating to or involved in the ultimate refunding.

The City agrees to take all legal steps deemed by the Committee's counsel necessary for the purposes of these present understandings and the refunding plan, and to make every effort to secure the decrees required, including that of the Florida Supreme Court, validating the new bonds to be issued in accordance with the plan and agreement of refunding. The City also agrees to secure the approval to the plan and agreement of refunding and the new securities to be issued by the freeholders of the City of Coral Gables at a special election called for the purpose."

## EXHIBIT TO ABOVE MEMORANDUM.

(Copy of letter from the Committee to the Mayor, delivered in New York at the conclusion of the conference referred to in said Memorandum.)

"July 25, 1935.

Hon. Roscoe Brunstetter, Mayor,  
City of Coral Gables,  
Florida.

Dear Mr. Mayor:

This will confirm that at the conferences held during the period of July 15th through July 24th, at the office of the Chairman of the Committee, in keeping with your request of June 20th, for the purpose of exploring the possibilities of arriving at understandings respecting a settlement of the debts of the City in default, you have



reaffirmed to the Committee the City's desire to pay the debts to the maximum of its measured ability so to do and in evidence of its good faith have asked the Committee to re-examine the records of the City and other factual information procurable from any and all sources that might satisfy the Committee of the extent of this capacity and the most appropriate and helpful way in which it might be expressed in the new pledges to the creditors.

This Committee welcomes this request of the City and with full reliance upon the City's good faith the Committee agrees to re-explore the factors involved in and relating to the City's responsibilities and opportunities to the end that a permanent settlement of its debts and defaults may be made effective and binding at the earliest possible date.

With this in view, you have advised the Committee that you deem it would be most helpful if the Committee would arrive at an interim understanding with you and Commissioner Rinehart, as official and accredited spokesmen for the City and City Commission, as to a preliminary program and a general outline or foundation for the ultimate agreement which, if and when executed, the Committee could recommend for acceptance and adoption by the holders of its Certificates of Deposit, all in keeping with the Deposit Agreement. The Committee not only sees no serious objection to its acquiescing in such an effort to arrive at an interim understanding, but appreciates that it may have some practical benefits for the purposes at hand. The Committee has, however, pointed out to you that it deems it necessary and essential that the validity of the bonds deposited with the Committee be established for all time and at the earliest possible moment, and that it believes that the Committee's pending suit for judgment afforded the opportunity for so doing. You have expressed an acceptance of the need for the legal adjudication and your understanding that until such has been established, nothing in the understandings or agreements that might be arrived at between the Committee and the City, as a result of these and other conferences, would be understood by the City as in any way modifying or renouncing any or all the Committee's legal rights involved in the judgment, or any other action now pending or that might later be instituted. However, you and Commissioner Rinehart have advised the Committee that it would be helpful were the pending judgment action by the Committee to be stayed for a period of not more than sixty days. The Committee has acknowledged its willingness to enter into such an agreement to stay provided that it be in form as attached herewith.

You have also expressed your understanding of the reasons that would restrain the Committee from making any agreements calling for the acceptance of new obligations of the City until and unless decisions of the courts, deemed satisfactory and sufficient by the Committee's counsel, determine the limits of the enforceability of the rights of the bondholders arising out of the refinancing agreements and the bonds called for thereby, and the pledges relating to and contained therein. The Committee has in mind more specifically the application of the Homestead Tax Exemption Amendment to the Florida Constitution, the so-called Split Tax Levy Law, and other legislation, the effect of which the Committee's counsel has as yet not explored nor regarding which the Committee's counsel has as yet expressed to the Committee its formal opinion.



However, within the full spirit of the City's approach to the Committee, as well as the City's and the Committee's approach to the problem at hand, and, furthermore, within the full spirit of the expressed and implied legal limitations and reservations, the Committee, subject to any necessary approval of its depositors, is prepared, if and when the City by appropriate formal action presents a tentative agreement substantially as per the attached memorandum, to enter into agreements with the City embodying the understandings now arrived at, and in the spirit of such interim agreements, to cooperate with the City officials in the development of a permanent refunding agreement embodying the general principles and understandings now arrived at and to be recorded in the interim agreement.

Respectfully submitted,

CITY OF CORAL GABLES, FLORIDA,  
BONDHOLDERS PROTECTIVE COMMITTEE,

(Signed) Edwin H. Barker, Chairman".  
" Prentiss deV. Ross.  
" Sanders Shanks, Jr."

WHEREAS, the said parties, as a part of the said understanding, agreed to file in the suit now pending in the District Court of the United States for the Southern District of Florida, Miami Division, by Barker, Shanks and Ross, against the City of Coral Gables, No. 2144-Miami Civil, a stipulation in the following form, to-wit:

"STIPULATION

Hereby it is stipulated by and between the attorneys for the respective parties to this action as follows:

1. That all proceedings in this cause be stayed for sixty days from this date, and that the hearing now set be postponed in accordance herewith.

2. That the defendant will not resort to dilatory defenses but will, after the expiration of the sixty days stay herein provided for, cooperate with the plaintiffs in expediting the proceedings to secure an early determination of this cause.

3. That the stay of proceedings herein provided for is agreed to by the plaintiffs at the request of the defendant, and that in the event judgment should hereafter be entered in these proceedings in favor of the plaintiffs and the plaintiffs apply for a writ of mandamus to compel the defendant to levy an increased tax for debt service, the defendant will not interpose as a defense to said writ the delay that results from the stay of proceedings herein provided, and said writ, if issued prior to July 1, 1936, will be treated by the defendant as though issued in time to be applicable to the tax levy for the fiscal year 1935-36, and the plaintiffs stipulate that the writ shall not demand the levy of a greater tax to apply to said year than is herein provided for.

4. The defendant will levy a five mill tax for debt service for the fiscal year 1935-36 and will use the utmost diligence to make collections thereof, and, as and when collected, will keep the funds represented thereby

8/6/35



separate and apart from all other funds and will apply those funds promptly to the payment of the debts entitled thereto. The five mill levy herein mentioned shall be on the full 100 per cent value of all taxable property.

DATED this 1st day of August, 1935.

HULL, LANDIS & WHITEHAIR,  
By D. C. Hull  
Attorneys for Plaintiffs.

MORTON B. ADAMS  
and  
LOFTIN, STOKES & CALKINS,  
By Morton B. Adams  
Attorneys for Defendant."

WHEREAS, the aforesaid Stipulation was duly executed and filed by the Attorneys of Record for the Plaintiffs and the Defendant in said cause;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, as follows:

1. That they ratify and approve the aforesaid Stipulation executed and filed by the Attorneys for the City in the above entitled cause.
2. That they ratify and approve the general principles and understandings arrived at by its representatives and the Bondholders Committee as set forth in the above quoted MEMORANDUM OF UNDERSTANDINGS as a basis for developing a permanent agreement for the compromise and refunding of the indebtedness of the City.
3. That they ratify and approve the portions of said MEMORANDUM OF UNDERSTANDINGS pertaining to the things to be done by the City during the interim of negotiations to arrive at a permanent agreement for the compromise and refunding of the indebtedness of the City.
4. That the Mayor and City Clerk be and they are hereby directed and authorized to sign and certify a copy of this Resolution to be forwarded to the said Bondholders' Protective Committee.

ADOPTED this the 6th day of August, A. D. 1935.

was introduced and read.

Motion for adoption by Commissioner Rinehart;  
seconded by Commissioner Avery.

The Resolution was adopted by the following  
roll call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

AN ORDINANCE AMENDING ORDINANCE  
NUMBER 76, KNOWN AS THE OCCUPATIONAL  
LICENSE ORDINANCE OF THE CITY OF  
CORAL GABLES, AS TO OUTDOOR BOWLING  
ALLEYS

was read on first reading.



Motion by Commissioner Avery that the requirement for reading on two separate days be dispensed with, and that the Ordinance be placed on second reading at once; seconded by Commissioner Garris; the motion was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

The Clerk then read the Ordinance in full on second reading. Motion for adoption of the Ordinance by Commissioner Rinehart; seconded by Commissioner McGarry. The Ordinance was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Mayor Brunstetter then declared the Ordinance adopted, and ordered its publication as Number 248.

RESOLUTION NO. 1522

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED FIFTY-SIX DOLLARS AND SIXTY CENTS (\$156.60) FROM THE CONTINGENT FUND TO THE APPROPRIATION FOR THE PUBLICITY BUREAU.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of One Hundred Fifty-Six Dollars and Sixty Cents (\$156.60) be, and the same is hereby, appropriated and transferred from the Contingent Fund to the appropriation for the Publicity Bureau, for the purpose of replacing old and inadequate photographing equipment.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry; the Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart





## RESOLUTION NO. 1523

A RESOLUTION EXTENDING THE TERM OF RESOLUTION NO. 1104, ADOPTED JULY 6, 1931, WHICH PROVIDED THAT THE TAXES ON THE PROPERTY KNOWN AS THE MIAMI BILTMORE HOTEL AND COUNTRY CLUB SHALL NOT EXCEED THE SUM OF \$20,000., SO AS TO MAKE SUCH PROVISION APPLICABLE TO THE TAXES FOR THE YEAR 1935

WHEREAS, on July 6th, 1931, the Commission of the City of Coral Gables adopted Resolution No. 1104, agreeing that the taxes on the property known as the Miami Biltmore Hotel and Country Club, should not exceed the sum of Twenty Thousand Dollars (\$20,000.) for the four years commencing 1931 and ending 1934, in order to cooperate with Henry L. Doherty and his associates in the development and improvement of the property; and

WHEREAS, the said Henry L. Doherty has fulfilled his requirement under that Resolution, and is rapidly making the property an attractive and nationally known resort, resulting in much benefit of publicity and tourist patronage to the City of Coral Gables and its people; and

WHEREAS, the promotional activity is not yet ended, and the said Henry L. Doherty is still subject to heavy and unusual expense and is in need of such assistance as can be given him, chiefly because of his large annual expenditures for publicity, which are of direct benefit to the City of Coral Gables;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That all of the terms of Resolution No. 1104, adopted July 6, 1931, be, and they are hereby, extended for a period of one year, in order that the gross amount required to pay the City taxes for the year 1935 on the property known as the Miami Biltmore Hotel and Country Club shall not exceed the sum of Twenty Thousand Dollars (\$20,000.), as was the case with the four prior years, and in accordance with such terms.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart  
"No"- Commissioner Garris

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw

*Roscoe Brunstetter*  
MAYOR.  
Roscoe Brunstetter



## MINUTES OF REGULAR MEETING OF THE CITY

COMMISSION ON AUGUST 20, 1935.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M., on Tuesday, August 20th, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners McGarry  
Rinehart

Absent from the City: Commissioners Avery  
Garris

Mr. James A. Wetmore appeared to protest against the City's practice of making an automatic arrest of both participants in a traffic accident, and of subjecting both participants to trial. He referred specifically to a case in which his wife, not guilty of reckless or negligent driving on her own part, according to his statements, had been subjected to such arrest and trial, and assessed one-half of the costs of Court. The Commission thanked Mr. Wetmore for his appearance, and advised that it would take the City's regulation under advisement and amend them if it were found advisable to do so. It was then moved, seconded and unanimously carried to refund to Mrs. Wetmore the amount of costs which had been collected from her.

Drs. McKibben, Weiland and Lefholz addressed the Commission on the subject of the necessity for an Ordinance requiring pasteurized milk, only, in the City of Coral Gables. Commissioner Rinehart moved that the Mayor be authorized to appoint a committee of physicians to make recommendations as to the form and requirements to be used in that Ordinance; motion seconded by Commissioner McGarry, and carried by unanimous vote. Mayor Brunstetter then announced his appointment of Dr. McKibben, Dr. Quillian and Dr. Lefholz and Dr. Kitchens upon said committee.

Commissioner Rinehart moved that the Municipal Judge be authorized to use the Commission Chamber for the trial of white non-jail cases; motion seconded by Commissioner McGarry, and carried by unanimous vote.



## RESOLUTION NO. 1524

A RESOLUTION AUTHORIZING A SPECIAL ADJUSTMENT OF TAXES DUE AND PAYABLE TO THE CITY OF CORAL GABLES ON ALL OF BLOCK 28, COUNTRY CLUB SECTION #2

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Director of Finance be, and he is hereby, authorized to accept in full settlement of all taxes due and payable to the City of Coral Gables through the year 1934, on all of Block 28, Country Club Section No. 2, the sum of One Thousand, Five Hundred Dollars (\$1,500.)

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners McGarry  
Rinehart

"No"- None

Absent- Commissioners Avery  
Garris

A communication was received from the Coral Gables Junior Chamber of Commerce transmitting a Resolution adopted by that party, commending the City Commission on the debt settlement agreement. The communication was ordered acknowledged and filed.

## RESOLUTION NO. 1525

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF A DRAFTSMAN TO DRAW PLANS AND SPECIFICATIONS FOR BRIDGES OVER CORAL GABLES CANALS

WHEREAS, several bridges over Coral Gables canals are seriously in need of repair, and may become in such poor condition as to necessitate closing them unless they are immediately repaired or rebuilt; and,

WHEREAS, it appears to be possible to secure the reconstruction of these bridges through the activities of the Works Progress Administration at but small cost for certain materials to be furnished by the City of Coral Gables; and

WHEREAS, it will be necessary to prepare plans and specifications for such reconstruction to support the application for such project to the Works Progress Administration;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager and the Director of Finance be, and they are hereby, authorized to temporarily employ a qualified draftsman to prepare such plans



and detailed drawings, and to pay the costs of such work from funds previously set aside, but at present unexpended, for the purpose of repairing and rebuilding Coral Gables streets.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter.

Commissioners McGarry  
Rinehart

"No"- None

Absent- Commissioners Avery  
Garris

RESOLUTION NO. 1526

A RESOLUTION AUTHORIZING A CERTAIN  
ADJUSTMENT OF TAXES ON PROPERTY OWNED  
BY BERTHA SPORING

WHEREAS, acting under a misunderstanding and the impression that she had been so advised by City officials, Bertha Sporing neglected to pay the 1932 and 1933 taxes on Lots 1 and 2, Block 12, Section "A", Lot 24, Block 12, Section "B", and because of such failure the taxes were sold by the Finance Department, subjecting them to certain penalties which would not have been payable had Miss Sporing paid said taxes direct to the City; and

WHEREAS, the delinquent taxes for the year 1934 on said properties are still held by and payable to the City of Coral Gables, in an amount in excess of the penalties advertised to be paid by Miss Sporing on said prior years;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Director of Finance be, and he is hereby, authorized to allow to Miss Bertha Sporing as a discount from the amount necessary to pay the 1934 taxes on said properties, the difference between the amount now necessary to redeem the 1932 and 1933 City taxes, and the amount that would have been payable to the City under its direct adjustment schedules.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners McGarry  
Rinehart

"No"- None



Absent- Commissioners Avery  
Garris

There being no further business, on motion,  
duly seconded and unanimously carried, the meeting was ad-  
journed.

APPROVED:

*Roscoe Brunstetter*

MAYOR.

Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw





MINUTES OF REGULAR MEETING OF  
THE CITY COMMISSION ON SEPTEMBER 3RD, 1935.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M., on Tuesday, September 3, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Garris  
McGarry  
Rinehart

Absent from the City: Commissioner Avery.

The minutes of the meetings of July 16th, 25th, 26th, 27th and 31st, and August 6th and 20th, were read and approved.

AN ORDINANCE TO AMEND ORDINANCE  
NO. 76 OF THE CITY OF CORAL GABLES,  
KNOWN AS THE OCCUPATIONAL LICENSE  
ORDINANCE, TO PROVIDE A LICENSE FOR  
TRAVELING BOOTBLACKS

was read on first reading.

Motion by Commissioner Garris that the requirement for reading on two separate days be dispensed with, and that the Ordinance be placed on second reading, at once; motion seconded by Commissioner McGarry, and adopted by the following roll call:

Mayor Brunstetter  
"Yes"- Commissioners Garris  
McGarry  
Rinehart

"No"- None

Absent- Commissioner Avery.

The Clerk thereupon read the ordinance in full on second reading. At the conclusion of the reading of the ordinance, Commissioner Garris moved for the adoption of the ordinance; motion seconded by Commissioner Rinehart; the ordinance was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners Garris  
McGarry  
Rinehart

"No"- None

Absent- Commissioner Avery



Mayor Brunstetter then declared the Ordinance adopted, and ordered its publication as No. 249.

AN ORDINANCE DEFINING "MILK" AND CERTAIN "MILK PRODUCTS", "MILK PRODUCERS", "PASTEURIZATION", ETC., PROHIBITING THE SALE OF ADULTERATED AND MISBRANDED MILK AND MILK PRODUCTS, REQUIRING PERMITS FOR THE SALE OF MILK AND MILK PRODUCTS, REGULATING THE INSPECTION OF DAIRY FARMS AND MILK PLANTS, THE EXAMINATION, GRADING, LABELING, PLACARDING, PASTEURIZATION, REGRADING, DISTRIBUTION AND SALE OF MILK AND MILK PRODUCTS; PROVIDING FOR THE PUBLISHING OF MILK GRADES, THE CONSTRUCTION OF FUTURE DAIRIES AND MILK PLANTS, THE ENFORCEMENT OF THIS ORDINANCE, AND PENALTIES FOR THE VIOLATION HEREOF

was read on first reading, and carried forward to the next regular meeting for further action.

RESOLUTION NO. 1527

A RESOLUTION ESTABLISHING AND AUTHORIZING A BASIS OF ADJUSTMENT OF DELINQUENT TAXES AND/OR ASSESSMENT LIENS OWNED BY THE CITY OF CORAL GABLES, FLORIDA.

WHEREAS, the City is empowered to make such adjustments as it may find advisable of delinquent taxes held by it for longer than two years from date of tax sale and street improvement liens; and

WHEREAS, it has become apparent that the accumulated amount of delinquent taxes and/or street improvement liens against many properties is so great as to prevent the redemption of such properties by its owner, or the purchase of the delinquent taxes by tax buyers; and

WHEREAS, it is deemed advisable to make such adjustments as may be necessary to return as many delinquent properties as possible to the collectible list on the current tax rolls;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Director of Finance be, and he is hereby, authorized to compromise and adjust all taxes due and payable to the City of Coral Gables for the tax years 1934 and prior, and any and all street and sidewalk improvement liens, upon the following basis:

(1) For redemption of delinquent taxes by owners or other interested parties:

(a) 1933 and 1934 taxes to be collected in accordance with State Law; namely: at the amount of tax certificates plus interest thereon at the rate of 18% per annum for the first year and 10% per annum for the second year from the date of tax sale.



(b) 1931 and 1932 taxes to be adjusted and discounted to the extent necessary to make the amount to be collected for each of those years equal to the face amount of the tax certificate upon the same property for the year 1934, without interest. All taxes for years 1930 and prior to be discounted to the value of \$1.00 per lot or parcel per year, plus the cost of securing dismissal from foreclosure suit, if any.

(c) In addition to the amounts detailed above, there shall be collected the fees to be paid to the Clerk of the Circuit Court for cancellation of delinquent tax certificates, and any other costs to which the City of Coral Gables is to be subjected in the transaction.

(2) For purchase of tax certificates by tax buyers: after due notice has been given to the owner of the property, if of record on the City's books, and a period of suspense of fifteen (15) days to permit the direct redemption of the property by said owner, tax buyers shall be permitted to purchase and/or satisfy taxes upon the same basis as provided above; provided, however, that in no case shall the amount of face value of tax certificates assigned to the said tax buyers exceed by more than 10% the actual amount of cash paid by such buyer to the City, exclusive of the amount paid for the redemption of those years authorized to be settled for \$1.00 per year per lot plus costs.

(3) For the settlement and satisfaction of street and/or sidewalk assessment liens: owners, other interested parties, and/or tax buyers, shall be permitted to settle and fully satisfy any and all delinquent street and/or sidewalk assessment liens by the payment of an amount equal to ten per cent. of the principal amount due the City upon such liens.

was introduced and read.

Motion for adoption by Commissioner McGarry;  
seconded by Commissioner Rinehart. The Resolution was adopted  
by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners McGarry  
Rinehart  
Garris

"No"- None

Absent- Commissioner Avery

#### RESOLUTION NO. 1528

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED DOLLARS (\$100.) FROM THE CONTINGENT FUND FOR THE EXPENSES OF THE AMERICAN LEGION DRUM AND BUGLE CORPS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of One Hundred Dollars (\$100.) be and the same is hereby appropriated and transferred from the Contingent Fund to a special



appropriation for the purpose of assisting in the expenses of the proposed trip of the Harvey Seeds Post American Legion Drum and Bugle Corps.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

Mayor Brunstetter  
"Yes"- Commissioners Garris  
McGarry  
Rinehart

"No"- None.

Absent- Commissioner Avery.

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned until September 5th, 1935, at 7:30 o'clock, P. M.



APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw



MINUTES OF SPECIAL MEETING  
 OF THE COMMISSION OF THE CITY OF CORAL GABLES  
 ON SEPTEMBER 5TH, 1935.

The Commission of the City of Coral Gables convened in special session, in accordance with unanimous agreement at the meeting of September 3rd, 1935, at the City Hall at 7:30 o'clock, P. M., on Thursday, September 5th, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Commissioner Rinehart moved that the application of Mr. Gilbert Chaplin for a permit to construct a building on Lots 5 and 6, Block 33, Section L, permit for which had been refused because of variation from the building requirements in that location, be approved, and that the Building Inspector be instructed to issue a permit therefor; the motion failed for lack of a second.

Commissioner Avery moved that the application be formally referred to the Zoning Board of Appeals; the motion was seconded and carried, and it was so ordered.

By unanimous consent, the Commission designated 7:30 o'clock, P. M., on Tuesday, September 24th, 1935, at the City Hall, for a meeting to hear arguments for and objections upon the proposal to adopt an ordinance requiring that all milk sold in the City of Coral Gables be pasteurized.

Mr. F. X. James O'Brien appeared in behalf of the Coral Gables Junior Chamber of Commerce, to request permission for the use of the Granada Golf Course on September 28th and 29th, in order that the Junior Chamber of Commerce might conduct a golf tournament to raise funds to provide a scholarship at the University of Miami. Commissioner Avery moved that the matter be referred to the City Manager and the Manager of the Golf Course, with power to act; motion seconded, and unanimously carried, and it was so ordered.

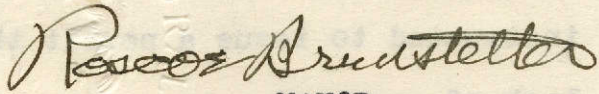
Upon motion by Commissioner McGarry, seconded and



unanimously carried, the Commission resolved itself into a Committee of the Whole for the purpose of conducting a hearing on the appeal of J. C. Dowling from his dismissal from the Police Department by Chief D. E. Sox, and the confirmation of that dismissal by City Manager Williams. David C. McDonald, Attorney, appeared to represent Mr. Dowling. Mr. Dowling made a statement in his own behalf, and was questioned by the City Commissioners. Chief Sox and Sergeant Bishop made statements in support of the dismissal, and responded to questions thereon. At the conclusion of the testimony, it was moved, seconded, and unanimously carried that the dismissal of Mr. Dowling be sustained.

There being no further business, upon motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:



MAYOR.  
Roscoe Brunstetter

ATTEST:



CITY CLERK.  
G. N. Shaw





MINUTES OF REGULAR MEETING  
 OF THE COMMISSION OF THE CITY OF CORAL GABLES  
 ON SEPTEMBER 17TH, 1935.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M., on Tuesday, September 17th, 1935.

Vice-Mayor McGarry in the Chair.

Present: Commissioners Avery  
 Garris  
 Rinehart

Absent from the City- Mayor Brunstetter.

The reading of minutes of previous meetings was waived by unanimous consent.

A communication was received from John B. Phelps requesting a donation to assist in underwriting the Knights Templar convention to be held in Miami in July, 1937. By unanimous consent, the matter was referred to the City Manager for investigation, to be reported back to the Commission upon the determination of certain facts.

Commissioner Rinehart moved that the City Attorney be instructed to notify the Chanard Catering Company of the cancellation and termination of that Company's lease upon the property known as the Coral Gables Country Club; the motion was seconded and unanimously carried.

There being no further business, upon motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
 Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
 CITY CLERK.  
 G. N. Shaw



MINUTES OF REGULAR MEETING  
OF THE COMMISSION OF THE CITY OF CORAL GABLES

OCTOBER 1, 1935.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M., on Tuesday, October 1st, 1935.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
Garris  
McGarry  
Rinehart

The Minutes of the meetings of September 3, 5 and 17, 1935, were read and approved.

The Clerk reported that the Zoning Board of Appeals had held a formal hearing on the application of Gilbert H. Chaplin to be allowed to construct a building on Ponce de Leon Boulevard between Aragon and Giralda at less than the minimum value restriction, and had declined to recommend the issuance of the permit.

The Clerk was instructed to advise Mr. John B. Phelps that it would be impossible for the City to consider a contribution to the Knights Templar Convention Fund at this time, because of the lack of available funds in the 1935-36 budget, but that the matter would be given consideration in the preparation of the next budget.

AN ORDINANCE DEFINING, REGULATING AND GOVERNING REAL ESTATE BROKERS AND REAL ESTATE SALESMEN WITHIN THE LIMITS OF CORAL GABLES, FLORIDA; REQUIRING EXAMINATION OF ALL SUCH REAL ESTATE BROKERS AND REAL ESTATE SALESMEN; PRESCRIBING THE TIME WHEN SUCH EXAMINATIONS SHALL BE CONDUCTED; CREATING A BOARD OF EXAMINERS FOR REAL ESTATE BROKERS AND/OR SALESMEN; DEFINING THE DUTIES AND POWERS OF THE BOARD; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE

was read, on first reading, and carried forward to the next regular meeting for further action.

A communication was received from W. Ross Burton requesting that \$15.90 be accepted in full settlement of the street and sidewalk assessment liens against Lot 15, Block 165, Riviera Section, in cooperation with Mr. Burton and his client in assuming title to the property and restoring it to use and to the active tax roll. Thereupon



## RESOLUTION NO. 1529

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO ACCEPT THE SUM OF \$15.90 IN FULL SETTLEMENT OF ALL STREET AND SIDEWALK ASSESSMENT LIENS AGAINST LOT 15, BLOCK 165, RIVIERA SECTION

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES,  
FLORIDA:

That the Tax Collector be, and he is hereby, authorized to accept the sum of \$15.90 in full settlement of all of the balance of principal and interest against Lot 15, Block 165, Riviera Section,

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

A communication was received from the Coral Gables Temple Association, Inc., requesting tax exemption on Lots 21, 22 and 23, Block 29, Section L, acquired by that corporation for a temple for the Masonic and Eastern Star orders. The matter was referred to the Clerk, with instructions to advise the petitioners that favorable action would be taken upon the matter.

AN ORDINANCE AMENDING ORDINANCE  
NUMBER 247, ADOPTED JULY 27,  
1935, KNOWN AS THE APPROPRIATION  
ORDINANCE FOR THE YEAR 1935-36,  
AS TO SECTIONS ONE AND THREE THEREOF

was read by title on first reading.

Motion by Commissioner Garris to dispense with the requirement for reading on two separate days, and to place the Ordinance on second reading at once; seconded by Commissioner McGarry; the motion was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

Thereupon the Ordinance was read again, in full, on second reading.

Motion by Commissioner Garris that the Ordinance be adopted; seconded by Commissioner McGarry. The Ordinance was adopted by the following roll call:



"Yes"- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Thereupon Mayor Brunstetter declared the Ordinance adopted and approved, and ordered its publication as Number 250.

AN ORDINANCE PROVIDING FOR THE LEVYING OF TAXES FOR THE YEAR BEGINNING JULY 1, 1935, AND ENDING JUNE 30, 1936; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSE OF PAYING SERVICE OF DEBT AND MEETING OPERATING REQUIREMENTS, RESPECTIVELY; AND PROVIDING FOR THE SEGREGATION AND APPLICATION OF THE PROCEEDS FROM THE SEVERAL LEVIES

was read, on first reading, and carried forward to the next regular meeting for further action.

The Clerk reported a request for an amendment of the Zoning Ordinance as to the Biltmore Section, in order to convert that section, or the greater portion of that section, into a residential area. The Commission instructed that the matter be referred to the Zoning Board of Appeals and to the Committee appointed for the purpose of revising the Zoning Ordinance.

AN ORDINANCE REQUIRING ALL OWNERS OF MOTOR VEHICLES OPERATED IN THE CITY OF CORAL GABLES, FLORIDA, TO PRESENT THEIR VEHICLES FOR SEMI-ANNUAL INSPECTION OF CERTAIN VEHICULAR EQUIPMENT; REQUIRING THE OWNERS OF SAID MOTOR VEHICLES TO COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS ORDINANCE; PROVIDING MINIMUM STANDARDS FOR CERTAIN EQUIPMENT ON MOTOR VEHICLES; PROVIDING A FEE FOR THE INSPECTION OF SAID MOTOR VEHICLES; REQUIRING ALL DRIVERS OF MOTOR VEHICLES IN THE CITY OF CORAL GABLES TO SECURE DRIVER'S LICENSES; PROVIDING FOR THE GRANTING, REVOCATION AND SUSPENSION OF SAID DRIVER'S LICENSES; PRESCRIBING REGULATIONS TO BE OBSERVED BY ALL DRIVERS; PROVIDING PENALTIES FOR THE VIOLATIONS OF ANY OF THE PROVISIONS OF THIS ORDINANCE; AND DECLARING AN EMERGENCY TO EXIST

was read on first reading and carried forward to the next regular meeting for further action.

Upon motion, duly seconded and unanimously carried, Friday, October 4th, 1935, at 7:30 o'clock, P. M., at the City Hall, was appointed for a meeting to hear arguments upon the proposed Milk Ordinance, and to take further action upon the Real Estate and Driver's License Ordinance.



There being no further business, upon motion, duly seconded and unanimously carried, the meeting was adjourned.

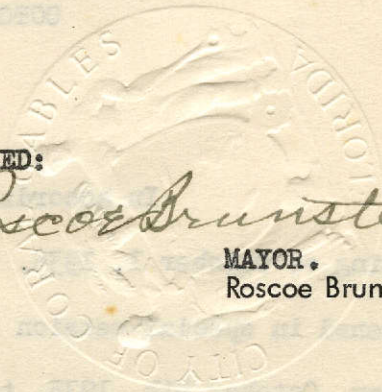
APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



*[Faint, mirrored text from the reverse side of the page, including phrases like 'AN ORDINANCE', 'VEHICLES', 'CITY CLERK', and 'MAYOR'.]*



MINUTES OF SPECIAL MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA.

OCTOBER 4, 1935.

In accordance with unanimously carried motion at the meeting of October 1, 1935, the Commission of the City of Coral Gables convened in special session at the City Hall at 7:30 o'clock, P. M., on Friday, October 4th, 1935, to hear arguments upon the proposed Milk Ordinance, and to take further action upon the Driver's License Ordinance and the Real Estate Board Ordinance.

Mayor Brunstetter in the Chair.

Present: Commissioners Avery  
Garris  
McGarry  
Rinehart

AN ORDINANCE REQUIRING ALL OWNERS OF MOTOR VEHICLES OPERATED IN THE CITY OF CORAL GABLES, FLORIDA, TO PRESENT THEIR VEHICLES FOR SEMI-ANNUAL INSPECTION OF CERTAIN VEHICULAR EQUIPMENT; REQUIRING THE OWNERS OF SAID MOTOR VEHICLES TO COMPLY WITH THE REQUIREMENTS SET FORTH IN THIS ORDINANCE; PROVIDING MINIMUM STANDARDS FOR CERTAIN EQUIPMENT ON MOTOR VEHICLES; PROVIDING A FEE FOR THE INSPECTION OF SAID MOTOR VEHICLES; REQUIRING ALL DRIVERS OF MOTOR VEHICLES IN THE CITY OF CORAL GABLES TO SECURE DRIVER'S LICENSES; PROVIDING FOR THE GRANTING, REVOCATION AND SUSPENSION OF SAID DRIVER'S LICENSES; PRESCRIBING REGULATIONS TO BE OBSERVED BY ALL DRIVERS; PROVIDING PENALTIES FOR THE VIOLATIONS OF ANY OF THE PROVISIONS OF THIS ORDINANCE; AND DECLARING AN EMERGENCY TO EXIST

which had been first read at the meeting of October 1st, 1935, was read again in full.

Motion by Commissioner McGarry to amend the first sentence of Section 6 of said Ordinance so as to read: "To defray the expense of making the inspections provided for herein, a fee, to be fixed by the City Manager at such amount, not to exceed \$1.00 per person, as is estimated to produce sufficient revenue to cover the costs of administering this ordinance, shall be charged for each certificate issued and said fee shall be paid by the person in charge of the vehicle at the time of the application for inspection and issuance of the certificate". Motion seconded by Commissioner Rinehart and adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry- Rinehart



Commissioner McGarry then moved the adoption of the Ordinance as amended; motion seconded by Commissioner Rinehart; and carried by the following roll call:

"Yes"- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Mayor Brunstetter then declared the Ordinance adopted, as amended, and ordered its publication as Number 251.

AN ORDINANCE DEFINING, REGULATING AND GOVERNING REAL ESTATE BROKERS AND REAL ESTATE SALESMEN WITHIN THE LIMITS OF CORAL GABLES, FLORIDA; REQUIRING EXAMINATION OF ALL SUCH REAL ESTATE BROKERS AND REAL ESTATE SALESMEN; PRESCRIBING THE TIME WHEN SUCH EXAMINATIONS SHALL BE CONDUCTED; CREATING A BOARD OF EXAMINERS FOR REAL ESTATE BROKERS AND/OR SALESMEN; DEFINING THE DUTIES AND POWERS OF THE BOARD; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE

which had been first read at the meeting of October 1st, 1935, was read again in full.

Motion by Commissioner Garris that the second and third sentences in Section 2 of said Ordinance be amended to read as follows: "Three of the members of the Board shall be appointed for two years, and two of the members thereof for four years, the terms of office expiring on the 31st day of October of said years. Thereafter, in each year in which the terms of office of any of the members shall end, the City Manager shall appoint to fill the vacancies two members for terms of four years, and one member for a term of two years". Motion seconded by Commissioner Avery, and the amendment was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Commissioner Rinehart then moved the adoption of the Ordinance as amended; motion seconded by Commissioner Garris. The Ordinance was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Mayor Brunstetter then declared the Ordinance adopted and approved, and ordered its publication as Number 252.



The Commission then dispensed with other business, and devoted its attention to those who were present to comment upon the proposed Milk Ordinance.

At twelve o'clock, midnight, upon motion, duly seconded and unanimously carried, the meeting was adjourned.



APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw



MINUTES OF REGULAR MEETING OF COMMISSION OF  
THE CITY OF CORAL GABLES ON TUESDAY, OCTOBER  
15TH, 1935.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M., on Tuesday, October 15th, 1935.

Mayor Brunstetter in the Chair;  
Present: Commissioners Avery  
Garris  
McGarry  
Rinehart

The minutes of the meetings of October 1st and October 4th, 1935, were read and approved.

AN ORDINANCE PROVIDING FOR THE LEVYING OF TAXES FOR THE YEAR BEGINNING JULY 1, 1935, AND ENDING JUNE 30, 1936; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSE OF PAYING SERVICE OF DEBT AND MEETING OPERATING REQUIREMENTS, RESPECTIVELY; AND PROVIDING FOR THE SEGREGATION AND APPLICATION OF THE PROCEEDS FROM THE SEVERAL LEVIES

which had been first read at the meeting of October 1st, 1935, was read again in full.

Motion for adoption of the Ordinance by Commissioner Rinehart; seconded by Commissioner McGarry. The Ordinance was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

Mayor Brunstetter then declared the Ordinance adopted and approved, and ordered its publication as Number 253.

AN ORDINANCE AMENDING ORDINANCE NO. 76 OF THE CITY OF CORAL GABLES, TO PROVIDE FOR THE LICENSING OF VENDORS, DISTRIBUTORS AND MANUFACTURERS OF ALCOHOLIC LIQUORS

was read.

Motion by Commissioner Avery that the requirement for reading on two separate days be dispensed with, and that the Ordinance be placed on second reading at once; seconded by Commissioner Garris. The motion was carried by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart



Thereupon, the Ordinance was read again in full.

Motion by Commissioner Avery that the Ordinance be adopted; seconded by Commissioner Garris. The Ordinance was adopted by the following roll call:

Yes- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Thereupon, Mayor Brunstetter declared the Ordinance adopted and approved, and ordered its publication as Number 254.

RESOLUTION NO. 1530

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE AND PLACE IN ESCROW, FOR DELIVERY UPON THE COMPLETION OF CERTAIN PAYMENTS, TWO CERTAIN LEASES AND A CERTAIN CONTRACT BETWEEN THE CITY OF CORAL GABLES AND THE COUNTRY CLUB OF CORAL GABLES, A FLORIDA CORPORATION

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the City Manager and the City Clerk be, and they are hereby, authorized and instructed to make and execute, and place in escrow under conditions described below, a lease covering the property commonly known as the Coral Gables Country Club; a lease covering those certain tennis courts located at the northwest corner of the intersection of Granada Boulevard and South Greenway Drive, and a contract covering certain defined use of the facilities of the property commonly known as the Venetian Pool, between the City of Coral Gables and The Country Club of Coral Gables, a Florida Corporation, such instruments to be in words and figures as follows:

"THIS INDENTURE, Made this 14th day of November, A. D. 1935, between the CITY OF CORAL GABLES, a municipal corporation of Dade County, Florida, hereinafter called the Lessor, of the one part, and THE COUNTRY CLUB OF CORAL GABLES, a Florida corporation, hereinafter called the Lessee, of the other part;

WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00), and other valuable consideration, as well as the covenants and conditions herein contained to be performed by the Lessee herein, the said Lessor does hereby lease and demise to the said Lessee all the following-described property located in the City of Coral Gables, Dade County, Florida, to-wit:

Lot Thirty-nine (39), Block Thirty-Two (32), Section "B" of CORAL GABLES, according to plat recorded in Plat Book 5, page 111, of the Public Records of Dade County, Florida;

generally known as the Coral Gables Country Club Building; together with all rights, ways, hereditaments and appurtenances thereunto belonging and all furniture, furnishings, equipment and utensils therein contained, a list or inventory of said equipment, furniture, furnishings



and utensils being hereto attached, marked Exhibit "A" and by reference made and being a part hereof, to be used as a private club house, but not to be operated as what is commonly known as a night club.

TO HAVE AND TO HOLD the same unto the Lessee from the 14th day of November, A. D. 1935, for the term of one (1) year then next ensuing, the said Lessee yielding and paying to the said Lessor at the time of delivery of this Lease the sum of Two Thousand, Two Hundred Dollars (\$2,200.), it being understood and agreed between the Lessor and the Lessee that the said premises are in need of repairs and minor alterations and that said sum shall be expended by the City on such repairs and alterations to said premises in addition to the funds already applied for from the Federal Government for improvement of the said premises; it being understood and agreed that the Lessor will do and perform such portion of the work already planned and contemplated on said premises as it can do and perform with such Federal grant as may be secured for such purpose, it being understood, however, that the Lessor is in no way obligated to spend for such repairs and/or alterations, or to undertake any such repairs and/or alterations to an extent greater than Two Thousand, Two Hundred Dollars (\$2,200.) received from the Lessee as the consideration herefor. In event the grant of funds from the Federal Government is not obtained, the repairs and alterations above referred to shall be made under the joint direction and supervision of the City and the Club.

The following constitute the express conditions, terms and covenants of this lease agreement, to-wit:

1. In case there shall be any variance between the above description and the lands and building intended to be leased hereby, the Lessee shall have the right at any time to reformation of this lease in order to reform the above description in such manner as to accurately describe the site so actually intended to be covered hereby.
2. The Lessee will pay all charges for gas, electricity and other illumination, for telephone and for all water used on said premises.
3. The Lessee will keep the premises, including the fixtures therein, and all the walls, pipes and other appurtenances, in good and substantial repair and clean condition, except as herein otherwise provided and will also permit the Lessor or its agents or employees, at all reasonable times, to enter into the premises and view the condition thereof.
4. The Lessee will not use nor permit said premises to be used for any illegal or immoral purposes and all use of said premises shall be in accordance and in compliance with all regulations and ordinances of said City of Coral Gables, and the County of Dade and the State of Florida.
5. The Lessee will, during the continuance of this lease, keep the building on said premises insured, at its own expense, against fire and tornado, in a sum of not less than Fifteen Thousand Dollars (\$15,000.) and Ten Thousand Dollars (\$10,000.) respectively, in a company satisfactory to Lessor and with loss payable clause jointly to Lessor and Lessee; provided, nevertheless, that the proceeds of any loss under said policies, or either of them, shall be applied in repair and/or restoration of said building or damaged part or parts thereof, and provided further that if the damage to said premises, by fire and/or tornado or other act of God, or otherwise without fault of the Lessee, shall be such as to render the building, or any substantial part thereof, unfit for further occupancy for the purposes of this lease, then and in any such event the Lessee shall have the option to restore said premises at his own expense and with the



privilege of using the proceeds of any aforesaid insurance in connection therewith or cancel this lease, and if said Lessee shall in such event elect to cancel this lease, then the proceeds of any insurance receivable or payable under aforesaid policies for such damage shall become payable solely to the Lessor and these presents shall constitute authority to any insurance company responsible for such proceeds to pay the same solely to the Lessor without obligation to the Lessee.

6. The Lessee shall have no right, during the continuance of this lease, to change, alter, modify, add to or improve said premises, except as may be permitted by written consent of Lessor through its duly accredited officials and any and all changes that may be so made shall be made under the supervision of architects approved by the Lessor, and no beginning thereon shall be made until the Lessee furnishes reasonable completion bond for such changes, or satisfactory evidence of his ability to complete same, and all alterations and additions to the premises shall remain for the benefit of the Lessor unless otherwise provided in such consent.

7. That the Lessee will, during the term of this lease, keep said premises free from all labor and material liens and will hold the Lessor free from any and all liability that might or could result from the operations of the Lessee, or from injuries to employees of the Lessee or any other person or property by virtue of the condition of said premises, or any act or omission of any employee of Lessee, or of any other person admitted to premises by the Lessee, or by reason of any work or construction on said premises, and agrees that it will carry reasonable indemnity insurance as against said liability.

8. That the Lessee may quietly hold and enjoy the premises without any interruption by the Lessor or any person claiming through it or any successor or predecessor or former municipality of the same or similar name owning said property; provided, nevertheless, that should the Lessee at any time fail to perform and abide by any of its covenants in this lease, and such last mentioned failure shall continue for a period of thirty (30) days after written notice thereof to the Lessee from the Lessor, then in any such event, the Lessor may at its option consider the Lessee as tenant at sufferance, and immediately re-enter and take possession of said premises, and thereupon this lease shall cease and determine, and any overdue and unpaid rent hereunder may forthwith be collected by distress or otherwise, together with reasonable attorney's fees and expenses incurred in the collection of rent or other obligation or damage payable by Lessee hereunder or in enforcing any right of Lessee after default by Lessee hereunder. And said Lessee hereby pledges and assigns to the Lessor all of the furniture, fixtures, and equipment, goods and chattels of said Lessee which are or may be brought or put on said premises, as security for the payment of the rent herein reserved, as well as damages, costs, obligations, fees and expenses payable hereunder, and agrees that the said lien may be enforced by distress, foreclosure or otherwise at the election of said Lessor, and agrees that should any of such property of the Lessee be removed from the premises covered hereby, that Lessor is authorized at any time within thirty (30) days thereafter to enter upon the premises wherever same may be found and to seize and sell so much thereof as will fully satisfy all amounts overdue and payable hereunder.

9. That the Lessee offering any product for sale on said premises shall pay such occupation or license tax as is paid by other merchants dealing in similar goods in Coral Gables, Florida.



10. Lessee shall not assign this lease or underlet the premises or any part thereof without first obtaining the written consent of the Lessor, and shall not suffer any transfer by operation of law of the interest of the Lessee in the premises hereunder.

11. That the Lessee has examined and knows the condition of the premises and has received the same in good order and repair, and that no representations as to the condition or repair thereof have been made by the Lessor.

12. Upon the termination of the lease, Lessee shall deliver to Lessor peaceable possession of said premises, in as good condition as when received, ordinary wear and tear excepted, and all fixtures and permanent additions in and/or to said building shall continue as a part of said premises and remain thereon and Lessee shall have no right to remove same.

13. It is hereby covenanted and agreed that this lease and all rights of the Lessee hereunder shall, at the option of the Lessor, cease and terminate upon said Lessee being by any Court adjudicated bankrupt or insolvent, or upon said Lessee making assignment for the benefit of creditors.

14. The proceeds from this lease shall be first applied by the Lessor, so far as may be required, to the payments of any and all municipal expenses incurred and/or required of or by the Lessor as a result of the operation of the aforesaid premises under this lease; provided, however, that the Lessee shall incur no responsibility by virtue of such application or other use by the Lessor of the rentals hereunder.

15. Lessee agrees to conduct said operation on a twelve month basis, maintaining during the summer months a reasonable skeleton crew to carry on such operation; and Lessee further agrees that the Lessor or any civic organization in the City of Coral Gables may, upon the request of Lessor, have the right to use said premises without charge providing same is handled without expense to Lessee.

16. It is mutually agreed and understood that all provisions of this lease shall be considered agreements and/or covenants of the party responsible thereunder.

17. It is mutually agreed and understood that time shall be considered as of the essence of this agreement and that the terms, conditions and covenants herein contained shall inure to the benefit, run in favor of and be obligatory upon the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate by their respective officers, duly authorized thereunto, and to have their respective corporate seals hereunto affixed, the day and year first above written.

THE CITY OF CORAL GABLES, (SEAL)  
By E. M. Williams (Signed)  
City Manager

ATTEST:  
G. N. Shaw (Signed)  
City Clerk

THE COUNTRY CLUB OF CORAL GABLES (SEAL)  
By F. E. Bryant (Signed)  
President

ATTEST:  
S. N. Sutter (Signed)  
Secretary."

and

"THIS INDENTURE, Made this 14th day of November, A. D. 1935,  
between the CITY OF CORAL GABLES, a Municipal Corporation of



Dade County, Florida, hereinafter called the "Lessor", of the one part, and THE COUNTRY CLUB OF CORAL GABLES, a Florida corporation, hereinafter called the "Lessee", of the other part;

WITNESSETH: That for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, as well as the covenants and conditions herein contained to be performed by the Lessee herein, the said Lessor does hereby lease and demise to the said Lessee all the following described property located in the City of Coral Gables, Dade County, Florida, to-wit:

That portion of the Granada Golf Course in the City of Coral Gables bounded on the East by Granada Boulevard and on the South by South Greenway Drive, which is now occupied and used as tennis courts, together with sufficient ground around the back stops for the proper maintenance and care thereof, and such additional ground to the West of said tennis courts as the Lessee shall improve with new tennis courts, not to exceed two courts in addition to the presently existing courts, provided that the Lessee shall have no right to use this additional ground unless and until it shall improve the same by the construction of additional tennis courts;

together with all rights, ways, hereditaments and appurtenances thereunto belonging to be used exclusively as tennis courts.

TO HAVE AND TO HOLD the same unto the Lessee from the 14th day of November, A. D. 1935, for the term of one (1) year then next ensuing, the said Lessee yielding and paying to the said Lessor the sum of Two Hundred Dollars (\$200.) at the time of the delivery of this lease, receipt of which is hereby acknowledged by the said Lessor.

The following constitute the express conditions, terms and covenants of this lease agreement, to-wit:

1. In case there should be any variance between the above description and the lands intended to be leased hereby, the Lessee shall have the right at any time to reformation of this lease in order to reform the above description in such manner as to accurately describe the site so actually intended to be covered hereby.
2. The Lessee will pay all charges for gas, electricity and other illumination, for telephone and for all water used on said premises.
3. The Lessee will keep the premises, including the improvements thereon, in good and substantial repair and condition except as herein otherwise provided and will also permit the Lessor or its agents or employees at all reasonable times to enter into the premises, and view the condition thereof.
4. The Lessee will not use nor permit said premises to be used for any illegal or immoral purposes and all use of said premises shall be in accordance and in compliance with all regulations and ordinances of said City of Coral Gables, and the County of Dade and the State of Florida.
5. The Lessee shall have no right during the continuance of this lease to change, alter modify, add to or improve said premises except as may be permitted by written consent of Lessor through its duly accredited officials, and any and all changes and additions that may be so made shall be made under the supervision of the City Manager, and all alterations, improvements and additions to the premises shall remain upon the



premises for the benefit of the Lessor unless otherwise provided in such consent.

6. That the Lessee will, during the term of this lease, keep said premises free from all labor and material liens and will hold the Lessor free from any and all liability that might or could result from the operations of the Lessee, or from injuries to employees of the Lessee or any other person or property by virtue of the condition of said premises, or any act or omission of any employee of Lessee, or of any other person admitted to premises by the Lessee, or by reason of any work or construction on said premises, and agrees that it will carry reasonable indemnity insurance as against said liability.

7. That the Lessee may quietly hold and enjoy the premises without any interruption by the Lessor or any person claiming through it or any successor or predecessor or former municipality of the same or similar name owning said property; provided, nevertheless, that should the Lessee at any time fail to perform and abide by any of its covenants in this lease, and such last mentioned failure shall continue for a period of thirty (30) days after written notice thereof to the Lessee from the Lessor, then, in any such event, the Lessor may at its option consider the Lessee as tenant at sufferance, and immediately re-enter and take possession of said premises, and thereupon this lease shall cease and determine, and any overdue and unpaid rent hereunder may forthwith be collected by distress or otherwise, together with reasonable attorney's fees and expenses incurred in the collection of rent or other obligation or damage payable by Lessee hereunder or in enforcing any right of Lessee after default by Lessee hereunder. And said Lessee hereby pledges and assigns to the Lessor all of the furniture, fixtures, and equipment, goods and chattels of said Lessee which are or may be brought or put on said premises, as security for the payment of the rent herein reserved, as well as damages, costs, obligations, fees and expenses payable hereunder, and agrees that the said lien may be enforced by distress, foreclosure or otherwise at the election of said Lessor, and agrees that should any of such property of the Lessee be removed from the premises covered hereby, that Lessor is authorized at any time within thirty (30) days thereafter to enter upon the premises wherever same may be found and to seize and sell so much thereof as will fully satisfy all amounts overdue and payable hereunder.

8. That the Lessee offering any product for sale on said premises shall pay such occupation or license tax as is paid by other merchants dealing in similar goods in Coral Gables, Florida.

9. Lessee shall not assign this lease or underlet the premises or any part thereof without first obtaining the written consent of the Lessor, and shall not suffer any transfer by operation of law of the interest of the Lessee in the premises hereunder.

10. That the Lessee has examined and knows the condition of the premises and has received the same in good order and repair, and that no representations as to the condition or repair thereof have been made by the Lessor.

11. Upon the termination of the lease, Lessee shall deliver to Lessor peaceable possession of said premises, in as good condition as when received, ordinary wear and tear excepted, and all fixtures and permanent additions in and/or to said premises shall continue as a part of said premises and remain thereon, and Lessee shall have no right to remove same.

12. It is hereby covenanted and agreed that this lease and all rights of the Lessee hereunder shall, at the option of



the Lessor, cease and terminate upon said Lessee being by any court adjudicated bankrupt or insolvent, or upon said Lessee making assignment for the benefit of creditors.

13. The proceeds from this lease shall be first applied by the Lessor, so far as may be required, to the payments of any and all municipal expenses incurred and/or required of or by the Lessor as a result of the operation of the aforesaid premises under this lease; provided, however, that the Lessee shall incur no responsibility by virtue of such application or other use by the Lessor of the rentals hereunder.

14. Lessee agrees to conduct said tennis courts on a twelve (12) months basis.

15. It is mutually agreed and understood that all provisions of this lease shall be considered agreements and/or covenants of the party responsible thereunder.

16. It is mutually agreed and understood that time shall be considered as of the essence of this agreement and that the terms, conditions and covenants herein contained shall inure to the benefit, run in favor of and be obligatory upon the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate by their respective officers duly authorized hereunto, and to have their respective corporate seals hereunto affixed, the day and year first above written.

ATTEST:  
G. N. Shaw (Signed)  
City Clerk.

THE CITY OF CORAL GABLES (SEAL)  
By E. M. Williams, (Signed)  
City Manager.

ATTEST:  
S. N. Sutter (Signed)  
Secretary."

THE COUNTRY CLUB OF CORAL GABLES (SEAL)  
By F. E. Bryant (Signed)  
President.

and

"THIS INDENTURE, Made this 14th day of November, A. D. 1935, between the CITY OF CORAL GABLES, a Municipal Corporation of Dade County, Florida, hereinafter called the "City", of the one part, and THE COUNTRY CLUB OF CORAL GABLES, a body corporate of the State of Florida, hereinafter called the "Club", of the other part;

WITNESSETH: That for and in consideration of the sum of Seven Hundred Fifty (\$750.) Dollars, payable in advance at the time of delivery of this contract, receipt of which is hereby acknowledged by the City, the City hereby grants unto each and every member of the Club the right and privilege of admission to the Venetian Pool and Casino in the City of Coral Gables, Florida, upon the presentation to the proper authorities at said pool of such identification card as the Club shall adopt as a means of identifying its members who are entitled to the privileges of this agreement.

It being understood and agreed between the parties hereto and the individual members of the Club that Club members admitted to the pool upon the proper identification shall have the same rights and privileges and be subject to the same restrictions and requirements as other persons admitted to the Pool upon the payment of the fees fixed by the City.

It is understood and agreed that if the Club shall notify the City that any members thereof have ceased to be in good standing and entitled to the benefits of this agreement, then the City shall have the right to deny to such members admission



to the Pool until the City is duly notified by the Club that such members have been re-instated.

It is understood and agreed that the privileges herein granted to the members of the Club shall extend for one (1) year from the date of delivery of this agreement.

IN WITNESS WHEREOF, the parties hereto have caused their presents to be executed in duplicate by their respective officers, duly authorized thereunto, and to have their respective corporate seals hereunto affixed, the day and year first above written.

ATTEST:  
G. N. Shaw (Signed)  
City Clerk.

THE CITY OF CORAL GABLES (SEAL)  
By E. M. Williams (Signed)  
City Manager.

ATTEST:  
S. N. Sutter (Signed)  
Secretary."

THE COUNTRY CLUB OF CORAL GABLES (SEAL)  
By F. E. Bryant (Signed)  
President.

2. That the City Manager be and he is hereby authorized and instructed to place said instruments in escrow at the Coral Gables First National Bank, the terms of said escrow to be as follows, to-wit:

Upon payment to the Coral Gables First National Bank, for the use of the City of Coral Gables, on or before thirty (30) days from October 18, 1935, of the total consideration named in said instruments, to-wit: Three Thousand, One Hundred and Fifty-One Dollars (\$3,151.), said Bank is to deliver the executed instruments to the Country Club of Coral Gables; on the other hand, should the Club not pay the consideration for said instruments within the above period, said Bank is to return the instruments to the City of Coral Gables.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Garris.

The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

ATTEST:

MAYOR.  
Roscoe Brunstetter

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw



MINUTES OF SPECIAL MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON WEDNESDAY,  
OCTOBER 30TH, 1935.

Pursuant to a call of special meeting by Mayor Brunstetter, for the purpose of taking action upon an ordinance regulating and zoning the sale of alcoholic liquors in the City of Coral Gables, the Commission of the City of Coral Gables convened in special session at the City Hall at 5:30 o'clock, P. M., on Wednesday, October 30th, 1935..

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart present.

RESOLUTION NO. 1531

A RESOLUTION WAIVING CALL OF SPECIAL MEETING, AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter, be, and the same is hereby, waived, and

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration,

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1532

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED DOLLARS (\$100.) FROM THE CONTINGENT FUND FOR THE PURPOSE OF PURCHASING A COPY OF THE RECORD OF THE SECURITIES AND EXCHANGE COMMISSION ON THE CORAL GABLES SITUATION.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of One Hundred Dollars (\$100.) be, and the same is hereby, appropriated and transferred from the Contingent Fund for the purpose of purchasing a copy of the record of testimony on the Coral Gables situation before the Securities and Exchange Commission; and the Director of Finance be, and he is hereby, authorized and instructed to proceed with the purchase of said document,

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:



Yes- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

AN ORDINANCE REGULATING THE MANUFACTURE, DISTRIBUTION AND SALE OF BEVERAGES CONTAINING MORE THAN ONE PER CENTUM OF ALCOHOL; REGULATING THE ISSUANCE OF LICENSES FOR SUCH OCCUPATIONS; PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE; AND REPEALING EXISTING ORDINANCES IN CONFLICT WITH THIS ORDINANCE

which had been first read at the meeting of October 15, 1935, was read again in full.

Commissioner Avery offered the following amendments:

1. That in paragraph two of Section 4 the words: "nor between the hours of twelve (12) o'clock, P. M. and eight (8) o'clock, A. M." be amended to read: "nor between the hours of twelve (12) o'clock, P. M. and seven (7) o'clock, A. M."
2. That the exception following the words: "nor between the hours of twelve (12) o'clock, P. M. and eight (8) o'clock, A. M.", in the Ordinance as originally submitted, be stricken and omitted from the Ordinance.
3. That the words: "such a place of business shall not be nearer than five hundred (500) feet to any church or school building", in paragraph two of Section 4 be amended to read: "such a place of business shall not be nearer than three hundred (300) feet to any church or school building"; and that the last paragraph of Section 4 be amended to read: "No retail liquor store shall be nearer than three hundred (300) feet to any church or school building"

Motion for adoption of the amendments by Commissioner Avery; seconded by Commissioner McGarry. The amendments were adopted by the following roll call:

Yes- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Commissioner Rinehart offered the following amendment: That Section 5 be amended to provide for the retail sale of beverages containing more than one per centum of alcohol by restaurants in that section bounded on the north and south by Tamiami Trail and Bird Road, and on the east and west by Douglas Road and LeJeune Road, such sales to be confined to the period from 12 o'clock, Noon, to nine (9) P. M., daily.

Motion for adoption of the amendment by Commissioner Rinehart; seconded by Commissioner Garris. The amendment was defeated by the following roll call:



Yes- Commissioners Garris  
Rinehart  
No- Mayor Brunstetter  
Commissioners Avery  
McGarry

Commissioner Rinehart offered the following amendment: That Section 5 be amended to provide for the retail sale of beverages containing more than one per centum of alcohol by restaurants in that section bounded on the north and south by Tamiami Trail and Bird Road, and on the east and west by Douglas Road and LeJeune Road, such sales to be confined to the period from six (6) P. M. to nine (9) P. M., daily.

Motion for adoption of the amendment by Commissioner Rinehart; seconded by Commissioner Garris.

The amendment was defeated by the following roll call:

Yes- Commissioners Garris  
Rinehart  
No- Commissioners Avery  
McGarry  
Mayor Brunstetter

Motion for adoption of the Ordinance, as amended, by Commissioner Avery; seconded by Commissioner McGarry. The Ordinance, as amended, was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
McGarry  
No- Commissioners Garris  
Rinehart

Mayor Brunstetter then declared the Ordinance, as amended, adopted and approved, and ordered its publication as No. 255.

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw



MINUTES OF SPECIAL MEETING OF COMMISSION  
OF THE CITY OF CORAL GABLES ON TUESDAY,  
NOVEMBER 5, 1935

Pursuant to a call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at 1:30 o'clock, P. M., on Tuesday, November 5th, 1935.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart present.

RESOLUTION NO. 1533

A RESOLUTION WAIVING CALL OF SPECIAL  
MEETING, AND GRANTING CONSENT TO ANY  
SPECIAL BUSINESS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter be, and the same is hereby, waived, and

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1534

A RESOLUTION AUTHORIZING THE CITY MANAGER TO  
PROCEED WITH THE REPAIR OF THE COLISEUM BUILDING

WHEREAS, the Miami Coliseum has been seriously damaged by the storm of November 4th, and is in such condition that delay in repair would cause damage to interior plaster and decoration to the extent of many thousands of dollars; and

WHEREAS, the said building is leased to the General Exhibitors Corporation under conditions requiring the lessee to carry tornado insurance to the extent of Fifty Thousand Dollars (\$50,000.), from which such repair expense should be paid, but delays attendant to the repair of the building from this source would greatly increase the extent of the damage and the consequent cost of reconditioning, making it advisable for the City, the lessee and the insuror to proceed immediately with protective repairs;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the City Manager be and he is hereby authorized and instructed to proceed at once with the repair of the



roof and the skylight of the Coliseum building, paying for the cost thereof from the Utilities Fund of the City of Coral Gables, and charging said cost against The General Exhibitors Corporation until the matters of insurance realization can be concluded,

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

RESOLUTION NO. 1535

A RESOLUTION PROPOSING TO THE CITY OF MIAMI AN  
 AMENDMENT TO THE CITY OF CORAL GABLES STREET RAIL-  
 WAY FRANCHISE

WHEREAS, the storm on the 4th day of November, A. D. 1935, so damaged and demolished the poles, wires, cables, and other over-head equipment of the Coral Gables Street Railway System, that it cannot be put into operation for some time and then at a prohibitive cost to the City for rehabilitation of the system, and

WHEREAS, the Florida Power and Light Company is not now able to furnish to the City the necessary electric power to operate the said system, and can give the City no definite assurance as to when the electric power can be made available, and

WHEREAS, the City of Coral Gables, in the exercise of its franchise granted by the City of Miami for the operation of a Street Railway System over certain streets of Miami, is greatly hampered in rendering efficient and reliable transportation service to the public at reasonable rates because of the requirements in said franchise that the street cars be operated on a single track railway, and

WHEREAS, the City of Coral Gables, through Federal financial aid is now in a position to abandon its street railway service and inaugurate motor bus transportation service over the same route, and

WHEREAS, a change to motor bus transportation service over the streets of Miami will enable the City of Coral Gables to furnish more efficient and reliable transportation service to the public at the same reasonable rates now being charged and will materially lessen the present traffic interference and hazard of its electric railway cars now being operated under said franchise;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

1. That the City of Miami be requested to agree to a modification and amendment of the franchise as contained in City of Miami Ordinances Nos. 422 and 710 so as to authorize the City of Coral Gables to equip, operate and maintain a motor bus transportation system without the use of any railway track, over the streets upon which the City of Coral Gables is now operating its street cars, and that the City of Coral Gables be permitted to remove from the streets of Miami its rails, cross-ties, poles, wires,



cables and other equipment now installed and in use on said streets.

2. That the said franchise and extensions thereof not be modified nor changed in any other manner than above requested.

3. That a copy of this Resolution, duly certified by the City Clerk be forwarded to the Mayor and City Commission of the City of Miami.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The Resolution was adopted by unanimous vote.

Upon motion duly seconded and unanimously carried, the City Manager was directed to request the Board of Examiners for Real Estate Brokers and Salesmen to extend the period for qualification of local real estate brokers and salesmen for this first examination period, in view of the fact that such short notice was given of the requirements before the date of the examination as established by the ordinance.

Upon motion duly seconded and unanimously carried, the City Manager was authorized and instructed to proceed with the work of clearing the streets and parkways of storm debris and of restoring or removing trees blown down by the storm, restoring only such trees as can, in his judgment and that of his advisers, be reset without excessive expense as compared to the cost of removing and replacing them with other trees.

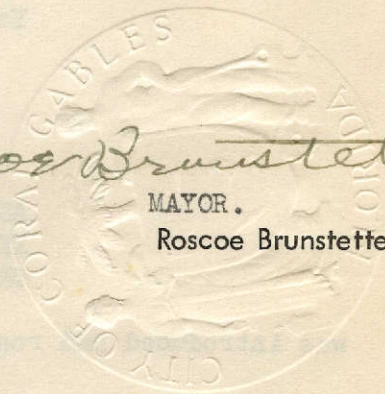
There being no further business, upon motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.

Roscoe Brunstetter



ATTEST:

*G. N. Shaw*

CITY CLERK.

G. N. Shaw



MINUTES OF A SPECIAL MEETING  
OF THE CITY COMMISSION OF CORAL  
GABLES ON NOVEMBER 12, 1935.

Pursuant to a call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at five o'clock, P. M., Tuesday, November 12th, 1935.

Mayor Brunstetter in the Chair; present: Commissioners Avery, Garris, McGarry and Rinehart.

RESOLUTION NO. 1536

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter be, and the same is hereby, waived; and

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration,

was introduced and read. Motion for adoption by Commissioner Avery, seconded by Commissioner McGarry. Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

AN ORDINANCE AMENDING ORDINANCE NO. 252  
KNOWN AS THE "REAL ESTATE EXAMINING BOARD  
ORDINANCE", ADOPTED OCTOBER 4, 1935,

was introduced and read.

Motion by Commissioner McGarry that the requirement for reading on two separate days be dispensed with and that the Ordinance be placed on second reading at once; seconded by Commissioner Rinehart. Motion was carried by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

No- None

Thereupon, the Ordinance was read again in full. Motion for adoption of



the Ordinance by Commissioner Rinehart; seconded by Commissioner Avery.

The Ordinance was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

No- None

Thereupon, Mayor Brunstetter declared the Ordinance adopted and ordered its publication as No. 256.

RESOLUTION NO. 1537

A RESOLUTION APPROPRIATING THE SUM OF FIVE HUNDRED DOLLARS (\$500.) FOR THE EXPENSES OF THE VISITORS' BUREAU

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Five Hundred Dollars (\$500.) be, and the same is hereby appropriated from the contingent fund to a special appropriation for the expenses of the Visitors' Bureau for the year 1935-36, and the City Manager be, and he is hereby, authorized and instructed to organize and conduct such Visitors' Bureau to an extent permitted by the above appropriation,

was introduced and read. Motion for adoption by Commissioner McGarry, seconded by Commissioner Avery. Resolution adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
McGarry  
Rinehart

No- Commissioner Garris

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.

Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw





MINUTES OF A REGULAR MEETING OF THE  
CITY COMMISSION OF CORAL GABLES  
NOVEMBER 19, 1935.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 7:30 o'clock, P. M., on Tuesday, November 19th, 1935.

Mayor Brunstetter in the Chair; Present: Commissioners Avery, Garris, and Rinehart. Commissioner Garris absent on account of illness.

The Minutes of the meetings of October 15th, 30th and November 5th, 1935, were read and approved after corrections had been entered on those of October 30th.

Mr. J. Allen Brown appeared to address the Commission on the matter of re-zoning Biltmore and Biltmore Addition Sections so as to make said sections more desirable for residential purposes. The Commission expressed its approval of the proposal and asked Mr. Brown to bring specific recommendations as to value restrictions, use restrictions and set-back restrictions.

RESOLUTION NO. 1538

A RESOLUTION EXPRESSING THE APPRECIATION OF  
THE COMMISSION FOR PROMPT RESTORATION OF ELECTRIC  
SERVICE BY THE FLORIDA POWER & LIGHT COMPANY AFTER  
THE NOVEMBER 4TH, 1935, STORM

WHEREAS, the storm of November 4, 1935, which descended on the City of Coral Gables, and surrounding areas, from the North, accompanied by winds of hurricane force, caused great damage to the electric light and power lines within the City limits, and

WHEREAS, the Florida Power & Light Company, through its executives and employees, worked night and day without thought, save to repair the damage and restore to the City and its citizens the use of said light and power, and

WHEREAS, in spite of the obvious amount of work, labor and expense required to repair the damage, normal service was restored without delay and in a remarkably short time,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That the Commissioners do hereby unanimously express their appreciation and thanks to the Florida Power and Light Company, its executives and employees, for their untiring efforts and excellent results achieved in repairing the storm damage, and the prompt restoration of electric power to the City and its citizens, and



BE IT FURTHER RESOLVED: That this Resolution be spread on the Minutes of this meeting, and the City Clerk be, and hereby is, instructed to deliver a copy to the Miami Riviera for publication in an early issue thereof, and to mail a certified copy hereof to Mr. George C. Estill, Mr. H. H. Hyman and Mr. W. D. Fuller, officers of the Florida Power & Light Company, so that they may be officially informed of the action taken by this Commission,

was entered and read. Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. Resolution was adopted by unanimous vote.

Mrs. Clark Stearns appeared before the Commission to request an appropriation for advertising in the Year Book to be prepared by the Pan American League. The Clerk was instructed to reply to Mrs. Stearns that no funds are available for such appropriation.

RESOLUTION NO. 1539

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE FOR THE PURCHASE OF BUSES FOR THE TRANSPORTATION SYSTEM

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager be, and he is hereby, instructed to negotiate for the purchase of six busses for the Transportation System to permit the resumption of proper service between the Coral Gables and Miami Terminals, and to report his findings as to types and costs back to the City Commission at the earliest possible date,

was introduced and read. Motion for adoption by Commissioner Avery, seconded by Commissioner McGarry. Resolution was adopted by unanimous vote.

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw



MINUTES OF SPECIAL MEETING OF THE  
CITY COMMISSION OF CORAL GABLES ON  
NOVEMBER 29th, 1935

Pursuant to a call of special meeting by Mayor Brunstetter,  
The Commission of the City of Coral Gables convened in special session  
at the City Hall at 5:00 o'clock, P. M., on Friday; November 29th, 1935.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris,  
McGarry and Rinehart present.

RESOLUTION NO. 1540

A RESOLUTION WAIVING NOTICE OF SPECIAL  
MEETING AND GRANTING CONSENT TO ANY  
SPECIAL BUSINESS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL  
GABLES, FLORIDA:

That call of special meeting by written  
notice, under the provisions of the City  
Charter be, and the same is hereby, waived;  
and

BE IT FURTHER RESOLVED: That the Commission  
consent to any business that may come before  
it for consideration,

was introduced and read. Motion for adoption by Commissioner Avery,  
seconded by Commissioner McGarry. The Resolution was adopted by the fol-  
lowing roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1541

A RESOLUTION APPROPRIATING THE SUM OF  
\$36,680. FROM THE UTILITIES FUND FOR THE  
PURCHASE OF NEW MOTOR EQUIPMENT FOR THE  
TRANSPORTATION SYSTEM; AND AUTHORIZING THE  
EXECUTION BY THE CITY MANAGER AND CITY CLERK  
OF CONTRACTS AND NOTES FOR THE DEFERRED PAYMENT  
OF A PORTION OF SAID APPROPRIATION

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES,  
FLORIDA:

1. That the sum of \$36,680. be, and the same is hereby,  
appropriated from the Utilities Fund for the purchase  
of six new motor busses for the Transportation System.
2. That the City Manager and City Clerk be, and they are  
hereby, authorized to enter into such purchase contracts  
for said new equipment as may, in their judgment, best con-  
form to the present financial condition of the City, and  
the Transportation System, and to their future revenue ex-  
pectancy; and to execute such purchase contract notes as may  
be necessary to support such deferred payment contracts,

was introduced and read. Motion for adoption by Commissioner McGarry;



seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

RESOLUTION NO. 1542

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE NEW MOTOR EQUIPMENT FOR THE TRANSPORTATION SYSTEM

WHEREAS, the Rapid Transit line to Miami was so severely damaged by the storm of November 4th, 1935, that it is impossible to operate electric cars, and the present bus equipment is inadequate to render proper service to the residents of Coral Gables between this City and Miami; and

WHEREAS, it is imperative that immediate provision be made to handle the peak traffic loads of the 1935-1936 season;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager be, and he is hereby, authorized to purchase six new motor busses at a cost not to exceed \$36,680., the amount previously appropriated herefor, of design and passenger capacity as may be deemed by him best adapted to the needs of the service, and upon such terms as he may consider best fitted to the financial capacity and condition of the City and Transportation System,

was introduced and read. Motion for adoption by Commissioner Garris; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

RESOLUTION NO. 1543

A RESOLUTION APPROPRIATING THE SUM OF EIGHT HUNDRED DOLLARS (\$800.) FROM THE UTILITIES FUND FOR THE STRENGTHENING OF THE COLISEUM ROOF

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Eight Hundred Dollars (\$800.) be, and the same is hereby, appropriated from the Utilities Fund for the purpose of installing necessary anchors for the roof rafters of the Coliseum, in order to safeguard the structure in future storms; and for the repair and strengthening of the skylights and ventilators; and the City Manager be, and he is hereby, authorized to proceed with such work, within the limits of this appropriation, at once,

was introduced and read. Motion for adoption by Commissioner Garris;



seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter
Commissioners Avery
Garris
McGarry
Rinehart

There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw





MINUTES OF A SPECIAL MEETING  
OF THE CITY COMMISSION OF CORAL  
GABLES ON DECEMBER 3, 1935.

Pursuant to a call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at 5:00 o'clock, P. M., on Tuesday, December 3, 1935.

Mayor Brunstetter in the Chair; present: Commissioners Avery, Garris, McGarry and Rinehart.

RESOLUTION NO. 1544

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING  
AND GRANTING CONSENT TO ANY SPECIAL BUSINESS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL  
GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter be, and the same is hereby, waived; and

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration,

was introduced and read. Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1545

A RESOLUTION APPROPRIATING THE SUM OF TEN THOUSAND  
DOLLARS (\$10,000.) TO THE UNIVERSITY OF MIAMI, INC.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That the sum of Ten Thousand Dollars (\$10,000.) be, and the same is hereby, appropriated from the Contingent Fund to the appropriation for the University of Miami, Inc., and the Director of Finance be, and he is hereby authorized to disburse said sum to the University of Miami, Inc.,

was introduced and read. Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart



## RESOLUTION NO. 1546

A RESOLUTION COMMENDING THE EMPTY STOCKING  
FUND MOVEMENT, AND SOLICITING THE ASSISTANCE  
OF THE PEOPLE OF THE CITY OF CORAL GABLES

WHEREAS, the Commission of the City of Coral Gables, realizing the great and effective work done by the Greater Miami Empty Stocking Fund Committee last year in feeding many needy families in the community, feels that all who are able should contribute to the Fund,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1: That the Commission of the City of Coral Gables hereby commends the Greater Miami Empty Stocking Fund and the Committee in charge of raising said Fund for its efforts in providing Funds to feed needy families in this community,

was introduced and read. Upon motion, duly seconded and unanimously carried, the Resolution was adopted.

## RESOLUTION NO: 1547

A RESOLUTION AUTHORIZING THE EXECUTION OF A BOND  
TO STAY PROCEEDINGS PENDING APPEAL IN THE CASE OF  
CITY OF CORAL GABLES, ET AL, VS. W. W. BLOUNT, ET  
AL

WHEREAS, in the case of City of Coral Gables, a municipal corporation, et al, vs. W. W. Blount, et al, now pending in the Circuit Court in Dade County, Florida, in Chancery No. 42,163, the Judge of the Circuit Court entered an Order on Petition for Suit to Continue in Division of Court in Which Filed and the Plaintiffs entered an appeal from said Order, and

WHEREAS, the Supreme Court of Florida fixed the amount of bond to stay proceedings pending appeal from said Order at One Thousand Dollars (\$1,000.), and

WHEREAS, it is to the interest of the City to execute said bond jointly with the American Fire & Casualty Company, co-plaintiff;

NOW, THEREFORE, BE IT RESOLVED by the City of Coral Gables that the City Manager and City Clerk be, and they are hereby, authorized to execute a bond to stay proceedings pending appeal in the above entitled cause in the amount of One Thousand Dollars (\$1,000.), the form of the bond to be approved by the City Attorney,

was introduced and read. On motion, duly seconded, and unanimously carried, the Resolution was adopted.

This meeting, being held on the date of a regular meeting of the City Commission, it was moved, seconded and unanimously carried, to dispense with the meeting scheduled for eight (8) o'clock, P. M., this date.



There being no further business, on motion, duly seconded,  
and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter



ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw



MINUTES OF A SPECIAL MEETING OF THE  
CITY COMMISSION OF CORAL GABLES ON  
DECEMBER 17, 1935.

Pursuant to a call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at 5:00 o'clock, P. M. , on Tuesday, December 17, 1935.

Mayor Brunstetter in the Chair; Present: Commissioners Avery, Garris, McGarry and Rinehart.

RESOLUTION NO. 1548

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice, under the provisions of the City Charter be, and the same is hereby, waived; and

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration,

was introduced and read. Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

The Minutes of the meetings of November 12th, 19th and 29th, and December 3rd, 1935, were read and approved.

A communication was received from Loftin, Stokes and Calkins, attorneys, as follows:

"We desire to inform you that the Federal Court has sustained the plaintiff's demurrer to the pleas of the defendant in the above stated suit. The Court, in disposing of said demurrer, wrote a Memorandum Opinion, which we have carefully considered.

"The question of future procedure on the part of the City will now have to be determined. If there is no new or additional matter to be incorporated in the pleas, the City should stand on the pleas and suffer judgment to be entered against it.



"We still have confidence in the merits of the City's pleas, notwithstanding the opinion of the Trial Court, and we advise an appeal to the Circuit Court of Appeals. We do not think the decision of the Trial Court is well reasoned. The question as to whether you desire to appeal is one for the City to decide. We have stated to the Court and to counsel for the plaintiffs that, soon as the matter of the Court ruling should be brought before the City Commission, we would make announcement to the Court of our course.

"We await your further advice."

It was moved, seconded, and unanimously carried, that the City stand on its present pleas in the case of Barker, et al, vs. City of Coral Gables, and the City Attorney was instructed to so advise Senator James E. Calkins.

A communication was received from the City Attorney, under date of December 17, 1935, reporting that the Supreme Court had filed its opinion, affirming the judgment of ouster entered by the Circuit Court, excluding from the jurisdiction of the City the territory lying West of Red Road, and that the opinion suggested that the small tract lying South of Bird Road and West of Ludlam Road be included in the ouster. The City Attorney was instructed not to file a petition for re-hearing in the Supreme Court, and if possible to have the judgment of ouster amended so as to include the tract South of Bird Road, which was omitted from the judgment of ouster which has been affirmed.

A communication was received from the City Attorney, reporting on the meeting held by Congressman Wilcox at Orlando on the question of proposed amendments to the Municipal Bankruptcy Act. The City Attorney was instructed to co-operate with Congressman Wilcox in the study and formulation of amendment plans.

The petition of Mr. T. R. Gentry for resurfacing of the street running through Sunrise Point subdivision, previously received, was again considered, and the City Manager was instructed to investigate the cost and report back to the Commission.

RESOLUTION NO. 1549

A RESOLUTION TRANSFERRING TO MAYOR ROSCOE BRUNSTETTER ALL POWERS AND AUTHORITIES VESTED IN FORMER MAYOR VINCENT D. WYMAN BY RESOLUTION NO. 1449 AND THE CONTRACTS MENTIONED OR SET FORTH THEREIN

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That in accordance with the provisions of Section 3 of Resolution No. 1449, adopted April 2, 1935, conferring certain powers and authorities upon Vincent D. Wyman,



then Mayor of the City of Coral Gables; said powers and authorities being expressed and stipulated in said Resolution and in an agreement between the City of Coral Gables and Robert Pentland, Jr., dated March 22, 1935, and a further agreement embodied in said Resolution No. 1449; all of said powers and authorities are hereby transferred to and vested in Roscoe Brunstetter as Mayor of the City of Coral Gables, Florida, from and after the date of his taking office as Mayor, and all acts with reference to said contract from such date of taking office to the date of this Resolution, be, and the same are hereby, ratified and approved,

was introduced and read. Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

The Clerk was instructed to write the Miami Chamber of Commerce, expressing the Commission's appreciation for the generous and frequent mention of Coral Gables facilities and attractions in the 1935-36 publicity booklet.

RESOLUTION NO. 1550

A RESOLUTION APPROPRIATING THE SUM OF FIVE HUNDRED DOLLARS (\$500.) FROM THE CONTINGENT FUND FOR THE PREPARATION OF A PUBLICITY BOOKLET

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Five Hundred Dollars (\$500.) be, and the same is hereby, appropriated from the Contingent Fund to a special appropriation to defray the cost of preparing and publishing a pictorial publicity booklet for the City of Coral Gables; and

The City Manager and the Director of Publicity be, and they are hereby, authorized to secure the publishing of such a booklet at a cost within the appropriation,

was introduced and read. Motion for adoption by Commissioner Rinehart; seconded by Commissioner Garris. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart



RESOLUTION NO. 1551

A RESOLUTION FIXING THE TIME FOR  
REGULAR MEETINGS OF THE CITY COMMISSION.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That from and after this date, the regular meetings  
of the Commission of the City of Coral Gables shall  
be held in the Commission Chamber at the City Hall  
at Coral Gables on the first and third Tuesdays of  
each month, at four o'clock, P. M.

was introduced and read. On Motion duly seconded and unanimously carried,  
the Resolution was adopted.

This meeting having been held on the date for a regular  
meeting of the Commission, it was moved, seconded and unanimously carried  
to waive and dispense with the meeting scheduled for 7:30 o'clock, P. M.,  
this date.

RESOLUTION NO. 1552

A RESOLUTION AUTHORIZING AN ADJUSTMENT OF  
TAXES IN THE TERRITORY WEST OF RED ROAD

WHEREAS, the territory West of Red Road has been  
removed from the City by Court proceedings; and

WHEREAS, the City holds numerous delinquent taxes  
against lands in said territory which are of ques-  
tionable value and which may possibly be attacked at  
law;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA:

That the Tax Collector be, and he is hereby, author-  
ized to accept, in full settlement of any and all delinquent  
taxes on lands, (previously in the City of Coral Gables)  
in the territory west of Red Road, the amount of ten per  
cent. (10%) of the book value of said delinquent taxes,  
without penalty, plus the cost of relieving the record  
of delinquency in the offices of the Clerk of the Circuit  
Court.

was introduced and read. Motion for adoption by Commissioner Garris; seconded  
by Commissioner McGarry. The Resolution was adopted by the following roll:

- Yes- Mayor Brunstetter
- Commissioners Avery
- Garris
- McGarry
- Rinehart

There being no further business, on motion, duly seconded,  
and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.

Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw



MINUTES OF A REGULAR MEETING  
OF THE CITY COMMISSION OF CORAL  
GABLES ON JANUARY 7TH, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at four o'clock, P. M., on Tuesday, January 7th, 1936.

Mayor Brunstetter in the Chair; present: Commissioners Avery, Garris, McGarry and Rinehart.

The Minutes of the regular meeting of December 17th, 1935, were read and approved.

Mr. George E. Merrick appeared to request payment of additional compensation on the lease of the Coliseum to the General Exhibitors Corporation, and its successor. The Commission expressed the belief that the original lease had been with irresponsible parties; that the pending lease is an entirely new instrument and not a renewal of the General Exhibitors Corporation lease, and took the matter under consideration for later decision.

Mr. Henry W. Morgenthaler, Jr., appeared and presented a communication, calling the attention of the Commission to the requirement in Section 8 of the City Charter that "members of the Commission shall not hold any other public office except that of Notary Public or member of the State Militia", and to Commissioner Garris' appointment as a member of the State Board of Engineer Examiners. The communication expressed the belief that this appointment to the State Board had automatically forfeited Mr. Garris' membership on the City Commission, and asked the Commission to take necessary action. The matter was referred to the City Attorney for opinion and advice.

Mr. Robinson of Coral Gables, Inc., appeared in behalf of the owner of Lots 19 and 20, Block 22, Section "E", requesting a special adjustment of taxes on that property. The Commission advised Mr. Robinson that it was unwilling to make exceptions to its present adjustment schedule.

Mr. T. R. Gentry and Mrs. Laura Tuckerman appeared to request the City's assistance in paving the road through Sunrise Point subdivision. The Commission expressed its willingness to pay half of the cost of such paving; provided, however, that the City's half is not to exceed the sum of \$1,000.



## RESOLUTION NO. 1553

A RESOLUTION SETTING FORTH THE TERMS  
OF AN AGREEMENT BETWEEN THE CORAL GABLES  
WOMAN'S CLUB AND THE CITY FOR FINANCIAL  
AID TO THE CITY IN COMPLETING THE CON-  
STRUCTION OF COMBINED COMMUNITY HOUSE  
AND LIBRARY

WHEREAS, there has been approved by the federal Works Progress Administration a grant of funds for the construction, as a municipal project on Block Fifteen (15) of the Douglas Section of Coral Gables, a combined Community House and Library, provided the City, as sponsor thereof, furnish a location and also a sum of \$4,500.00 as a contribution toward said project; and

WHEREAS, the above mentioned location has been so furnished by the City, which, however, is not in financial position to provide said full cash contribution above mentioned nor to furnish and equip the said building, nor provide a public library, nor to maintain same; and

WHEREAS, The Coral Gables Woman's Club is a corporation not for profit incorporated under the laws of the State of Florida for quasi public purposes, including the development of its members in arts and sciences, the study of domestic economy and promotion of civic and municipal betterments, the maintenance of a library and general educational purposes, and to which organization any white woman of good character and standing, interested in the purposes of the Club, shall be eligible to membership; and

WHEREAS, the said Club now has an established library suitable for public purposes and is desirous of acquiring the aforesaid property as a home for the Club's activities and the housing of said library,

NOW, THEREFORE, BE IT RESOLVED: That the City of Coral Gables deed the aforesaid property and improvements to said Club upon the following terms and conditions, to-wit:

1. That said Club forthwith pay to this City the sum of \$1,500.00 in cash, and two further like amounts within sixty (60) and one hundred twenty (120) days, respectively, from the date hereof, to be held by this City as a Trust Fund and disbursed on call of the said WPA to meet and pay for items necessary and proper in the construction of aforesaid building that may not be provided for in the specifications or cannot be paid for with funds supplied as aforesaid by the said WPA.

2. That this City will contribute toward said project the use of one truck, including driver, gasoline, tires and full maintenance for its operation.

3. That this City shall be under no obligation to complete said building or buildings other than to apply toward such completion, the funds described in paragraph one (1) hereof, and all available funds that may be secured for that purpose from the said WPA, with the understanding, however, that this City will give its cooperation, as far as possible, toward securing the completion of said building or buildings.

4. That a general warranty deed of said Block fifteen (15) from this City to the said Woman's Club, conveying title to said Block fifteen (15) and the building or buildings to be erected thereon, as aforesaid, shall be duly executed and deposited in escrow with the Coral Gables First National Bank for delivery to the said Woman's Club upon the completion of said buildings; which deed shall provide that the said building or buildings shall be used for the aforesaid Club and



Library purposes and if such uses shall be abandoned by said Club, then the title to said property shall revert to this City, and said deed shall be for the considerations in this resolution set forth;

5. That if funds, as in this instrument provided, shall not be sufficient to complete said building or buildings, and additional funds for such completion shall not be provided by said Woman's Club and such completion shall be abandoned by the said Woman's Club, then the City shall have the right, either to complete said building or buildings at its own expense, and retain full title to, and control over, the same, and the Coral Gables Woman's Club shall have no interest therein and no right or title thereto, nor lien thereon, and thereupon the deed deposited in escrow as provided in paragraph 4 hereof shall be returned to the City; or the City shall have the right to salvage the said building or buildings so uncompleted and abandoned and any surplus above the cost of such salvage operation shall be refunded to the Woman's Club to the full amount of its contribution to the construction of said buildings, and upon production to said Escrow Agent of receipt from said Woman's Club for its share of aforesaid salvage, said deed shall be returned to this City.

6. That so far as may be legally possible, the said property shall be exempted from all taxes of this City so long as the same shall be maintained by the said Club for the purposes set forth in said deed, and this City will co-operate with the Club to secure a like exemption of taxes from all other governmental authorities.

7. The Club will install its own library in the aforesaid library building for public use by the citizens of Coral Gables, but with privilege of making a reasonable charge for the use of all books taken from said premises for purposes of maintenance and augmenting said library.

8. The said Club will, at its own expense, equip the said auditorium for lecture purposes and will permit the same to be used by any other public or quasi public organization or citizens of Coral Gables for proper public purposes with privilege in said Club; however, to make a reasonable charge for such use for purposes of maintenance and more fully equipping said auditorium, and with further privilege in said Club to otherwise lease or rent said premises from time to time for proper purposes not inconsistent with the proper use of said library, or to conduct therein entertainments, lectures, bazaars, musicales or similar functions for the raising of funds for the benefit of said Club center ~~or general club purposes.~~

9. That the said Club will maintain said premises in reasonably good repair but shall not be responsible for damage accruing through fire, storm or other acts of God. The Club shall at all times maintain adequate insurance to said property against fire and storm loss, and shall, when called upon by the City Manager, submit its said insurance policies to the City for inspection; provided, nevertheless, that the obligation as herein contained, to maintain adequate insurance, shall be at all times considered fully complied with and fulfilled by either carrying such insurance and submitting the policies to the City Manager as aforesaid, or by written notification by the said Club to said City Manager at least thirty (30) days before the expiration of any such insurance policy, that the said Club does not feel financially able to carry such insurance, whereupon the said City shall have the privilege, but shall not be obligated, to itself have such insurance written at its own expense and either in its own name or in the name of the Club, with loss payable clause to the said City and to the said Club as their interests may appear, for the following pur-



poses and in the following order, namely: (1) Having the City collect any proceeds of such insurance; (2) application of such proceeds, as far as needed, to the repair of any damage covered by such policies; (3) the refunding out of such proceeds to the City of any insurance premiums paid by the City upon such policies, and (4) the payment of any balance of such proceeds to the Club; and for which purposes the said notice shall constitute an assignment of any proceeds of said policies to said City, and, thereupon, no further liability shall rest upon or be enforceable against said Club for failure to carry said insurance as aforesaid.

10. That if the said Club shall be deprived of the use or title of said premises as hereinbefore provided or the control of such use returned to the City of Coral Gables by decree, order or judgment of any Court obtained through any party other than said Club, and no reasonable alternative arrangement shall be made for similar use of said premises by said Club, then the City shall become obligated to return to the Club the aforesaid \$4,500.00 and any additional amounts theretofore contributed by it to the construction of said buildings.

11. If the aforesaid \$4,500.00, or any part thereof, paid by the Club, shall not be needed as hereinbefore set forth for the purposes of said project, then any balance remaining in the hands of the City after the completion of said project shall be returned to said Woman's Club.

12. That the City shall consult with Mrs. Louie Lanford, President of said Club, or Mrs. Don Peabody, the Chairman of the Building Committee of said Club, or their successors in office, with reference to the expenditure of any amount in one sum in excess of \$500.00 from funds contributed by said Club as aforesaid before disbursing same.

13. That upon the completion of said project and the delivery of said deed, this resolution and the delivery of deed thereunder shall be confirmed by ordinance legally passed by this City upon request of said Club.

14. That the Mayor, City Manager and City Clerk, be, and they are hereby, authorized to enter into an agreement with said Club covering all the matters and things in this resolution set forth and to that end to execute all papers and instruments, which they shall be advised by the City Attorney as reasonable and proper, and to do all other matters and things necessary, proper or desirable to carry this resolution into full force and effect.

was introduced and read. Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1554

RESOLUTION TERMINATING LEASE OF COLISEUM  
BUILDING TO GENERAL EXHIBITORS CORPORATION

WHEREAS, the General Exhibitors Corporation is in default under its lease of the Coliseum Building



entered into with the City in December, 1934, because of its failure to keep said building insured as required therein, and because of its failure to pay the semi-annual rental due thereunder on December 1, 1935, and

WHEREAS, the following letter has been received from the Attorney for said Lessee, to-wit:

"December 21st, 1935

City of Coral Gables  
Coral Gables, Florida.

In re: Coliseum Lease

Gentlemen:

I am authorized, on behalf of the General Exhibitors Corporation, to concede that their lease with you covering the Coliseum property in this City has been defaulted for non-payment of rent and failure to carry insurance as therein provided and that they do not propose to make good these defaults and you can accordingly consider this instrument a surrender and abandonment of said lease provided you will release said corporation, its officers and agents from all liability of every kind and description that might or could arise in connection with said lease or the occupancy of the premises thereunder.

Very truly yours,

CDB:w  
CC Mr. Moon

(Signed) Clifton D. Benson  
Attorney."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

1. That the lease dated November 30, 1934, by the City, as Lessor, to General Exhibitors Corporation, as Lessee, of the Coral Gables Coliseum property, be and the same is hereby forfeited and terminated on account of the failure of the said lessee to keep the said premises insured and to pay the semi-annual rental due December 1, 1935.
2. That the said Corporation, its officers and agents, be and they are hereby released from all liability of every kind and description that might or could arise in connection with said lease and the occupancy of the said premises thereof, in consideration of the amicable surrender of possession of the premises under the terms of said lease.

was introduced and read. Motion for adoption by Commissioner McGarry; seconded by Commissioner Garris. The Resolution was adopted by unanimous vote.

RESOLUTION NO. 1555

RESOLUTION APPROVING THE SETTLEMENT OF CLAIM AGAINST WILSON & COMPANY FOR PROPERTY DAMAGE ARISING OUT OF AN ACCIDENT OCCURRING IN CORAL GABLES, FLORIDA, ON OR ABOUT JUNE 17TH, 1935

WHEREAS, one of the City busses had a collision with a truck owned and operated by an agent of WILSON & COMPANY of Miami, Florida, on or about June 17th, 1935, resulting in considerable damage to the City bus, and

WHEREAS, the total bill for parts required for the repair of said bus amounted to \$69.00, and the estimated



time of City employees engaged in making repairs amounted to \$137.98, and

WHEREAS, Wilson & Company refused to settle said claim for the full amount of \$206.98, but offered to compromise the same for \$169.00; and

WHEREAS, the City Attorney and the Assistant Superintendent of Transportation recommended that said offer of compromise be accepted,

NOW, THEREFORE, BE IT RESOLVED: That the City Attorney be, and he hereby is, authorized to accept said sum of \$169.00 in full and final settlement of any and all claims of the City of Coral Gables arising out of the said accident occurring in Coral Gables, Florida, on or about June 17th, 1935,

was introduced and read. Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. Resolution was adopted by the following vote:

Yes- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

There being insufficient time to consider matters before the Commission, on motion, duly seconded and unanimously carried, the meeting was adjourned until five o'clock, P. M., Friday, January 10th, 1936.

APPROVED:

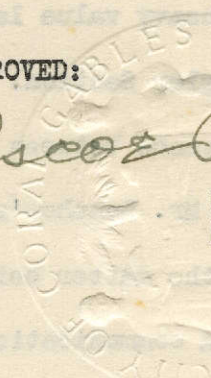
*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw



*Checked by hand  
EMR*



MINUTES OF AN ADJOURNED MEETING  
OF THE COMMISSION OF THE CITY OF  
CORAL GABLES ON JANUARY 10, 1936.

Pursuant to the adjournment at the meeting of January 7, 1936, the Commission of the City of Coral Gables convened in adjourned session at the City Hall at 5:00 o'clock, P. M., on Friday, January 10, 1936.

Mayor Brunstetter in the Chair;  
Present: Commissioners Avery  
Garris,  
Rinehart  
Commissioner McGarry absent from the City.

A petition was received from O. E. Knox for further adjustment of taxes on certain property owned by him in Schenley Park. The Clerk was instructed to advise Mr. Knox that the City must adhere to the terms of the resolution recently adopted, establishing a basis for such adjustments.

A communication was received from W. A. Davis concerning 1935 taxes on the parcel known as "Flagler Entrance- East Lot", having reference to the heavy value laid against this lot as compared to other property in Flagler Section. The Clerk was instructed to allow as a discount the difference between the 1935 tax and the tax which would have been levied based on Mr. Donehoo's appraisal of the parcel, and to advise Mr. Davis to bring the matter before the 1936 Equalization Board.

A communication was received from Mrs. Ann Copeland, requesting that her application for 1935 Homestead Exemption be received at this time. The Clerk was instructed to reply that the City has no legal power to disregard the terms of the Act of Legislature setting a time limit for the acceptance of such applications.

On motion, duly seconded and unanimously carried, the City Attorney was instructed to protect City tax liens by bidding in at foreclosure sales for State and County taxes on City of Coral Gables property.

The opinion of the City Attorney that the City has the power to establish, in its Zoning Ordinances, minimum ground coverage and minimum height requirements for buildings, was ordered referred, through the City Manager, to the Committee appointed to study the Zoning Ordinances and recommend amendments thereto, with the request that the Committee consider the feasibility of such requirements and include the subject in its final report to the Commission.



The Clerk was instructed to draw and present to the Commission an Ordinance requiring a license for "tax agents", defining tax agents and qualifications necessary for recognition by the City as such tax agents, appointing an examining board for the examination of applicants for such recognition, prescribing the powers and duties of such board, and fixing the dates for its meetings and examinations.

On motion, duly seconded and unanimously carried, the City Manager and City Treasurer were authorized to pay to George E. Merrick, under the provisions of Resolution No. 1403, and particularly paragraph 2 thereof, ten per cent. (10%) of the rental received under the lease of the Coliseum for the year 1936, and were instructed to secure from Mr. Merrick a letter releasing the City from any further claims for Commission or other forms of compensation in connection with said lease.

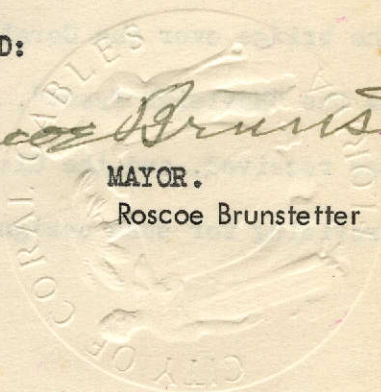
There being no further business, on motion, duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.

Roscoe Brunstetter



ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw



MINUTES OF REGULAR MEETING OF  
THE CITY OF CORAL GABLES ON  
JANUARY 21, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at four o'clock, P.M. on Tuesday, January 21, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

The minutes of the meetings of January 7th and 10th, 1936, were read and approved.

A communication was received from A. C. Franks, attorney for the plaintiffs in the ouster suit on property west of Red Road, asking for refund of taxes paid by his clients on such properties, was received, and the Clerk was instructed to advise Mr. Franks that the Commission feels unable to authorize or order such refund.

A petition that the road from the Ingraham Highway eastward to the bridge over the Coral Gables Waterway, running through the property known as the "Hafleigh Tract", be officially designated as the "Tahiti Beach Road", was received, and the Clerk was instructed to prepare and submit an ordinance providing for such designation.

RESOLUTION NO. 1556

A RESOLUTION AUTHORIZING LEASE OF  
SPACE FOR TRANSPORTATION TERMINAL.

WHEREAS, it is considered advisable and expedient that the City of Coral Gables acquire space for a Transportation Terminal, and,

WHEREAS, the owners of a certain building to be constructed on Lots one (1) to Nine (9), Block Three (3), Craft Section, of the City of Coral Gables, have offered to provide suitable space and area in said building for a Bus Terminal and waiting rooms without cost to the City of Coral Gables, providing the City will enter into a lease to occupy and use said space for a period of fifteen (15) years,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

1. That the above set out offer be and the same is hereby accepted, subject to the approval by the City Commission of a Contract of Lease between the City and the owners of the said property, consummating said offer.

2. That the City Manager is hereby instructed to have prepared a form of lease and agreement carrying out the purpose of this Resolution and to submit same to this Commission at the earliest convenient date for its approval.

was introduced and read.



Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by unanimous vote.

On Motion duly seconded and unanimously carried, the City Manager and City Attorney were authorized to effect a settlement of the claim of Victoria Birkelund against the City for injuries received in an alleged accident on City bus No. 154 on June 3, 1935, for the proposed compromise amount of \$130.00.

On Motion duly seconded and unanimously carried, the Director of Finance was authorized to undertake a survey of the titles of the improved properties in the City, and the conditions or residence and other conditions affecting the qualification for Homestead Exemption, in order to ascertain the possible total exemption for the 1936 tax roll, at an expense not to exceed Two Hundred Dollars (\$200.00)

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw



MINUTES OF SPECIAL MEETING OF  
THE COMMISSION OF THE CITY OF  
CORAL GABLES ON JANUARY 28, 1936.

Pursuant to a call of special meeting by Mayor Brunstetter, and unanimous acknowledgment and consent of the Commissioners, the Commission of the City of Coral Gables convened in special session at the City Hall at 5:00 o'clock, p.m. on Tuesday, January 28, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery and McGarry, present; Commissioner Rinehart, absent.

RESOLUTION NO. 1557

A RESOLUTION DECLARING THE OFFICE OF  
M. B. GARRIS AS A CITY COMMISSIONER  
VACANT.

WHEREAS, Henry M. Morgenthauer, Jr., on January 7th, 1936, presented a letter to the City Commission advising that Commissioner Mr. B. Garris had accepted the office of a member of the State Board of Engineering Examiners and challenging the qualifications of Mr. Garris as a City Commissioner on the ground that such office was a "public office" within the meaning of the term as used in Section 8 of the City Charter, and

WHEREAS, Mr. Garris advised the Commission that he had accepted such position and received a commission from the Governor, dated October 21st, 1935, and since that date had been performing the duties of a member of the State Board of Engineering Examiners, and,

WHEREAS, the City Attorney has filed with the City Commission an opinion holding that the position of a member of the State Board of Engineering Examiners is a "public office" within the meaning of the term as used in Section 8 of the City Charter,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES,

1. That pursuant to authority vested in the Commission to judge of the qualification of its own members, the Commission is of the opinion that Mr. M. B. Garris is disqualified as a City Commissioner because of his acceptance and qualification as a member of the State Board of Engineering Examiners.

2. It appearing to the Commission that Mr. Garris has been qualified and acting as such public officer since October 21st, 1935, his office of City Commissioner is hereby declared vacant.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

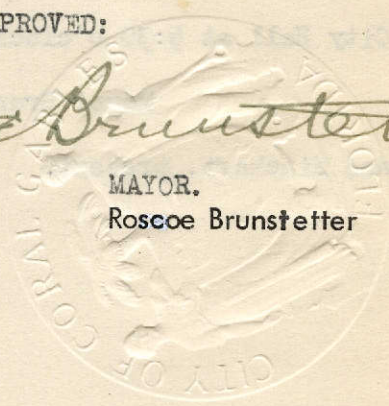


"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 McGarry  
 Absent- Commissioner Rinehart

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*



MAYOR.  
 Roscoe Brunstetter

ATTEST:

*G.N. Shaw*

CITY CLERK  
 G. N. Shaw





MINUTES OF SPECIAL MEETING OF  
CITY COMMISSION OF THE CITY OF  
CORAL GABLES ON JANUARY 31, 1936.

Pursuant to a call of special meeting by Mayor Brunstetter, and unanimous acknowledgment and consent of the Commissioners, the Commission of the City of Coral Gables convened in special session at the City Hall at 5:30 o'clock, p.m. on Friday, January 31, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, McGarry and Rinehart, present.

RESOLUTION NO. 1558

A RESOLUTION ELECTING A COMMISSIONER  
TO FILL THE UNEXPIRED TERM OF  
M. B. GARRIS, DISQUALIFIED.

WHEREAS, the office of M. B. Garris, as City Commissioner of the City of Coral Gables, was declared vacant on the 28th day of January, 1936, because of his disqualification, and

WHEREAS, the vacancy occasioned by his disqualification has not been filled, and Mr. Garris has filed with the City Commission a true copy of a letter from the Honorable Dave Sholtz, Governor of the State of Florida, accepting Mr. Garris' resignation as such public officer, and

WHEREAS, Mr. Garris certifies to the City Commissioner that he does not now hold any public office and is otherwise qualified to hold the office of City Commissioner,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

That M. B. Garris be, and he hereby is, elected to fill the unexpired portion of the term of office as City Commissioner to which he was elected in the June, 1935 City Election.

Motion for adoption by Commissioner McGarry, seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
McGarry  
Rinehart

"No" - none

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

*G. N. Shaw*  
CITY CLERK:  
G. N. Shaw

APPROVED:

*Roscoe Brunstetter*

MAYOR, Roscoe Brunstetter



MINUTES OF REGULAR MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON FEBRUARY 4, 1936

The Commission of the City of Coral Gables convened in  
regular session at the City Hall at four o'clock p.m. on Tuesday,  
February 4, 1936.

Mayor Brunstetter in the Chair: Commissioners Avery, Gault,  
Roberts and Richards, present.  
The minutes of the meeting of January 21, 1936, were read and  
approved.

There being no quorum possible, the meeting of the  
Commission of the City of Coral Gables scheduled to be held on  
Tuesday, February 4, 1936, was not held.

APPROVED:

*Roscoe Brunstetter*  
MAYOR.  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw

*Resolution # 1559 unassigned.*



MINUTES OF REGULAR MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON FEBRUARY 18, 1936.

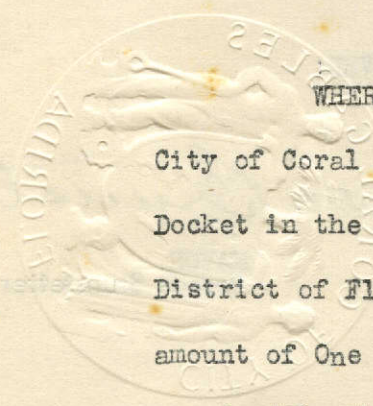
The Commission of the City of Coral Gables convened in regular session at the City Hall at four o'clock p.m. on Tuesday, February 18th, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

The minutes of the meetings of January 21st, 28th and 31st and of February 4th, 1935, were read and approved.

RESOLUTION NO. 1560

A RESOLUTION AUTHORIZING THE RELEASE OF INJUNCTION BOND EXECUTED BY EDWIN H. BARKER, et al, IN THE EQUITY SUIT IN THE FEDERAL COURT.



WHEREAS, in the case of Edwin H. Barker, et al v. City of Coral Gables, et al., lately pending on the Equity Docket in the United State District Court for the Southern District of Florida, the complainants executed a bond in the amount of One Thousand (\$1,000.00) Dollars as a condition required by the Court in entering a temporary restraining order in said cause, and

WHEREAS, said cause has been terminated and said restraining order vacated, and

WHEREAS, The City of Coral Gables suffered no damage and can recover nothing on account of the obligation of the said bond, and

WHEREAS, Attorneys for said parties have requested the execution of a release of said bond,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, that its Mayor and City Clerk, be and they are hereby authorized to execute in behalf of the City a release of said bond in such form as may be approved by the



City Attorney, and

BE IT FURTHER RESOLVED that the other City officials joined in said suit, be, and they are hereby authorized to execute said release.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

In connection with the application by the University of Miami for cancellation of the 1935 City taxes on Lot 4, Block 33, Biltmore Section, the City Attorney filed an opinion that this property would not be subject to exemption as an educational building, since the title to the building is not held by the University of Miami. The Commission instructed that the City Attorney's opinion be observed, and that the University be advised that the requested cancellation was improper and impossible.

The petition of Dr. George E. Cain for refund of improvement assessment liens paid under protest and under duress, previously considered by the Commission and deferred, was again taken under consideration because of the additional circumstance of the invalidation of the liens by the Supreme Court. The Director of Finance was instructed to audit the account of liens against property of George E. Cain, and make refund of any moneys paid under protest and duress, and to bring a proper resolution before the Commission for ratification of this act.

AN ORDINANCE DESIGNATING A CERTAIN ROAD AS "TAHITI BEACH ROAD".

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That from and after the passage, approval and publication of this ordinance, that certain road running eastward from the Ingraham Highway and the old Miami Cutler road, through the North 230 feet of the South  $\frac{1}{2}$  of the South  $\frac{1}{4}$  of Section 28, and that part of the North 230 feet of the South  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 29 lying east of the Miami Cutler Road, all in Township 54 South, Range 41 East, to and beyond Douglas Road, and then meandering southeastward to the North end of the Tahiti Beach Bridge over the Coral Gables Waterway, shall be and is hereby officially designated as "Tahiti Beach Road".

was introduced and read.

Motion by Commissioner Avery that the requirement for reading on two separate days be waived, and that the ordinance be placed on second



reading at once; seconded by Commissioner McGarry; the motion was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

The above ordinance was thereupon read for a second time in full.

Motion for adoption of the ordinance by Commissioner Garris; seconded by Commissioner Avery; the ordinance was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Mayor Brunstetter then declared the ordinance adopted, and approved, and ordered its publication as Number 257.

RESOLUTION NO. 1561

A RESOLUTION DESIGNATING THE MIAMI RIVIERA TO PUBLISH THE NOTICE OF SALE OF 1935 DELINQUENT TAXES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Miami Riviera be and it is hereby designated to publish the notice of sale of delinquent taxes of the City of Coral Gables for the year 1935, and the Tax Collector be and he is hereby instructed to publish proper advertisements in such newspaper at the necessary time.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1562

A RESOLUTION INSTRUCTING THE TAX COLLECTOR TO OBSERVE THE STATE LAW IN MATTERS OF COLLECTION AND SALE OF DELINQUENT TAXES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That all special and extraordinary authorities for the adjustment of delinquent taxes on lands lying east of Red Road be and they are hereby rescinded; and

The Tax Collector be and he is hereby instructed, from this date forward, to observe in matters of computation of the adjusted value of delinquent taxes of the City of Coral Gables, the principals of the State Law as followed by the Clerk of the Circuit of Dade County, involving settlement upon the basis of the last valuation,



if lowest, the millage of the year for which the tax was assessed, plus the tax sale penalties and the statutory interest from date of sale to date of assignment or redemption.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1563

A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN LEASE BETWEEN THE CITY OF CORAL GABLES AND CARL BYOIR, COVERING THE PROPERTY KNOWN AS THE CORAL GABLES COLISEUM.

WHEREAS, there was certain storm damage to the Coliseum building necessitating immediate repairs in approximately the amount of Three Thousand (\$3,000.00) Dollars; and,

WHEREAS, the former lessee of said building had defaulted under its lease, and surrendered the same to the City; and,

WHEREAS, Carl Byoir has proposed to finance the said repairs up to the amount of \$3,000.00, upon the condition that he be given a lease of said premises for six (6) years, at the annual rental of \$2,000.00 for five years and \$3,000.00 for 1 year;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

1. That the City Manager and City Clerk be, and they are hereby authorized and directed to execute with the said Carl Byoir, a lease in the following words and figures, to-wit:

"THIS INDENTURE, Made this 31st day of January, A.D., 1936, between THE CITY OF CORAL GABLES, a municipal corporation of Dade County, Florida, hereinafter called the "Lessor", of the one part; and CARL BYOIR of New York City, New York, hereinafter called the "Lessee", of the other part;

WITNESSETH, That for and in consideration of the sum of Three Thousand (\$3,000.00) Dollars cash in hand paid, receipt of which is hereby acknowledged by the Lessor, as well as the covenants and conditions hereinbelow contained to be performed by the Lessor and Lessee herein, the said Lessor does hereby lease and demise to the said Lessee all the following described property located in the City of Coral Gables, Dade County, Florida, to-wit:

All of Block Forty-four (44) less a thirty (30) foot alley extending three hundred (300) feet along the north line of said block and starting from the East line thereof, also all of Block Thirty-seven (37) and the East half, measured along the North line thereof, of Lots Eleven (11) and Twelve (12) of Block Thirty-eight (38) and all in the Douglas Section of Said Coral Gables, according to a plat thereof recorded in Book of Plats, at page 87 of the Public Records of Dade County, in the State of Florida, together with the improvements thereon known as the Coral Gables Coliseum but subject to all restrictions, limitations and conditions of public record;



together with all rights, ways, hereditaments and appurtenances thereunto belonging, and all furnishings and equipment therein contained, a list or inventory of said furniture and equipment being hereto attached, marked Exhibit "A", and by reference made and deemed a part hereof.

TO HAVE AND TO HOLD The same unto the Lessee from the 1st day of December, A. D., 1935, for the term of six (6) years, next ensuing, the said Lessee yielding and paying to the said Lessor annual cash rentals of Two Thousand (\$2,000.00) Dollars per year during the first five (5) years of said lease, and Three Thousand (\$3,000.00) Dollars for the sixth year of said lease, the first year's rental being payable on or before the 15th day of February, A. D., 1936, and the subsequent annual rentals being payable on or before the 1st day of December of each subsequent year of this lease, upon the following covenants, terms and conditions, namely:-

1. The Lessor covenants and agrees to expend the cash consideration of Three Thousand (\$3,000.00) Dollars paid at the time of the execution and delivery of this lease in the repair of the roof on said Coliseum building.
2. The Lessee will pay the rent herein reserved at the times and in the manner aforesaid; and will pay all charges and expenses for gas, electricity and other illumination, for telephone and for all water and other utility services used on said premises.
3. The Lessee will keep the premises and all fixtures and equipment therein, and all the walls, pipes and other appurtenances, in good and substantial repair and clean condition, except as herein otherwise provided, and will permit the Lessor or its agents or employees, at all reasonable times, to enter into the premises and view the condition thereof.
4. The Lessee will not use nor permit said premises to be used for any illegal or immoral purposes, and all uses of said premises shall be in accordance and compliance with all regulations and ordinances of the Lessor and laws and regulations of the State of Florida.
5. The Lessee, will, during the continuance of this lease, keep the building on said premises insured at its own expense against fire and wind storm in a sum of not less than Thirty Five Thousand (\$35,000.00) Dollars of fire and Thirty-five Thousand (\$35,000.00) Dollars of tornado insurance, in a company satisfactory to Lessor and Lessee, provided nevertheless, that the proceeds of any loss under said policies, or either of them, shall be applied in repair and/or restoration of said building or damaged part or parts thereof, and provided further that if the damage to said premises, by fire and/or tornado or other acts of God, or otherwise without fault of the Lessee, shall be such as to render the building, or any substantial part thereof, unfit for further occupancy for the purposes of this lease, then and in any such event the Lessee shall have the option to restore said premises at his own expense and with the privilege of using the proceeds of any aforesaid insurance in connection therewith or cancel this lease, but if said Lessee shall in any such event elect to cancel this lease, then the proceeds of any insurance receivable or payable under aforesaid policies for such damage shall become payable solely to the Lessor and these presents shall constitute authority to any insurance company responsible for such proceeds to pay the same solely to the Lessor



without obligation to the Lessee.

6. The Lessee shall have the right at any time during the continuance of this lease, at his own expense, to change, alter, modify, add to or improve the said premises in a manner which may be reasonably necessary or desirable for the purpose of this lease, provided however that no such changes, alterations, modifications, additions to or improvements of said premises shall be made without the written consent of the Lessor.

7. That the Lessee will, during the term of this lease, keep said premises free from all labor and material liens and will hold the Lessor free from any and all liability that might or could result from injuries to employees of the Lessee or any other person or property by virtue of the condition of said premises, or any act or omission of any employee of Lessee or by reason of any work or construction on said premises.

8. That the Lessee may quietly hold and enjoy the premises without any interruption by the Lessor or any person claiming through it or any successor or predecessor of former municipality of the same or similar name owning said property, provided, nevertheless, that should the Lessee at any time fail to pay any instalment of rent, as herein provided for, within thirty days after the same shall become due and payable, or fail to perform and abide by any of its covenants in this lease, and such last mentioned failure shall continue for a period of thirty days after written notice thereof to the Lessee from the Lessor, then in any such event, the Lessor may at its option consider the Lessee as tenant at sufferance, and immediately re-enter and take possession of said premises, and thereupon this lease shall cease and determine, and the entire overdue and unpaid rent hereunder may forthwith be collected by distress or otherwise together with reasonable attorney's fees and expenses incurred in the collection of rent or other obligation or damage by Lessee hereunder or in enforcing any right of Lessor after default by Lessee hereunder. Any delay or failure to exercise said option shall not preclude the Lessor from right to do so at any subsequent time. And said Lessee hereby pledges and assigns to the Lessor all of the furniture, fixtures, equipment, goods and chattels of said Lessee which are or may be brought or put on said premises, as security for the payment of the rent herein reserved, as well as damages costs, obligations, fees and expenses payable hereunder, and agrees that the said lien may be enforced by distress, foreclosure or otherwise at the election of said Lessor, and agrees that should any of such property of the Lessee be removed from the premises covered hereby, that Lessor is authorized at any time within ninety days thereafter to enter upon the premises wherever same may be found and to seize and sell so much thereof as will fully satisfy all amounts overdue and payable hereunder.

9. That the Lessee will not be responsible for any taxes assessed against said leased property and the Lessor will hold the Lessee free from any and all liability therefor during the continuance of this lease.

10. The Lessee shall not assign this lease or underlet the premises or any part thereof without first obtaining the written consent of the Lessor as required by



its Charter, and shall not suffer any transfer by operation of law of the interest of the Lessee in the leased premises.

11. It is hereby covenanted and agreed that this lease and all rights of the Lessee hereunder shall, at the option of the Lessor, cease and terminate upon said Lessee being by any court adjudicated bankrupt or insolvent, or upon said Lessee making assignment for the benefit or creditors.

12. Upon the termination of the lease, Lessee shall deliver to Lessor peaceable possession of said premises, in as good condition as when received, ordinary wear and tear excepted, and all fixtures and permanent additions in and/or to said building shall continue as a part of said premises and remain thereon and Lessee shall have no right to remove same.

13. The proceeds from this lease shall be first applied by the Lessor, so far as may be required, to the payments of any and all municipal expenses incurred and/or required of or by the Lessor as a result of the operation of the aforesaid premises under this lease, provided, however, that the Lessee shall incur no responsibility by virtue of such application or other use by the Lessor of the rentals hereunder.

14. That the Lessee has examined and knows the conditions of the premises and has received the same in good order and repair, and that no representations as to the condition or repair thereof have been made by the Lessor.

15. All provisions of this lease shall be considered agreements and/or covenants of the party responsible thereunder.

16. Whenever the word "LESSOR" is used herein, it shall be construed to include successors and assigns of Lessor, and the word "LESSEE" shall include successors and assigns of Lessee, subject to aforesaid restrictions.

IN WITNESS WHEREOF, the Lessor has caused these presents to be executed by its officers duly authorized thereunto, and to have its corporate seal hereunto attached, and the Lessee has hereunto set his hand and seal, in duplicate, the day and year first above written.

THE CITY OF CORAL GABLES

ATTEST:

BY E. M. Williams (SEAL)  
City Manager

G. N. Shaw  
City Clerk

CARL BYOIR (SEAL)  
Carl Byoir

STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF DADE )

I HEREBY CERTIFY, That on this 21st day of January, A.D., 1936, before me personally appeared E. M. WILLIAMS and G. N. SHAW, City Manager and Clerk



respectively, of The City of Coral Gables, a municipal corporation under the laws of the State of Florida, to me known to be the persons who signed the foregoing instrument as such officers, and severally acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned; and that they affixed thereto the official seal of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Coral Gables in the County of Dade and State of Florida, the day and year last aforesaid.

Florence Stith  
NOTARY PUBLIC, STATE of Florida  
at large.

STATE OF FLORIDA )  
COUNTY OF DADE )

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, CARL BYOIR to me well known to be the person described in and who executed the foregoing instrument, and acknowledged before me that he executed the same for the purpose therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Miami, said County and State, this 12th day of February, A. D., 1936.

\_\_\_\_\_  
NOTARY PUBLIC.

My Commission expires: 7/25/39

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*  
MAYOR

Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF REGULAR MEETING OF  
THE CITY COMMISSION ON MARCH 3, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 4:00 o'clock p.m. on Tuesday, March 3rd, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

The minutes of the meeting of February 18, 1936 were read and approved.

RESOLUTION NO. 1564

A RESOLUTION PRESCRIBING RULES OF PROCEDURE FOR THE COMMISSION OF THE CITY OF CORAL GABLES AND FOR THE PRESENTATION OF BUSINESS TO SAID COMMISSION.

WHEREAS, the presentation of business to the Commission of the City of Coral Gables, without previous knowledge of the Commissioners or the City officials, is productive of delays in the handling of business affecting the City and its citizens, and in many cases requires the continuation of such matters to a subsequent meeting to permit of investigation and sufficient consideration by the Commissioners and officials; and,

WHEREAS, premature discussion of such matters tends to delay consideration and action upon other business before the Commission; and,

WHEREAS, it is advisable to establish some routine for the presentation of business to the City Commission in order that the time spent by it in formal session may be directed to the best possible advantage and the needs of the greatest number of its citizens and taxpayers;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That from and after the adoption of this Resolution, all matters of business to be brought before the Commission of the City of Coral Gables shall be required to be filed, in writing, with the Mayor, or a Commissioner, the City Manager, the City Attorney or the City Clerk, not later than the close of business on the fifth day before the meeting, at which such matters are to be considered, and matters of business not so filed in writing, in advance, shall be considered by the Commission only upon the waiving of this rule by a majority vote thereof.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Garris.

The resolution was adopted by unanimous vote.



## RESOLUTION NO. 1565

A RESOLUTION AUTHORIZING THE CANCELLATION  
OF ONE HUNDRED SIXTEEN THOUSAND (\$116,000)  
DOLLARS OF CITY OWNED BONDS.

WHEREAS, the City of Coral Gables, through tax settlements, has heretofore acquired the following Certificates of Deposit issued by Bank of New York and Trust Company as Depositary for a Bondholders' Protective Committee existing under Deposit Agreement dated January 22, 1931, and said Certificates of Deposit represent City of Coral Gables bonds and appurtenant interest coupons deposited with said Committee, and are more particularly described as follows:

<u>Certificate of Deposit Numbers</u>	<u>Par Value of Bonds</u>	<u>Appurtenant Coupons</u>
A155 to A157, inc.	\$3,000	12/1/30 and subsequent
B395 to B399, "	5,000	10/1/30 " "
C1261 " C1274, "	14,000	7/1/31 " "
D3898 " D3917, "	20,000	7/1/30 " "
D3920	1,000	7/1/30 " "
D3922 " D3949, "	28,000	7/1/30 " "
D3958 " D3969, "	12,000	7/1/30 " "
J98 " J102, "	5,000	7/1/31 " "
J104 " J108, "	5,000	7/1/31 " "
J110	1,000	7/1/31 " "
J112 and J113	2,000	7/1/31 " "
X219	1,000	10/1/30 " "
X221 to X224, inc.	4,000	10/1/30 " "
X295	5,000	7/1/30 " "
C1072 " C1081, "	10,000	7/1/31 " "

and,

WHEREAS, it is the desire of the City to obtain the release of the bonds covered by the abovementioned certificates of Deposit and to cancel such bonds,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Bank of New York & Trust Company, as Depositary for the Bondholders' Protective Committee under Deposit Agreement dated January 22, 1931, be and is hereby requested to release from deposit under the aforesaid Deposit Agreement the bonds and appurtenant interest coupons covered by the above described Certificates of Deposit, excepting an amount of appurtenant interest coupons equal to four per cent of the principal amount of such bonds, and that the Bank of New York & Trust Company be requested to thereupon cancel such bonds and appurtenant interest coupons so released and transmit the same to the Director of Finance of the City of Coral Gables.

BE IT FURTHER RESOLVED that the interest coupons aggregating four per cent of the principal amount of the bonds covered by the above described Certificates of Deposit may be retained by the Bank of New York & Trust Company, as Depositary for the aforesaid Bondholders' Protective Committee, as complete payment and satisfaction



of the proportionate part of Committee expenses chargeable to such deposited bonds under the terms of the Committee's Deposit Agreement.

BE IT FURTHER RESOLVED that, in the event the Bank of New York and Trust Company should not have available all the remaining appurtenant interest coupons requested to be released, it may substitute for any such coupons that may be missing a like amount of interest coupons detached from any other City of Coral Gables bonds.

BE IT FURTHER RESOLVED that a certified copy of this resolution be submitted to the Bank of New York & Trust Company and the Bondholders' Protective Committee above referred to.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart.

The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

A communication was received from Joseph F. Widener of Hialeah Park requesting that the City observe Monday, March 9th, the closing day of Hialeah Park, as "Charity Day". The City Manager was requested to advise Mr. Widener that the City of Coral Gables would take such steps in the observance as are taken by other cities in the area, and was requested to determine just what the intentions of the other cities are.

A Communication was received from Mrs. Eunice E. Merrick, requesting that authority be granted to the Tax Collector to accept in settlement of the taxes on Lots 7 and 9, and 1 and 2, Block 9, Section "C", and certain lots in Block 50, Country Club Section, the tax adjustment schedule which had been effective prior to February 18, 1936, and upon which the sale of the property had been predicated. On motion duly seconded and unanimously carried, the Tax Collector was instructed to accept the settlement along the lines requested by Mrs. Merrick.

A communication was received from the Coral Gables Junior Chamber of Commerce, transmitting a resolution by that body requesting the adoption of daylight saving time. The matter was ordered tabled.

A telegram was received from Bill Wallace of the Miami Country Club requesting an appropriation for a trophy to be known as the "Roddey Burdine Memorial Trophy". The Clerk was instructed to advise Mr. Wallace that the financial requirements of the City were such as to prevent the making of such an appropriation.



## RESOLUTION NO. 1566

A RESOLUTION FIXING THE TIME FOR  
REGULAR MEETINGS OF THE COMMISSION  
OF THE CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That until otherwise ordered, the regular  
meetings of the Commission of the City of Coral Gables,  
Florida shall be held in the Commission Chamber in the  
City Hall in Coral Gables at five o'clock p.m. on  
the first and third Tuesdays of each month.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner  
Rinehart. The resolution was adopted by unanimous vote.

A communication was received from Mr. E. P. Owan, Jr. of the Florida  
League of Municipalities, requesting that the City participate in the  
state-wide observance of "Tourist Appreciation Week". By unanimous consent  
the matter was referred to the Chamber of Commerce.

There being no further business, on motion duly seconded and  
unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR

Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK

G. N. Shaw



MINUTES OF REGULAR MEETING OF  
THE CITY COMMISSION OF CORAL GABLES  
ON MARCH 17, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock p. m. on Tuesday, March 17, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

The minutes of the meeting of March 3rd, 1936 were read and approved.

RESOLUTION NO. 1567

A RESOLUTION EXPRESSING APPROVAL OF A CERTAIN JOINT RESOLUTION PREPARED AND SUBMITTED TO THE CONGRESS OF THE UNITED STATES BY THE CITY OF MIAMI, FLORIDA, BEING A RESOLUTION AUTHORIZING A PUBLIC WORKS ADMINISTRATION PROJECT TO PROVIDE A PAN AMERICAN EXPOSITION BUILDING AT MIAMI; AND REQUESTING THE FAVORABLE ACTION OF THE CONGRESS UPON SUCH RESOLUTION.

WHEREAS, E. G. Sewell, Commissioner of the City of Miami, Florida, and Commissioner in Charge of Pan American Exposition Project for that City, is submitting a brief to the Congress of the United States in support of the proposal by that City to establish at Miami a Pan American Exposition building, as a Public Works Administration project; and,

WHEREAS, the said E. G. Sewell, with the approval of the Commission of the City of Miami, Florida, has previously prepared and forwarded to the Senate and the House of Representatives of the Congress of the United States a form of Joint Resolution giving the approval of the Congress to said project, said Resolution being entitled:

"A JOINT RESOLUTION APPROVING THE CONSTRUCTION AND ESTABLISHMENT OF BUILDING AND FACILITIES FOR, AND THE PRODUCTION AND OPERATION OF A PAN AMERICAN EXPOSITION AND MERCHANDIZING MART AT MIAMI, FLORIDA, AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS ADMINISTRATION TO COOPERATE IN MAKING AVAILABLE CERTAIN FUNDS THEREFOR; PROVIDING FOR THE PARTICIPATION BY THE UNITED STATES THEREIN, AND TO PERMIT ARTICLES IMPORTED FROM FOREIGN COUNTRIES FOR PURPOSE OF EXHIBITION AT SUCH EXPOSITION TO BE ADMITTED WITHOUT PAYMENT OF TARIFF AND FOR OTHER PURPOSES"; and,

WHEREAS, the Commission of The City of Coral Gables firmly believes that the establishment of such a Pan American Exposition would prove of inestimable benefit, not alone to Miami and Dade County, Florida, but to the whole of the United States, in that it would provide a known and established point of contact between the merchants of the United States and those of the countries of South America, and undoubtedly improve trade relation and increase the South American trade;



NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That this Commission does hereby express its unreserved approval of said project, and its hope that such Pan American Exposition may be established in Miami through the assistance of the Public Works Administration; and it respectfully urges upon the Senate and the House of Representatives of the Congress of the United States favorable consideration and action upon the above Joint Resolution as submitted by the City of Miami.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1568

A RESOLUTION APPROVING A CERTAIN PLAN OF REFUNDING THE INDEBTEDNESS OF THE CITY OF CORAL GABLES AND AGREEING TO TAKE SUCH ACTION AS MAY BE NECESSARY TO MAKE IT EFFECTIVE, AND AUTHORIZING THE EXECUTION OF AN AGREEMENT EVIDENCING SUCH PLAN BETWEEN THE BONDHOLDERS PROTECTIVE COMMITTEE AND THE CITY.

WHEREAS, be Resolution No. 1521, adopted August 6, 1935, the City Commission approved the Memorandum of Understandings entered into between Mayor Roscoe Brunstetter and Commissioner Hollis Rinehart, Jr. and the Coral Gables, Florida, Bondholders Protective Committee, under date of July 25, 1935, as a basis for developing a permanent agreement for the compromise and refunding of the entire outstanding indebtedness of the City; and,

WHEREAS, the City Commission, City officials and the said Committee have since said time further studied and considered said tentative refunding plan, and in a joint session held in The City of Coral Gables on February 3rd and 4th, 1936, reconsidered the same item by item, and agreed upon certain modifications thereof; and,

WHEREAS, the said Committee and the City Commission, on said dates, agreed and obligated themselves to undertake a compromise and refunding of the entire outstanding indebtedness of the City in conformity with the following Permanent Refunding Plan of February, 1936, in words and figures as follows: to-wit:

PERMANENT REFUNDING PLAN OF FEBRUARY 1936

THE CITY OF CORAL GABLES, FLORIDA

In consideration of the mutual agreements and obligations hereinbelow enumerated, the City of Coral Gables, Florida, and the Coral Gables, Florida, Bondholders Protective Committee, hereby agree and obligate themselves to exert their best efforts to consummate the compromise and refunding of the entire outstanding indebtedness of the said City in compliance with the following plan, to-wit:



## II. DEFINITIONS

As used in this memorandum the following terms shall have the meanings herein stated, to-wit:

1. "Committee" means the Bondholders Protective Committee of The City of Coral Gables, Florida, composed of Edwin H. Barker, Prentiss de V. Ross and Sanders Shanks, Jr., or their successors.
2. "City" means The City of Coral Gables, Florida.
3. "Commission" and "City Commission" means the duly elected and qualified City Commissioners of The City of Coral Gables, Florida
4. "Debt Service" means all moneys due or to be due and to be raised by the City for the annual payment on its debts, now to be refunded, on account of either principal or interest thereof.
5. "Operating Expense" means the annual cost of carrying on the governmental functions of the City, together with such additional functions as legally performed, but excluding payments made and/or due on account of the City's debt.
6. "Allowable Operating Budget" means the maximum amount of revenues the City may appropriate for operating expenses under the terms of this agreement without being required to appropriate and raise an additional amount for Debt Service Fund.
7. "Improved and Unimproved Properties". By "Improved Properties" is meant fixed buildings or other improvements and the lot or lots of land upon which the buildings or other improvements rest and the lot or lots immediately contiguous thereto that with the buildings or other improvements constitute a unit of property.  
By "Unimproved Property" is meant that land, either plotted as lots or as acreage, but without fixed buildings or other improvements thereon.

## III. REFUNDING BOND ISSUE

1. BONDS. It is agreed The City of Coral Gables shall issue refunding bonds in the total sum of Four Million Dollars (\$4,000,000) and that these bonds, together with other assets herein mentioned, will be distributed pro rata among all the present creditors of the City in full satisfaction of the claims they now have against the City. The aggregate amount of these claims does not exceed, as of March 1, 1936, approximately Ten Million, Nine Hundred Thousand Dollars (\$10,900,000)
2. MATURITY. The refunding bonds shall mature at the end of forty (40) years from date of issue and shall be callable on any interest date upon due notice at a price of One Hundred Dollars (\$100.00) for each One Hundred Dollars (\$100.00) of the par value thereof.
3. INTEREST. The refunding bonds shall bear interest as follows:
 

2%	per annum for first four years
2 $\frac{1}{2}$ %	" " " next four years
3%	" " " " three years
3 $\frac{1}{2}$ %	" " " " " "
4%	" " " " six years
5%	" " " " twenty years



IV. COVENANT TO PLEDGE ADDITIONAL TAXING POWER.

While said refunding bonds or any of them remain outstanding, The City of Coral Gables will covenant that there shall be annually assessed, levied and collected upon all property in said City subject to taxation for the payment of the indebtedness refunded by said refunding bonds, at the same time and in the same manner as other City taxes are assessed, levied and collected, a tax sufficient to pay at maturity the interest on said bonds. The City of Coral Gables further covenants to establish and maintain a sinking fund for the payment of the principal of said bonds, and that there will be assessed, levied and collected upon all property in said City subject to taxation for the payment of the indebtedness refunded by said refunding bonds, a tax, beginning in the sixteenth (16th) year after the date of said bonds, sufficient to provide an annual sinking fund payment as called for in Article VI. of this memorandum.

The City further will covenant that the rate of taxation to be levied annually to provide for the payment of maturing interest on said bonds and the annual sinking fund payment shall be that rate which, after applying the experience of collectibility for the taxes of the previous year, taking into account reduction or increase of valuations on property delinquent to the City the previous year, will raise the amount required for said purposes. "By experience of collectibility for taxes of the previous year", it is intended that the definition of "Delinquent taxes" expressed in Article VIII shall apply.

V. REVOLVING FUND.

All surplus moneys remaining in the Debt Service and Operating Expense Funds after payment of interest and operating expense for any year, shall be placed in a separate trust fund, to be known as the Revolving Fund and accumulated until the fund amounts to Sixty Thousand Dollars (\$60,000.00). As moneys for this Revolving Fund are received they shall be forwarded to the Committee until a Depositary, as hereinafter provided for, shall have been appointed. Upon appointment of a Depositary the Committee will deposit the moneys in the Revolving Fund with the Depositary and thereafter all such moneys shall be paid directly to the Depositary. This fund shall continue for a period of ten (10) years after the refunding has been consummated. When terminated, all moneys derived from debt service levies then remaining in the Revolving Fund shall be placed in the Sinking Fund for the Refunding Bonds and the balance thereof paid to the City. The City shall have the privilege of borrowing on tax anticipation notes from this fund to meet the requirements of the Debt Service or Operating Fund; also for emergency use for hurricane damage repair, the cost of such repairs to be paid out of taxes levied and spread over not longer than the three (3) next fiscal years.

VI. SINKING FUND

All moneys remaining in the Debt Service Fund after payment of interest and after the Revolving Fund shall have been built up to the sum of Sixty Thousand Dollars (\$60,000.00) shall be paid into the Sinking Fund which shall be deposited with the Depositary.

Beginning with the sixteenth (16th) year, after this refunding plan becomes effective and continuing each year thereafter, the City shall levy a Debt Service millage which after taking into consideration the delinquency of the Tax collections of the fifteenth (15th) year, shall be sufficient to pay currently accruing interest and in addition thereto to provide such sum as necessary to amortize over the remaining period of the bonded indebtedness herein provided for and then outstanding; provided, that for the first ten (10) years of such levy, viz. between the sixteenth (16th) and twenty-fifth (25th) years after the refunding plan becomes



effective, the City shall not be required to place in the Sinking Fund a sum in excess of Twenty-five Thousand Dollars (\$25,000) per year.

When the money in the Sinking Fund amounts to Twenty-five Thousand Dollars (\$25,000), the Trustee of the Sinking Fund shall call for tenders of bonds and shall exhaust the money then in the Sinking Fund by purchase of bonds at the lowest prices offered. If sufficient bonds to exhaust the funds then available are not tendered at less than One Hundred Dollars (\$100.00) for each One Hundred Dollars (\$100.00) of the par value thereof, the Trustee shall call bonds for retirement by drawing lots and shall continue this until all moneys then in the Sinking Fund shall have been used for this purpose.

#### VII. TRUSTEE AND DEPOSITARIES.

Banks or trust companies with main places of business either within or without the State of Florida shall be agreed upon by the City and the Committee as depositaries and trustees for the purposes of the refunding plan. Further details concerning the depositary and trustee shall be agreed upon hereafter.

#### VIII. DELINQUENT TAXES.

All taxes uncollected six (6) months after the close of the fiscal year for which levied shall be considered as delinquent for the purposes of this agreement. Moneys representing taxes levied for Debt Service for the calendar year 1936, and subsequent years, when collected, through foreclosure or otherwise, shall be paid into the Debt Service Fund and those representing taxes levied for City operating expenses after July 1, 1935, when collected, through foreclosure or otherwise, shall belong to the City for operating expenses.

#### IX. TAX COLLECTION POLICY.

The City agrees to pursue a program of tax collections whereby delinquencies in the payments of taxes will be discouraged. Promptly following the legally allowable date, the City shall sell all delinquent tax certificates, and at the earliest legally allowable date reduce the tax liens against such properties to title. Such title premised upon liens for taxes levied for the year 1935 and subsequent years shall remain in trust for the benefit of the City's Operating Expenses and the Debt Service as the interest of each appears, and such titles premised upon liens for years prior to 1935 shall be held for the benefit of the City's creditors as provided herein.

#### X. FORECLOSURE OF DELINQUENT LIENS.

The City agrees to establish and/or foreclose all tax and improvement liens when it deems advisable, or when requested by the Committee, or by the corporation or trust when organized as soon as the same are legally foreclosable. The expense of establishing and/or foreclosing these liens shall be chargeable against the funds representing the collections from the liens against the property, and in the event that at the time title to such properties is passed to the corporation or trust, there remains any unsatisfied balance of said charge or charges, the same shall be chargeable against the funds representing collection of taxes levied for debt service for the fiscal year 1935-36, or from collection of delinquent taxes for prior years.

It is understood that the Supreme Court of Florida has rendered a decision in effect holding that many of the delinquent improvement liens levied against certain properties are inenforceable and that the City has the authority to reassess them and to reestablish the lien for the cost of the



improvements in question. The City agrees that pending the consummation of the refunding plan herein contemplated, the City will not take any steps to prejudice its right to make such reassessments and should it be deemed by the Committee advisable, the City will reassess the properties and levy for the said improvements to the limit of the City's full legal authority.

XI. OPERATING EXPENSE.

The City agrees to limit its annual appropriations for operating expense to Two Hundred and Twenty Thousand Dollars (\$220,000) per year including deficits of operating utilities and the contribution of Twenty-five Thousand Dollars (\$25,000) to the University of Miami. For each home built after the year 1935, the City may increase its annual appropriation for operating expenses by the sum of One Hundred and Forty Dollars, (\$140.00). Each apartment unit in an apartment house and each garage apartment shall be classed as a home but each such home shall entitle the City to increase its operating budget by the sum of One Hundred Dollars (\$100.00) only.

However, the City shall have the right to levy a special millage for publicity, for installing a sewage system, for constructing a sewage disposal plant, for constructing a garbage incinerator, for repairing hurricane damage, for making necessary street repairs and for similar extraordinary purposes, and the taxes so levied shall be added to and included in the above limit of allowable operating budget.

Should the City appropriate for operating expenses for any one year more than the allowable operating budget, the City shall appropriate and levy, and collect, for debt service, an additional sum equal to the excess over said allowable operating budget, which sum shall be paid into the Sinking Fund.

XII. VACANT PROPERTY.

Should the City become the purchaser at sales in the foreclosure of taxes now delinquent on vacant property, said property, shall be considered as held in trust for the benefit of the creditors participating in the contemplated plan of refunding; the City agrees to so hold and dispose of the vacant property as may be mutually agreed upon between the City and the Committee as a part of the contemplated plan of refunding; provided, however, that the property when sold or resold shall be sold subject to such reasonable restrictions as to building and homestead rights agreeable to the City and the Committee, as may be hereafter defined; the purpose of such restriction being to encourage the development of such vacant properties as a high class residential district for the purpose of producing revenues for operating the City, having in mind the homestead exemption from taxation. The Committee shall agree to consent to the City reserving such plots of said vacant property to be selected by the City, as may be agreed by the Committee and the City as appropriate for park and recreational development.

XIII. MILLAGE FOR FISCAL YEAR 1935-36

For the fiscal year 1935-36, the City agrees to levy five (5) mills tax for Debt Service and twelve (12) mills tax for operating expenses on the full One Hundred per cent (100%) value of all taxable property. The City shall pay directly to the owners of its floating debt their pro rata share



of said debt service funds and shall pay to the Committee the balance thereof. The Committee shall surrender for cancellation to the City past due interest coupons of the full par value of the money thus paid to the Committee.

XIV. FUTURE BORROWING AND BUDGET.

The City agrees that it shall at all times incur no direct or indirect liability for the payment of moneys not appropriated for in its annual budget of the current or previous years, except as herein otherwise provided.

The City agrees that its budget of appropriations for operating expenses for any fiscal year shall never exceed One Hundred Ten per cent (110%) of the actual amount of the previous years levies for operating expenses then collected or satisfied. For this purpose, the amount of the previous years levy actually collected, plus the amount of the uncollected or unsatisfied taxes imposed upon the improved real estate upon which the City holds no lien for taxes other than those of the year just past, shall be deemed the limit of operating expense budget to which the one hundred ten per cent (110%) is applied. The limitations imposed by this paragraph shall not apply when the delinquencies in tax collection result from damage by hurricane, floods or other similar unusual catastrophes beyond the control of the City.

The City agrees that it shall not borrow in any one fiscal year against the taxes levied in excess of Fifty per cent (50%) of the amount of the taxes levied against improved properties and in no event shall the aggregate of all tax anticipation borrowings including those of the current year exceed the amount of taxes levied the current year against the improved properties. Other than tax anticipation borrowings, no liabilities shall be incurred by the City not satisfied in full by the current tax levies except as herein otherwise provided, unless for capital improvements or replacements and then not until nor unless the bonds have been duly authorized, sold and the proceeds actually received by the City. The maturity of the bonds issued therefor shall not exceed the reasonable life of the improvement and the tax for the interest and Sinking Fund shall be levied, effective the current year of sale.

No bonds shall be issued except if approved by an affirmative vote of the duly qualified Freeholders expressed at a special election called for the purpose.

In order to meet the aggregate of the appropriations called for in its budget for any one year, the City agrees that the amount of funds estimated to be received by the City from sources other than that of a direct tax upon the property within the City, shall never exceed the amount actually received from such identical sources during the previous fiscal year. This shall not be construed to prevent the City from estimating an increased revenue from such identical sources, if the increase is based upon an increase unit levy or rate charged, nor estimating the amount of funds to be collected from any new sources of revenue and adding such sum to said budget appropriation. All moneys applicable to operating expenses, actually received during the fiscal or budget year from all sources in excess of the allowable operating budget shall be held in reserve and applied as against the appropriations for allowable operating expenses of the next year, thereby reducing by such sum the amount of the tax that would otherwise have to



be levied for the allowable operating budget appropriations of that year, or such surplus may be utilized for the retirement of debt; provided, however, that this method of disposing of such surplus funds shall not apply until the revolving fund provided for in Article V of this agreement shall have been built up to Sixty Thousand Dollars (\$60,000).

XV. CONTRIBUTIONS TO UNIVERSITY OF MIAMI.

Unless and until there can be collected a special tax levied against the improved properties of the City to raise the funds desired to be contributed towards the maintenance of the Miami University, located within the limits of The City of Coral Gables, no funds raised from the general tax levied for operating expense shall be so contributed in excess of the Twenty-five Thousand Dollars (\$25,000) per annum now being contributed and this contribution shall cease not later than the fiscal year ending June 30, 1941. Should the University of Miami discontinue or remove its principal educational activities beyond the limits of The City of Coral Gables, all financial contributions from the City shall cease forthwith.

All or any part of the Twenty-five Thousand Dollars (\$25,000) now annually contributed to the University of Miami and included in the allowable amount of operating expenses of the City, when discontinued shall be deducted from the allowable operating budget.

XVI. DEBT NOT SATISFIED BY THE \$4,000,000 OF THE REFUNDING BONDS

The City agrees to satisfy the balance of the outstanding indebtedness, including all interest accrued thereon to date of issuance of refunding bonds, by holding in trust for the exclusive benefit of a private corporation or trust to be organized by the Committee all improvement liens and delinquent tax liens representing taxes levied for years prior to January 1, 1935, and the City obligates itself to foreclose such liens at the earliest legally allowable date and to transfer such titles as may be acquired thereby at the direction of such private corporation or trust. All proceeds received by the City from the sale or redemption of all of the above mentioned assets after July 1, 1935, shall be delivered to the said private corporation or trust, and prior to the organization of the above mentioned corporation or trust, shall be delivered to the Committee. The above is understood not to apply to those limited number of lots to which local taxpayers have already secured taxdeeds.

Should any refunding bonds be outstanding at the time of sale of the present transportation facilities and franchise, the Venetian Pool, Coliseum, and Country Club, the proceeds thereof shall be applied to the Sinking Fund of the refunding bonds; provided, however, that the City may sell any of its transportation equipment and re-invest the proceeds thereof in other transportation equipment. Should the land composing the present municipal Golf Course be sold, the proceeds thereof shall be for the benefit of the above mentioned corporation or trust, or, if then not organized, shall be held in trust for the beneficiaries of such contemplated corporation or trust.

When the corporation or trust takes title to the liens and assets, the City agrees that the proposed refunding plan shall provide for the exemption from or the payment of the estimated amount of taxes which might be levied by the City during the ten (10) years next succeeding the issuance of the refunding bonds to the extent that the assets be held by the corporation or trust during that period.

XVII. It is agreed by the City that, at such time following the execution by the City and the Committee of this Permanent Refunding Plan of February 1936, that the Committee deems appropriate, the City will, upon request by the Committee promptly either



1. petition the Federal Court to act upon the plan and agreement of refinancing in keeping with the amendment to the Federal Bankruptcy Act, or
2. declare the plan operative and put its terms into effect.

The City shall act as called for by #1 if the Committee at the time can legally bind to the plan not less than the minimum amount required under the Amendment to the Federal Bankruptcy Act for Municipalities in default, or, as called for by #2, if the amount of bonds now legally pledged to the plan aggregates an amount and are so distributed as afford, in the opinion of the Committee and the City no serious impairment to the successful carrying out of the plan and the pledges embodied therein.

XVIII. No steps contemplated by this Permanent Refunding Plan of February 1936 shall be undertaken until counsel for the Committee have given the Committee unqualified assurance that the new refunding bonds to be issued in accordance with this agreement will have all the rights and enforceability possessed by the present outstanding bonds, together with the enforceability of the pledges given in this agreement, all of which shall be deemed a contract between the City and the holders of the refunding bonds, and until and unless the legality and form of all matters pertaining therewith have been approved by the counsel for the Committee; this relates to the steps involved in the preliminary undertakings as well as those relating to or involved in the ultimate refunding.

The City agrees to take all legal steps deemed by the Committee's counsel necessary for the purposes of these present understandings and the refunding plan and to make every effort to secure the decrees required, including that of the Florida Supreme Court validating the new bonds to be issued in accordance with the plan and agreement of refunding. The City also agrees to secure the approval to the plan and agreement of refunding and the new securities to be issued by the Freeholders of The City of Coral Gables at a special election called for the purpose.

The Committee agrees to use its best efforts to secure the agreement of bondholders to this Permanent Refunding Plan in sufficient number to enable the City and the Committee to consummate the same, and to procure such agreement of bondholders at the earliest reasonable date, it being understood and agreed by the City and the Committee that the interests of The City and the bondholders will both be best served by an early consummation and completion of this refunding plan.

IN WITNESS WHEREOF the several members of the Coral Gables, Florida, Bondholders Protective Committee have affixed their signatures and seals in duplicate, on this the \_\_\_\_\_ day of March, A.D. 1936; and the City of Coral Gables, Florida, has caused these presents to be signed in duplicate by its Mayor, and the City seal to be affixed and attested by its City Clerk on the \_\_\_\_\_ day of March, A.D. 1936, in accordance with Resolution No. \_\_\_\_\_, adopted by unanimous vote of the City Commission on the \_\_\_\_\_ day of March, A.D. 1936.

\_\_\_\_\_  
(SEAL)

\_\_\_\_\_  
(SEAL)

\_\_\_\_\_  
(SEAL)  
Coral Gables, Florida, Bondholders  
Protective Committee.

\_\_\_\_\_  
As Mayor of The City of Coral Gables,  
Florida.

ATTEST:

\_\_\_\_\_  
As City Clerk of The City of Coral Gables



NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA; as follows:

1..That they ratify and approve the foregoing Permanent Refunding Plan of February 1936, and the Mayor and City Clerk be and they are hereby directed and authorized to sign and execute the above contract evidencing said Refunding Plan, and the City Clerk be, and he hereby is, directed and authorized to certify a copy of this Resolution to be forwarded to the said Bondholders Protective Committee.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

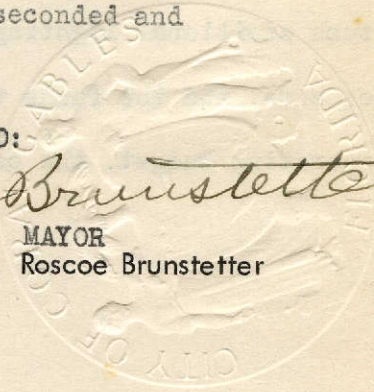
"Yes" - Mayor Brunstetter  
Commissioner Avery  
Garris  
McGarry  
Rinehart

Commissioner Garris stated that he wished the record to show that while he approves and supports the plan in general, he does not wish his vote to be construed as a commitment to vote for the reinstatement or reassessment of the improvement assessment liens which have been and are at the present time invalidated by the Courts.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*  
MAYOR  
Roscoe Brunstetter



ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF REGULAR MEETING OF  
CITY COMMISSION ON APRIL 7, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock p. m. on Tuesday, April 7, 1936.

Mayor Brunstetter absent from the City; Vice Mayor McGarry in the Chair; Commissioners Avery, Garris and Rinehart present.

The minutes of the meeting of March 17, 1936 were read and approved.

The Clerk presented communications from W. L. Harris and R.T. Bellchambers requesting allowance of Homestead Exemption on 1935 taxes, although their applications had not been filed within the period fixed by the City, or the period fixed by the regulating statute of 1935. The Commission instructed that the applicants be advised that the Commission has no legal power to make the allowance at this time.

A communication was received from the Coral Gables Realty Board requesting additional street lights in the business district. Inasmuch as such additional lighting can not be furnished without heavy additional expense, and the funds therefor would not be available in the current operating budget, the communication was ordered filed.

RESOLUTION NO. 1569

A RESOLUTION AUTHORIZING AND ORDERING THE CREMATION OF CERTAIN CANCELLED CITY OF CORAL GABLES BONDS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the following bonds, and attached coupons, which have been retired and cancelled on the records of the city of Coral Gables, be and they are hereby ordered to be destroyed by cremation in the presence of the City Manager and the Director of Finance and one other witness, each of whom shall certify upon the minute book of the City of Coral Gables and on the page bearing the minutes of the meeting in which this resolution is adopted, that such bonds and coupons were completely destroyed by cremation and that the bonds and coupons so destroyed were precisely in accordance with the following list:

ISSUE OF DECEMBER 1, 1925			
DUE DEC. 1	BOND NUMBERS	FIRST AND SUB- SEQUENT COUPONS ATTACHED	AMOUNT
1927	1 to 5, inc.	None	\$5,000
1928	6 to 10, "	none	5,000
1929	11 to 15, "	none	5,000
1930	16 and 17	none	2,000
1930	20	12-1-30	1,000
1935	68 to 79, inc.	12-1-34	3,000
1936	83 and 84	12-1-34	2,000
			\$23,000

(1930 18 - in hands of Court, cancelled in connection with T. B. Cox Mandamus suit)



ISSUE OF APRIL 1, 1926

<u>DUE</u> <u>APRIL 1.</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB- SEQUENT COUPONS</u> <u>ATTACHED</u>	<u>AMOUNT</u>
1928	551 to 554, inc.	none	\$4,000
1930	559 to 562, inc.	none	4,000
1936	607 and 608	10-1-34	2,000
1945	743 to 745, inc.	10-1-32	3,000
1946	759 and 760	10-1-31	2,000
1946	766 to 770, inc.	10-1-31	5,000
1956	993	10-1-31	1,000
1956	999	10-1-34	1,000

\$22,000

(1929 - 555 to 558, inc.,  
previously cremated)

ISSUE OF JULY 1, 1926

<u>DUE</u> <u>JULY 1</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB- SEQUENT COUPONS</u> <u>ATTACHED</u>	<u>AMOUNT</u>
1929	288 and 289	none	\$ 2,000
1930	301 to 390, inc.	none	90,000
1930	392 to 450, inc.	none	59,000
1931	467	7-1-31	1,000
1931	501 to 515, inc.	7-1-31	15,000
1931	526 to 529, inc.	7-1-31	4,000
1931	541 to 546, inc.	7-1-31	6,000
1931	576 to 578, inc.	7-1-31	3,000
1931	582 and 583	7-1-31	2,000
1931	594	7-1-31	1,000
1932	705 to 709, inc.	none	5,000
1932	725 to 734, inc.	none	10,000
1933	801	none	1,000
1933	808 to 810, inc.	none	3,000
1933	880 to 883, inc.	none	4,000
1933	889	none	1,000
1933	896 to 900, inc.	none	5,000
1934	932	7-1-31	1,000
1934	965	7-1-31	1,000
1934	1003	7-1-31	1,000
1935	1080 to 1082, inc.	1-1-32 (except 1-1-35)	3,000
1935	1227	1-1-35	1,000
1935	1441	1-1-35	1,000
1937	1456 to 1460, inc.	1-1-32	5,000
1937	1529	1-1-32	1,000
1937	1558 to 1561, inc.	1-1-32	4,000
1937	1586 and 1587	1-1-35	2,000
1937	1591 to 1593, incl.	1-1-32	3,000
1937	1596 to 1598, inc.	1-1-32	3,000
1938	1708 to 1712, inc.	7-1-31	5,000
1938	1768	1-1-35	1,000
1938	1770	1-1-35	1,000
1938	1772	1-1-35	1,000

\$246,000

(1928 1 to 150, inc. previously cremated  
1929 151 to 287, inc., previously cremated  
1929 290 to 300, inc., previously cremated  
1933 802 to 807, inc., cancelled by and in  
hands of Federal Court in Hayes suit.



ISSUE OF JANUARY 1, 1927

<u>DUE</u> <u>JAN. 1.</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB- SEQUENT COUPONS</u> <u>ATTACHED</u>	<u>AMOUNT</u>
1930	1 to 96, inc.	none	\$96,000
1933	365 to 368, inc.	none	4,000
1933	384	7-1-31	1,000
1935	571 to 580, inc.	7-1-31	10,000
1937	819 to 824, inc.	1-1-35	6,000
1937	826 and 827	1-1-35	2,000
1937	851 to 855, inc.	1-1-32	5,000
1938	1075 to 1091, inc.	1-1-35	17,000
1938	1093 and 1094	7-1-31	2,000
1939	1120	7-1-31	1,000
1940	1332	7-1-31	1,000
1941	1492	7-1-31	1,000
1941	1500	1-1-35	1,000
1941	1662 to 1665, inc.	7-1-31	4,000
1941	1673	7-1-31	1,000
1941	1675 to 1683, inc.	7-1-31	9,000
1941	1686	7-1-31	1,000
1945	2575	1-1-35	1,000
1946	2707	1-1-35	1,000
1946	2790 to 2792, inc.	1-1-35	3,000
1946	2826 and 2827	1-1-35	2,000
1946	2916 to 2920, inc.	7-1-31	5,000
1947	2989	1-1-35	1,000
1947	3234	1-1-35	1,000
1948	3296 to 3299, inc.	1-1-35	4,000
1040	3388 to 3390, inc.	1-1-35	3,000
1949	3392	1-1-35	1,000
1949	3395 to 3399, inc.	1-1-35	5,000
1950	3538 to 3543, inc.	7-1-31	6,000
1951	3608	7-1-31	1,000
1951	3614 to 3619, inc.	7-1-31	6,000
1951	3622	7-1-31	1,000
1953	3890	7-1-31	1,000
1956	4288 to 4292	7-1-31	5,000
1956	4307 to 4309, inc.	7-1-31	3,000
1957	4400 and 4401	7-1-31	2,000

\$214,000

Also to be cremated:

1941 - 1642 to 1651, inc., DUPLICATE BONDS, all coupons attached, in place of which other bonds bearing same numbers were issued.

ISSUE OF JUNE 1, 1928

<u>DUE</u> <u>JUNE 1</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB- SEQUENT COUPONS</u> <u>ATTACHED</u>	<u>AMOUNT</u>
1931	1 to 10, inc.	none	\$10,000
1935	51 to 70, inc.	12-1-34	20,000
1938	122 and 123	12-1-34	2,000
1938	126 to 130, inc.	12-1-34	5,000

37,000

ISSUE OF JUNE 15, 1928

<u>DUE</u> <u>JUNE 15</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB- SEQUENT COUPONS</u> <u>ATTACHED</u>	<u>AMOUNT</u>
1951	726 to 730, inc.	12-15-34	5,000
1951	747 to 766, inc.	12-15-34	20,000
1953	848 to 851, inc.	12-15-34	4,000
1953	865 to 873, inc.	12-15-34	9,000

38,000



		<u>ISSUE OF JUNE 1, 1929</u>	
<u>DUE</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB-SEQUENT COUPONS ATTACHED</u>	<u>AMOUNT</u>
<u>JUNE 1</u>			
1939	140 to 142, inc.	12-1-34	3,000
			\$3,000

		<u>ISSUE OF JULY 1, 1929</u>	
<u>DUE</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB-SEQUENT COUPONS ATTACHED</u>	<u>AMOUNT</u>
<u>JUNE 30</u>			
1930	38 and 39	none	10,000
			10,000

		<u>ISSUE OF JANUARY 1, 1930</u>	
<u>DUE</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB-SEQUENT COUPONS ATTACHED</u>	<u>AMOUNT</u>
<u>MARCH 1</u>			
1933	4	none	1,000
1934	7	none	1,000
1935	10	9-1-34	1,000
1936	13	9-1-34	1,000
1937	16	9-1-34	1,000
1938	19	9-1-34	1,000
1939	22	9-1-34	1,000
1940	37	9-1-34	1,000
1941	52	9-1-34	1,000
			9,000

		<u>ISSUE OF JULY 1, 1930</u>	
<u>DUE</u>	<u>BOND NUMBERS</u>	<u>FIRST AND SUB-SEQUENT COUPONS ATTACHED</u>	<u>AMOUNT</u>
<u>JULY 1, 1930</u>			
1933	1 to 5, inc.	7-1-31	5,000
1934	6 to 10, inc.	7-1-31	5,000
1940	40	7-1-31	1,000
1941	41 and 42	7-1-31	2,000
1945	62 to 65, inc.	1-1-35	4,000
1946	66	1-1-35	1,000
1951	110	1-1-31	1,000
1952	111 to 120, inc.	1-1-31	10,000
1953	121 to 130, inc.	1-1-31	10,000
1954	131 to 140, inc.	1-1-31	10,000
1955	141 to 150, inc.	1-1-31	10,000
			59,000
			<u>\$661,000</u>

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Rinehart; the resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

Absent - Mayor Brunstetter



## RESOLUTION NO. 1570

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO PAY COMMISSIONS ON THE SALE OF TAX SALE CERTIFICATES.

WHEREAS, the City of Coral Gables has delinquent tax sale certificates upon approximately eighteen thousand (18,000) lots, and the restoration of the properties represented thereby to the current tax rolls is of utmost importance to the City of Coral Gables and to its creditors; and,

WHEREAS, the sale of such tax certificates has in the past several years been greatly accelerated by the payment of commissions to certain qualified tax agents who have been enabled thereby to spend their time interesting investment capital in the tax certificates; and,

WHEREAS, such sales work is impossible to the regular forces of the City of Coral Gables;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager and the Director of Finance be and they are hereby authorized to pay to those tax agents who have been operating in and recognized by the City of Coral Gables during the past two years, a commission of twenty per cent (20%) upon all bona fide sales of tax certificates for the years 1934 and prior on vacant lands in the City of Coral Gables; and,

BE IT FURTHER RESOLVED:

That such payment of commission is to be made from the proceeds of the sale of such taxes.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

Absent- Mayor Brunstetter

## RESOLUTION NO. 1571

A RESOLUTION TRANSFERRING CERTAIN FUNDS FROM THE CONTINGENT FUND TO CERTAIN DEPARTMENTAL APPROPRIATIONS, AND AUTHORIZING CERTAIN SALARY CHANGES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Five Hundred (\$500.00) Dollars



be and it is hereby appropriated from the Contingent Fund to:

City Manager's Appropriation	\$125.00
Finance Department Appropriation	150.00
Assessor's Appropriation	75.00
Building Inspector's Office	75.00
Department of Health	75.00

for the purpose of providing for the revision of the following salaries to the amount shown:

City Manager	\$375.00
Director of Finance	325.00
Building Inspector	250.00
Tax Assessor and Purchasing Agent	225.00
Health Officer	150.00

and the City Manager and the Director of Finance be and they are hereby authorized to make such salary revisions effective on the first day of April, 1936.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart; the resolution was adopted by the following roll call:

"Yes" - Commissioner Avery  
Garris  
McGarry  
Rinehart

Absent - Mayor Brunstetter

Commissioner Garris asked that the record show the statement that his vote of "Yes" did not carry with it a commitment to vote similarly upon the subject in considering the next budget.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

*G. N. Shaw*  
CITY CLERK.  
G. N. Shaw

APPROVED:

*Roscoe Brunstetter*

MAYOR

Roscoe Brunstetter



MINUTES OF THE REGULAR MEETING OF  
THE CITY COMMISSION ON APRIL 21, 1936

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock p.m. on Tuesday, April 21, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris McGarry and Rinehart, Present.

The minutes of the meeting of April 7, 1936 were read and approved.

The Clerk reported on the Zoning Board of Appeals meeting of April 20, 1936 to the effect that the several matters before the Board on that date had been deferred for further consideration, and in one case had been referred to the City Commission. The Commission investigated the facts in connection with the application by Dr. Bovard for a two family apartment building on Segovia at Palmarito Court and found no reason under the ordinances for denying the building permit requested. The Commission also examined plans for a new house to be erected by Mr. St. Gaudens in Biscayne Bay Section #1, and it was the sense of the Commission that the house should be permitted at the proposed cost.

Mayor Brunstetter announced the appointment of Mr. C. S. Robertson to the Zoning Committee, organized for the purpose of studying and recommending modifications of the Zoning Ordinances. The appointment was approved by the Commission.

RESOLUTION NO. 1572

A RESOLUTION RESCINDING RESOLUTION  
NO. 1570.

BE IT RESOLVED BY THE COMMISSION OF THE  
CITY OF CORAL GABLES, FLORIDA:

That Resolution No. 1570, adopted by the  
Commission on April 7th, 1936, be and it is hereby  
rescinded and annulled.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

A communication from Lewis R. King, advising the City of his views of the legal status of taxes on territory west of Red Road, and requesting that the City cancel the taxes in order to remove the alleged cloud from the titles to such property, was referred to the City Attorney with instructions to communicate with the Bondholders' Protective Committee counsel upon the subject and to report back to the City Commission.



A communication from S. J. Barco, requesting special adjustment on taxes on certain property in Country Club Section #3 was referred to the Clerk, with instructions to determine from the Bondholders Protective Committee whether it would consent to an adjustment of the taxes based upon \$100 per lot, with a definite time limit during which the adjustment might be effected.

RESOLUTION NO. 1573

A RESOLUTION AUTHORIZING THE EXCHANGE OF TITLE INSTRUMENTS TO CLEAR CLOUD ON THE TITLE TO PART OF THE VENETIAN POOL TRACT AND RELOCATE THE WESTERN BOUNDARY LINE OF THE SAME IN LOT 1 OF BLOCK 6 OF CORAL GABLES SECTION "A".

WHEREAS, through error The Somerset Company, by executing a deed and taking back a purchase money mortgage, clouding the title of the City to a portion of the northeast corner of Lot 1 of Block 6, Coral Gables Section "A"; and,

WHEREAS, the said Company has had the lines dividing said lot resurveyed, and offered to exchange deeds and satisfaction of mortgage, so as to clear the title of the City to said portion of said lots upon consideration that the City agree to a relocation of the dividing line between the City's portion of said lot and the portion thereof recently sold by the said Company; and,

WHEREAS, the said Company has proposed and offered to bear all of the expense incident to the resurvey of said lot and the execution and recording of deeds and satisfaction of mortgage necessary to remove the clouds upon the title of the City to its portion of said lot; and,

WHEREAS, the small strip of land being deeded to the adjoining owner is of no practical value to the City and a relocation of the same will enable the adjoining owner to more attractively improve its premises; and,

WHEREAS, the resurvey of said lot has furnished to the City a definite location of its property lines in said block at no expense to the City, a blue print of which resurvey is hereto attached as an exhibit to this Resolution,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, AS FOLLOWS:



1. That the Mayor and City Clerk be, and they hereby are, authorized and directed to execute to THE SOMERSET COMPANY a special warranty deed, conveying to said Company the southwestern portion of said Lot 1, Block 6, Coral Gables Section "A", as shown upon the attached blue print.

2. That the City Attorney be, and he hereby is, authorized to deliver said special warranty deed to The Somerset Company upon the receipt of quit claim deed by the holder of any recorded cloud, conveying to the City all of said lot, except said southwestern portion as shown upon the attached blue print, and a satisfaction of any and all recorded mortgages purporting to encumber said last mentioned portion of said lot, provided The Somerset Company shall pay all expenses incident thereto, including documentary stamps, recorder's fees and any and all other fees and expenses incident to the relocation of said line, and clearing of the existing clouds against the City's title to the Northeast portion of said lot.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Avery.

The resolution was adopted by the following roll call:

"Yes" -- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

RESOLUTION NO. 1574

A RESOLUTION AUTHORIZING THE  
 SETTLEMENT OF PROPERTY DAMAGE  
 CLAIM AGAINST M. L. PARSHALL.

WHEREAS, on the 9th day of January, 1936, at or near Coral Way and 17th Avenue Southwest, in the City of Miami, M. L. PARSHALL, driving an automobile, collided with City Bus No. 162, driven by A. M. Stanton; and,

WHEREAS, the said Parshall admitted liability and responsibility for said accident and has offered the City the sum of Two Hundred Twenty-five (\$225.00) Dollars in settlement of the damages to the City bus; and,



WHEREAS, the bus has been repaired by the City Transportation Department at an expense of Ninety-five (\$95.00) Dollars for labor, and One Hundred Thirty (\$130.00) Dollars for materials, and express charges,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES,

That the City Manager be and he hereby is authorized to accept said sum of Two Hundred Twenty-five (\$225.00) Dollars, and he and the City Clerk directed to executed to the said M. L. Parshall a Release of all claims on account of said accident.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry.

The resolution was adopted by the following roll call:

"Yes" -- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1575

A RESOLUTION APPROPRIATING THE SUM OF THIRTY SEVEN DOLLARS AND FIFTY CENTS FROM THE CONTINGENT FUND FOR THE PURPOSE OF SECURING CERTAIN ADVERTISEMENT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Thirty-seven Dollars and fifty cents (\$37.50) be and the same is hereby appropriated and transferred from the Contingent Fund to the appropriation for advertising, for the purpose of securing an advertisement in the University of Miami "Ibis".

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" -- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

There being no further business to come before the Commission, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAJOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF THE MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON MAY 5, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, May 5th, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris and McGarry present; Commissioner Rinehart absent from the City.

The minutes of the meeting of April 21st, 1936 were read and approved.

A communication from Lewis R. King concerning certain taxes in Schenley Park was referred to the City Attorney for investigation and report.

RESOLUTION NO. 1576

A RESOLUTION SOLICITING FAVORABLE  
ACTION OF THE WORKS PROGRESS  
ADMINISTRATION ON THE PROJECT  
KNOWN AS NUMBER 13-4-G-224, CORAL  
WAY PARKING AND PAVING.

WHEREAS, the Board of County Commissioners of Dade County, Florida, has sponsored a Works Progress Administration project number 13-4-G-224, known as "Coral Way Parking and Paving"; and,

WHEREAS, it is the consensus of the Commission and of the people of the City of Coral Gables, Florida, that the improvement and parking of Coral Way is urgently needed and that such a project would prove to be a thoroughly constructive and worthwhile means of using relief funds; and,

WHEREAS, the proposed improvement of Coral Way would undoubtedly prove of wide spread benefits to the entire Miami area, in that it would encourage building over a wide stretch of land on either side of the boulevard, and create new demand for employment in the building trade;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the prompt, earnest and favorable consideration of the Works Progress Administration be, and it is hereby respectfully solicited for the above described Coral Way Parking and Paving project.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1577

A RESOLUTION CANCELLING 1935 CITY  
TAXES ON LOTS 1 to 6, INCLUSIVE,  
BLOCK 27, SECTION "X".

WHEREAS, the Commission of the City of Coral Gables has previously informally agreed with the Papoya Company and the owners of the building on Lots 1 to 6, both inclusive, Block 27, Section "X", that as an inducement





to secure the location of the Papoya Company's activities in Coral Gables and in that building, the City taxes for the year 1935 would be cancelled; and,

WHEREAS, the said Papoya Company has leased that building and has been and is now operating therein;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Tax Collector be and he is hereby authorized and instructed to cancel and satisfy the 1935 City taxes on Lots 1 to 6, both inclusive, Block 27, Section "K".

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

- "Yes" - Mayor Brunstetter
- Commissioners Avery
- Garris
- McGarry

Commissioner Rinehart absent from the City.

Mayor Brunstetter reported to the Commission the selection and appointment of Ex-mayor Vincent D. Wyman as Chairman of the Committee for the study and preparation of improvements and modifications to the Zoning Ordinance. The appointment was confirmed by the Commission.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

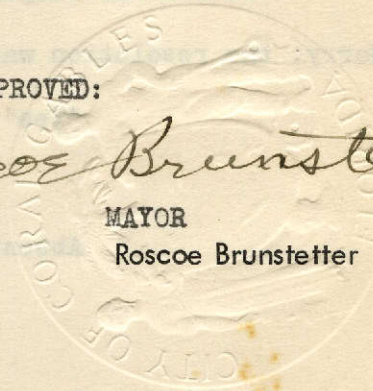
*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK.  
G. N. Shaw





MINUTES OF MEETING OF COMMISSION OF THE CITY  
OF CORAL GABLES ON TUESDAY, MAY 12, 1936.

By unanimous consent of the Commissioners at a conference held at 12:15 o'clock p. m. on Monday, May 11, 1936, the Commission of the City of Coral Gables convened in special session at the City Hall at five o'clock p.m. on Tuesday, May 12, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris and McGarry present; Commissioner Rinehart joined the meeting before the adjournment.

RESOLUTION NO. 1578

A RESOLUTION WAIVING NOTICE OF  
SPECIAL MEETING AND GRANTING CONSENT  
TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

That call of special meeting by written notice,  
under the provisions of the City Charter be, and the same  
is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission  
consent to any business that may come before it for  
consideration.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner  
McGarry; the resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Absent - Commissioner Rinehart

RESOLUTION NO. 1579

A RESOLUTION AUTHORIZING AN  
AGREEMENT WITH THE CITY OF  
MIAMI RELATING TO THE FEDERAL  
PROJECT FOR THE IMPROVEMENT OF  
CORAL WAY AND THE REMOVAL OF  
STREET RAILWAY EQUIPMENT.

WHEREAS, The City of Miami has officially  
concurred in and approved the proposed Federal project for  
the improvement of Coral Way which is being sponsored by  
the Board of County Commissioners of Dade County, Florida;

WHEREAS, said Federal project contemplates and re-  
quires the removal of all street railway equipment, both  
tract and overhead, from said street; and,

WHEREAS, said improvement of Coral Way will be  
beneficial to The City of Coral Gables,



NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES:

1. That they approve and concur in the proposed Federal Project sponsored by the Board of County Commissioners of Dade County for the improvement of Coral Way and express their appreciation to the said Commissioners for their interest in said project.
2. That the City Manager and the City Clerk be, and they are hereby directed and authorized to execute the following agreement with The City of Miami, to-wit:

"AGREEMENT

THIS AGREEMENT MADE AND ENTERED INTO, this \_\_\_\_\_ day of May, A.D., 1936, by and between THE CITY OF MIAMI, a municipal corporation of the State of Florida, party of the first part, and THE CITY OF CORAL GABLES, a municipal corporation of the State of Florida, party of the second part,

WITNESSETH:

THAT, WHEREAS, the party of the first part by franchise dated the 14th day of July, 1925, Miami Ordinance No. 422, granted certain rights and privileges to the party of the second part as Assignee of said franchise to use the streets of the CITY OF MIAMI in carrying passengers;

WHEREAS, it has been brought to the attention of the parties to this agreement that the Federal Government, through the W.P. A. is willing to expend approximately \$250,000.00 improving and paving what is known as Coral Way, one of the streets upon which said party of the second part has operated its street or Rapid Transit cars, under said franchise;

WHEREAS, the said Federal project contemplates and requires the removal of the track and overhead street railway equipment from said streets, and,

WHEREAS, it is the desire of both parties that Coral Way be improved and this W.P.A. project be started and pushed to an early completion, it is understood, however, that the things required of these parties for the purpose of furthering and completing said Federal project shall be done without prejudice to the rights of either party under the franchise above referred to,

IT IS, THEREFORE, MUTUALLY AGREED as follows:

That none of the rights of the parties to the said franchise bearing date, the 14th day of July, 1925, Miami Ordinance No. 422, shall be impaired or in any wise affected by the required preliminary work and the paving and improving of Coral Way by the W.P.A. under the project known as \_\_\_\_\_, it being the intent and purpose of this agreement between the parties hereto, that neither the rights of The City of Miami nor the rights of The City of Coral Gables



under its said franchise shall in any way be impaired, affected or waived by execution of the work necessary for the completion of said project, but said rights shall remain in full force and effect.

EXECUTED in duplicate, this the \_\_\_\_\_ day of May, A.D. 1936.

THE CITY OF MIAMI

By \_\_\_\_\_

THE CITY OF CORAL GABLES

By \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

3. That the City Manager be and he hereby is authorized and directed to proceed with any and all work necessary to facilitate the progress and completion of said Federal Project."

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner McGarry; the resolution was adopted by unanimous vote.

AN ORDINANCE AMENDING ORDINANCE NO. 255 OF THE CITY OF CORAL GABLES, KNOWN AS "AN ORDINANCE REGULATING THE MANUFACTURE, DISTRIBUTION AND SALE OF BEVERAGES CONTAINING MORE THAN ONE PER CENTUM OF ALCOHOL, REGULATING THE ISSUANCE OF LICENSES FOR SUCH OCCUPATION, PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE, AND REPEALING EXISTING ORDINANCES IN CONFLICT WITH THE ORDINANCE."

was read, and was carried forward to the next regular meeting for second reading and further action.

RESOLUTION NO. 1580

A RESOLUTION INVITING THE CITY OFFICIALS OF THE CITIES COMPOSING THE MIAMI AREA TO A BUFFET DINNER TO PROPOSE AN ORGANIZATION OF THE GROUP.

WHEREAS, the Miami Area is composed of several separate and distinct municipalities, each of which have



their own individual problems and each of which are vitally interested in the major problems of the other cities; and,

WHEREAS, we believe that an organization of the several governing bodies of said municipalities would be quite helpful and beneficial to each municipality in the furthering of projects beneficial to all;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

1. That they propose to the Mayors and Commissioners and officials of the cities comprising the Miami Metropolitan Area, that they join with us in perfecting an organization of the municipalities of the Miami Area.

2. That for the purpose of discussing such an organization, we hereby invite the Mayors, Commissioners, City Managers, City Clerks, Directors of Finance and City Attorneys of each of said municipalities to be the guests of The City of Coral Gables at a buffet dinner to be held at the Coral Gables Country Club on the 20th day of May, A.D., 1936.

3. That the City Clerk be directed to forward a copy of this resolution to the Mayor and Commissioners of each of said municipalities.

was introduced and read.

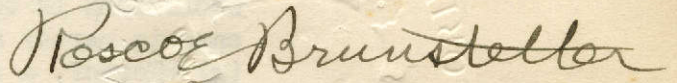
Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

  
CITY CLERK  
G. N. Shaw

APPROVED:

  
MAYOR  
Roscoe Brunstetter



MINUTES OF REGULAR MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON  
MAY 19, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock p. m. on Tuesday, May 19, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris and McGarry, present. Commissioner Rinehart, absent.

The minutes of the meetings of May 5th and May 12th, 1936 were read and approved.

AN ORDINANCE AMENDING ORDINANCE NO. 255 OF THE CITY OF CORAL GABLES, KNOWN AS "AN ORDINANCE REGULATING THE MANUFACTURE, DISTRIBUTION AND SALE OF BEVERAGES CONTAINING MORE THAN ONE PER CENTUM OF ALCOHOL, REGULATING THE ISSUANCE OF LICENSES FOR SUCH OCCUPATION, PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE, AND REPEALING EXISTING ORDINANCES IN CONFLICT WITH THIS ORDINANCE"

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. That Section 3, entitled "General Regulations" of Ordinance No. 255 of the City of Coral Gables, entitled "AN ORDINANCE REGULATING THE MANUFACTURE, DISTRIBUTION AND SALE OF BEVERAGES CONTAINING MORE THAN ONE PER CENTUM OF ALCOHOL, REGULATING THE ISSUANCE OF LICENSES FOR SUCH OCCUPATION, PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE, AND REPEALING EXISTING ORDINANCES IN CONFLICT WITH THIS ORDINANCE" be, and the same is hereby amended by the addition, after sub-paragraph (g) thereof, a sub-paragraph (h), reading as follows:

"No licensee hereunder shall solicit, accept, or receive deliveries on Sunday of any alcoholic beverage containing more than one per centum of alcohol from wholesalers or distributors or others; and no wholesaler or distributor or others shall make deliveries of such beverages on Sunday for resale."

Section 2. This Ordinance shall take effect immediately upon its passage, approval and publication as required by Law.

was read in full on second reading, having been first read at the meeting of May 12th, 1936.

Motion for adoption of the ordinance of Commissioner McGarry; seconded by Commissioner Avery. The Ordinance was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry

Absent - Commissioner Rinehart



Mayor Brunstetter then declared the Ordinance adopted and approved and ordered its publication as No. 258.

RESOLUTION NO. 1581

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEED TO LOT 41, BLOCK 34, SECTION "K" TO THE CORAL GABLES CLINIC, INC.

WHEREAS, the City is the owner of the title to Lot 41, Block 34, Section "K", and has no plans or expectation of using said lot in any way for municipal purposes; and,

WHEREAS, the Coral Gables Clinic, Inc. is in need of that property for an extension of its plant, and the Commission of the City of Coral Gables feels that said Clinic is a worthwhile institution and an asset to the City, and that the City should cooperate in every way that it can in such expansion;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That, for a consideration of One Hundred (\$100.00) Dollars, the Mayor and City Clerk be and they are hereby authorized to execute, on behalf of the City, a deed to said Lot 41, Block 34, Section "K" to said Coral Gables Clinic, Inc.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioner Avery  
 Garris  
 McGarry  
 Absent: Commissioner Rinehart

The Clerk submitted a re-plat of Block 92 of Biscayne Bay Section Part 1, which had been tendered by the owner of the property, together with an affidavit of ownership, for approval and acceptance by the City. The Clerk was instructed to write Mr. F. D. Wheeler, the owner of said Block, to the effect that upon the representation of the plat and the affidavit of ownership, together with a showing that all City of Coral Gables taxes on the property involved has been paid, the Commission would formally approve and accept the plat.

AN ORDINANCE REPEALING SECTIONS 20 AND 21 OF ORDINANCE NO. 153 OF THE CITY OF CORAL GABLES ENTITLED "AN ORDINANCE ESTABLISHING A PLAN FOR DIVIDING THE CITY OF CORAL GABLES INTO DISTRICTS FOR THE PURPOSE OF REGULATING THE LOCATION OF TRADES AND INDUSTRIES, AND OF BUILDINGS AND STRUCTURES DESIGNED FOR DWELLINGS, APARTMENT HOUSES, TRADES, INDUSTRIES AND OTHER SPECIFIED USES, FOR REGULATING THE HEIGHT AND SIZE OF THE BUILDINGS, STRUCTURES AND INTENSITY OF LOT AREAS:

(Cont.)

5/19/36



FOR DETERMINING BUILDING LINES; FOR CREATING A BOARD OF APPEALS AND DEFINING THE DUTIES AND POWERS THEREOF; FOR CREATING THE OFFICE OF SUPERVISING ARCHITECT, AND DEFINING THE DUTIES THEREOF; FOR PRESERVING PROPERTY VALUES AND THE GENERAL PROSPERITY THROUGH THE MAINTENANCE OF A HIGH STANDARD OF CONSTRUCTION, AND ARCHITECTURAL BEAUTY AND HARMONY; AND PROVIDING METHODS FOR ENFORCEMENT OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

was read on first reading, and was carried forward to the next regular meeting for further consideration and action.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned until 7:30 o'clock p. m. of the same date, for the purpose of a conference on the debt refunding ordinance.

\* \* \* \* \*

Pursuant to the adjournment of the meeting of five o'clock p. m. on Tuesday, May 19th, 1936, the Commission of the City of Coral Gables reconvened in the Commission Chamber at the City Hall at 7:30 o'clock p. m. on the same date.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris and McGarry, present, Commissioner Rinehart, absent.

The Commission took under consideration matters in connection with the proposed refunding of the City's debt.

RESOLUTION NO. 1582

A RESOLUTION APPROPRIATING THE SUM OF SEVEN HUNDRED FIFTY DOLLARS (\$750.) TO PAY THE EXPENSES OF MORTON B. ADAMS TO NEW YORK CITY TO NEGOTIATE WITH COUNSEL FOR BONDHOLDERS PROTECTIVE COMMITTEE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA;

That the Sum of Seven Hundred Fifty (\$750.) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of paying expense and remuneration to City Attorney Morton B. Adams for a trip to New York to confer with the counsel for the City of Coral Gables Bondholders Protective Committee; and,

The City Manager and Director of Finance be and they are hereby authorized and directed to pay to Morton B. Adams the sum of Five Hundred Dollars as compensation for the trip, and up to the sum of Two Hundred Fifty (\$250.) Dollars for the expense thereof.

was introduced and read.



Motion for adoption by Commissioner McGarry; seconded by  
Commissioner Garris. The Resolution was adopted by the following roll  
call:

"Yes" -- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry

Absent - Commissioner Rinehart

There being no further business on motion duly seconded and  
unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw



MINUTES OF REGULAR MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES, on JUNE 2, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock p. m. on Tuesday, June 2, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

The minutes of the meeting of May 19, 1936 were read and approved.



AN ORDINANCE REPEALING SECTIONS 20 AND 21 OF ORDINANCE NO. 153 OF THE CITY OF CORAL GABLES, ENTITLED: "AN ORDINANCE ESTABLISHING A PLAN FOR DIVIDING THE CITY OF CORAL GABLES INTO DISTRICTS FOR THE PURPOSE OF REGULATING THE LOCATION OF TRADES AND INDUSTRIES, AND OF BUILDINGS AND STRUCTURES DESIGNED FOR DWELLINGS, APARTMENT HOUSES, TRADES, INDUSTRIES AND OTHER SPECIFIED USES, FOR REGULATING THE HEIGHT AND SIZE OF THE BUILDINGS, STRUCTURES AND INTENSITY OF LOT AREAS: FOR DETERMINING BUILDING LINES; FOR CREATING A BOARD OF APPEALS AND DEFINING THE DUTIES AND POWERS THEREOF: FOR CREATING THE OFFICE OF SUPERVISING ARCHITECT, AND DEFINING THE DUTIES THEREOF; FOR PRESERVING PROPERTY VALUES AND THE GENERAL PROSPERITY THROUGH THE MAINTENANCE OF A HIGH STANDARD OF CONSTRUCTION, AND ARCHITECTURAL BEAUTY AND HARMONY; AND PROVIDING METHODS FOR ENFORCEMENT OF THIS ORDINANCE, AND PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That Section 20, entitled "Board of Appeals" and Section 21, entitled "Functions of the Board of Appeals" of Ordinance No. 153 of the City of Coral Gables adopted December 15, 1930, entitled "AN ORDINANCE ESTABLISHING A PLAN FOR DIVIDING THE CITY OF CORAL GABLES INTO DISTRICTS FOR THE PURPOSE OF REGULATING THE LOCATION OF TRADES AND INDUSTRIES, AND OF BUILDINGS AND STRUCTURES DESIGNED FOR DWELLINGS, APARTMENT HOUSES, TRADES, INDUSTRIES AND OTHER SPECIFIED USES, FOR REGULATING THE HEIGHT AND SIZE OF THE BUILDINGS, STRUCTURES AND INTENSITY OF LOT AREAS: FOR DETERMINING BUILDING LINES; FOR CREATING A BOARD OF APPEALS AND DEFINING THE DUTIES AND POWERS THEREOF: FOR CREATING THE OFFICE OF SUPERVISING ARCHITECT, AND DEFINING THE DUTIES THEREOF; FOR PRESERVING PROPERTY VALUES AND THE GENERAL PROSPERITY THROUGH THE MAINTENANCE OF A HIGH STANDARD OF CONSTRUCTION, AND ARCHITECTURAL BEAUTY AND HARMONY; AND PROVIDING METHODS FOR ENFORCEMENT OF THIS ORDINANCE, AND PENALTIES FOR THE VIOLATION THEREOF.", be and the said two sections hereby are repealed and stricken from said Ordinance No. 153.

2. That this Ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

which had been read at the meeting of May 19, 1936, was read again, in full.



Motion for adoption of the ordinance by Commissioner Rinehart; seconded by Commissioner Avery; the Ordinance was adopted by the following roll call:

"Yes" -- Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Mayor Brunstetter then declared the ordinance adopted and approved, and ordered its publication as Number 259.

RESOLUTION NO. 1583

A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN LETTER AGREEMENT WITH THE FLORIDA POWER & LIGHT COMPANY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Mayor and the City Clerk be and they are hereby authorized to execute, on behalf of the City of Coral Gables, a certain letter agreement with the Florida Power & Light Company, in words and figures as follows:

"May 27, 1936

City of Coral Gables  
 Coral Gables, Florida.

Gentlemen:

This relates to that certain Standard Large Power Agreement between us dated the 17th day of July, 1928, covering all power and energy required for and in connection with your Street Railway Rotary Converter Substation located at Coral Gables, Florida, in accordance with the terms and conditions of our Rate Schedule #231 and to that certain Letter Agreement between us dated January 15, 1932.

In view of your representations to us that the hurricane of November 4, 1935, has made it necessary for you to temporarily discontinue the operation of your Street Railway Rotary Converter Substation (used in connection with your Rapid Transit system between Coral Gables and Miami) under the said Standard Large Power Agreement as supplemented by the said Letter Agreement, we hereby agree, at your request, that as of the 4th day of November, 1935, the said Standard Large Power Agreement shall be temporarily suspended.

It is understood and agreed that if, prior to November 4, 1945, you resume the operation of your Rapid Transit or Street Railway system or Street Railway Rotary Converter Substation at its present location, or any other location, at our option the said Standard Large Power Agreement shall again become of full force and effect between us, and the term of the said Agreement shall run for a period of four and one-half ( $4\frac{1}{2}$ ) years from the date on which your said operations are resumed unless further extended in accordance with Section 6 thereof.



It is understood and agreed that the said Letter Agreement dated January 15, 1932, be and the same is hereby cancelled and terminated.

It is further understood and agreed that during the time of the suspension of the said Standard Large Power Agreement, the said Agreement shall not be deemed to have been terminated, but, except as expressly provided herein, shall remain in full force and effect between us; provided, however, that should you not resume operation of your Rapid Transit or Street Railway system or Street Railway Rotary Converter Substation on or before November 4, 1945, then said Standard Large Power Agreement shall be considered terminated from and after said date without further action between us.

If you agree to the foregoing, kindly so indicate by causing this letter and the attached copies to be executed by your duly authorized officials in the spaces provided below for that purpose.

Yours very truly,

FLORIDA POWER & LIGHT COMPANY

G. C. Estill

BY \_\_\_\_\_  
President and General Manager

We agree to the foregoing.

CITY OF CORAL GABLES

By Roscoe Brunstetter  
Mayor

Attest:

G. N. Shaw  
City Clerk

Dated June 2, 1936.

Approved as to Form  
this 22nd day of June,  
1936.

Morton B. Adams

\_\_\_\_\_  
Attorney for City of  
Coral Gables, Florida."

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Garris; the Resolution was adopted by the following roll call:

"Yes" -- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1584

A RESOLUTION APPROPRIATING THE SUM OF FIVE THOUSAND (\$5,000) DOLLARS FROM THE CITY'S SHARE OF SPECIAL ROAD AND BRIDGE DISTRICT LEVIES, FOR THE PURPOSE OF REPAIRING PAVING ON PONCE de LEON BOULEVARD AND MADRID STREET.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:



That the sum of Five Thousand (\$5,000) Dollars be and the same is hereby appropriated from the City's share of Dade County Special Road and Bridge District levies, for the purpose of repairing and reconditioning the paving on Ponce de Leon Boulevard and Madrid Street, and the City Manager is hereby authorized to commence and proceed with such repaving, at a cost within the amount hereby provided, as soon as such funds have been made available.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Avery; the Resolution was adopted by the following roll call:

"Yes" -- Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF REGULAR MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON JUNE 16, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock, p.m. on Tuesday, June 16, 1936.

Vice-president McGarry in the Chair; Commissioners Avery, Garris, Rinehart, present. Mayor Brunstetter was delayed, and joined the meeting at 5:14, and assumed the Chair.

The minutes of the regular meeting of June 2, 1936 were read and approved.

A communication was received from L. D. Breckenridge requesting that the City assume certain costs of defense of a certain injunction against the issuance of a tax deed on City of Coral Gables tax sale certificates on property west of Red Road. The matter was referred to the City Attorney, with authority to decide whether the City should assume any of the burden of the litigation, and with instructions to notify Mr. Breckenridge of his decision.

A request by Attorney Joseph Weintraub for payment of the balance of his fee as master in the tax foreclosure suit was referred to the City Attorney as to the propriety of payment at this time, with instructions to advise Mr. Weintraub.

The City Attorney and the City Clerk discussed with the Commission the question of procedure in handling 1928, 1929 and 1930 taxes, since the Supreme Court decision in the City's in rem suit to foreclose its delinquent taxes for 1929. The City Attorney's recommendation was that pending the outcome of a re-hearing, for which petition had been filed with the Supreme Court of Florida, and pending the reassessment of the taxes affected, the City should continue its previous methods of adjusting taxes on the basis of the Florida Statutes, and should release its tax liens and right to reassess only upon payment of such adjusted amounts for 1928, 1929 and 1930 taxes, and that it should decline to accept protested payment of such taxes, or any of the proposed methods for handling the matter in suspense or by methods approximating an escrow payment, refundable in the event the City should not reassess, or the re-hearing should not be successful. The Commission unanimously confirmed the recommendation of the City Attorney, and instructed and authorized that they be carried out. The City Clerk was authorized to advise potential purchasers at the tax sale of August 3, 1936, that in order to compensate for the differences in interest rates between the delinquent taxes of The City of Miami and those of The City of Coral Gables, the City would allow and rebate, on those



taxes purchased at the tax sale, the difference between the amount of tax levied and the certificate amount therefor.

ORDINANCE

AN ORDINANCE AUTHORIZING A READJUSTMENT AND REFUNDING OF THE OUTSTANDING INDEBTEDNESS OF THE CITY OF CORAL GABLES BY THE ISSUANCE OF REFUNDING BONDS AND LAND TRUST SHARES.

was introduced and read by title on first reading.

The City Attorney reported as follows:

"June 8th, 1936

Honorable Mayor and  
City Commissioners  
City of Coral Gables, Florida

Re: Report on detail work over Bond Refunding Ordinance with Thomson, Wood and Hoffman.

Gentlemen:

Mr. King, of Thomson, Wood and Hoffman, and I went over every word of our draft of the Debt Refunding Ordinance with the following result, to-wit:

The Preamble, Sections 1, 2 and 3, (Changed to conform to Wood's original draft), 4, 5, 6, 7 and 12 are left as we drew them with the exception of some unimportant editorial changes.

Sections 8, 9, 10 and 11, dealing with future taxation and budget appropriation limitations and requirements are not as drawn by us, acceptable to the Attorneys for the Bondholders Committee. According to the Attorneys' understanding, there exists in these sections a disagreement between the Commission and the Bondholders Committee as to the following features of our draft of the Ordinance, to-wit:

- (a) Some of the details of the indirect limitations upon the amount of operating levies and appropriations which may be made by the City in the future. The Committee wants more stringent provisions in this regard for the purpose of insuring a sounder financial policy on the part of the City in the future. These matters may or may not be important to the City, but the City is desirous of retaining as much latitude in its discretionary authority as possible in order to take care of possible contingencies in the future.
- (b) The Committee is insisting, for the same purpose, upon a stricter limitation on the basis upon which we shall figure our rate of taxation. They do not want us to anticipate collections beyond the date of tax sale in the previous year and including December 31st on real property. This would be damaging to us as I see it only in the first year, and if we could get by would put us on a mighty sound basis.



- (c) As to the Interest Fund provisions they are now insisting (But admit that it is not in the preliminary agreement) upon our levying for the January 1 and July 1 and the next January 1 interest demands in each year. As I interpret this, it would place a hardship on us the first year, but, if we made collections sufficient that year to take care of the three installments of interest, our next year's levy could be for less.

These differences of opinion which have been expressed in our draft of the Ordinance are matters which to to a n ultra-conservative set up in the future. I do not think that they are essential to the interest of the bondholders, nor do I believe on the other hand that, if we submit to them that they will be materially harmful to the City.

Sections 13 and 14, pertaining to the "LAND TRUST FUND" and "LAND TRUST SHARES" were not discussed by us in detail because the tax certificates foreclosure suit so changed the status of these tax lien assets as in the opinion of the New York Attorneys to destroy their value for the purposes of bond settlement. I did, however, discuss in general terms this Land Trust Fund scheme, and feel rather confident that I can convince the New York Attorneys that my draft sets up a practical working plan. They frankly admitted that they were at a loss in trying to draw this portion of the Ordinance because of their lack of knowledge, both technical and practical, of the subject matter being dealt with.

Sections 15, 16, 17 and 18 were not changed.

As you gentlemen are committed to this draft of the Ordinance, I recommend that you proceed with the adoption of the same on the first reading. Should the Commission and the Committee at a later time agree upon any different provisions in regard to the matters above mentioned, the Ordinance can be amended.

Respectfully yours,

Morton B. Adams"

Commissioner McGarry moved that the ordinance be accepted on first reading, and deferred to a later meeting, in order to permit further consideration of the subject matter, and possible amendment in order to meet the necessities of newly arisen conditions; The motion was seconded by Commissioner Rinehart, and carried by unanimous vote.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF REGULAR MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON JULY 7, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on July 7, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

The minutes of the regular meeting of June 16, 1936 were read and approved.

G. C. Kirkland appeared before the Commission, protesting against the assessment placed upon his property at 1220 Avenue Messina. Mayor Brunstetter recommended that the matter of the 1935 assessment be referred to the Tax Assessor and Commissioner Avery requested Mr. Kirkland to take the 1936 assessment up with the Board of Equalization at its meeting on July thirteenth.

L. D. Breckenridge and J. Allen Brown, representing Anthony J. Daino, appeared before the Commission and expressed their desire to conclude the purchase of certain tax sale certificates. Commissioner Rinehart moved that this matter be referred to the City Attorney and that he be instructed to draw a suitable agreement. Motion seconded by Commissioner McGarry and carried by a unanimous vote.

Middleton McDonald appeared before the Commission, requesting additional compensation in connection with tax foreclosure suit. Commissioner Rinehart moved that contract of April 8, 1935, between the City of Coral Gables and Morton B. Adams, as Special Attorney, for the prosecution of a suit to foreclose City tax sale certificates be modified to permit payment of Seven Hundred Fifty (\$750.00) Dollars at this time to the Special Attorney. Motion seconded by Commissioner McGarry and carried by unanimous vote.

City Manager Williams presented a letter from Robert Pentland, Jr., making application of firm of Pentland, Purvis, Keller and Milton as Special Auditor for the fiscal year beginning July 1, 1936. Commissioner Garris moved that Mr. Pentland be re-employed for the fiscal year 1936-37, the compensation therefor to be set up in the budget now in the course of preparation. Motion seconded by Commissioner McGarry and carried by unanimous vote.



## RESOLUTION NO. 1585

A RESOLUTION ACCEPTING AND APPROVING  
WHEELER'S RESUBDIVISION OF BLOCK 92,  
BISCAYNE BAY SECTION PART ONE (1),  
PLAT "A", AS RECORDED IN PLAT BOOK 25,  
PAGE 63, PUBLIC RECORDS, DADE COUNTY,  
FLORIDA.

WHEREAS, Francis D. Wheeler and Elizabeth M. Wheeler have filed with the City Clerk a plat of certain property in the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Thirty-two (32), Township Fifty-four (54) South, Range Forty-one (41) East; and requested that the City approve said plat;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That that certain plat of property belonging to Francis D. Wheeler and Elizabeth M. Wheeler in Section Thirty-two (32), Township Fifty-four (54) South, Range Forty-one (41) East, recorded in Plat Book 25, Page 63, be and the same is hereby accepted and approved.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Avery.

The Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

AN ORDINANCE PROHIBITING THE SALE, GIFT, BARTER, EXCHANGE, OR DISTRIBUTION OF AMITAL, LUMINAL, VERONAL, BARBITAL, ACID DIETHYLBARBITURIC, AND/OR ITS DERIVATIVES, EXCEPT IN CERTAIN CASES: PROVIDING FOR PENALTIES FOR THE VIOLATION OF SAID ORDINANCE: DECLARING AN EMERGENCY TO EXIST: AND DISPENSING WITH THE READING OF THIS ORDINANCE ON TWO SEPARATE DAYS BY A FOUR-FIFTHS VOTE OF THE CITY COMMISSION.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA: THAT,

Section 1. It shall be unlawful for any person, firm, or corporation to sell, give away, barter, exchange, or distribute in The City of Coral Gables, amital, luminal, veronal, barbital, acid diethylbarbituric, or any of its salts, derivatives or compounds of the foregoing substance, or any preparation or compound containing any of the foregoing substance, or its salts, derivatives or compounds, or any registered, trade-marked, or copyrighted preparation or compound registered in the United States patent office containing more than four grains to the avoirdupois or fluid ounce of the above substance, except upon the written order or prescription of a physician, surgeon, dentist, or veterinary surgeon duly licensed to practice in the State of Florida, and shall not be refilled without the written order of the prescriber; provided, however, that any prescription for



phenolbarbital or any preparation, mixture or compound of phenolbarbital may be refilled, and said prescription or order shall be at all times to the inspection by duly authorized officers of the law, and shall be preserved for at least three years from the date of the filling thereof; provided, however, that the above provisions shall not apply to the sale at wholesale by drug jobbers, drug wholesalers, and drug manufactureres to pharmacies as provided by law, or to physicians, dentists, or veterinary surgeons; nor to each others, or to physicians and surgeons, dentists, or veterinary surgeons duly licensed to practice in this State.

Section 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in any sum not exceeding One Hundred (\$100) Dollars, or by imprisonment in the city jail for a period not exceeding thirty (30) days, or by both such fine and imprisonment.

Section 3. This ordinance is hereby declared to be an emergency measure upon the ground of urgent public need for the preservation of peace, health, safety and property, and shall be in force and effect upon its passage and adoption.

Section 4. The requirement of reading this ordinance on two separate days is hereby dispensed with by a four-fifths vote of the Commission.

PASSED AND ADOPTED this 7th day of July, A.D., 1936.

was read on first reading.

Commissioner McGarry moved that requirement for reading on two separate days be dispensed with. Motion seconded by Commissioner Avery.

Motion carried upon the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioner Avery  
 Garris  
 McGarry  
 Rinehart

The Ordinance was then read in full. Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart; The ordinance was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Thereupon Mayor Brunstetter declared the Ordinance adopted and ordered its publication as No. 260.

RESOLUTION NO. 1586

A RESOLUTION WITHDRAWING AND  
 ABANDONING P.W.A. APPLICATION FOR  
 WATER WORKS PLANT.

WHEREAS, the City of Coral Gables has not been in position to take up its part of the proposed Water Works Plant set up on a P.W.A. project; and,



WHEREAS, the Federal authorities have requested that the project be withdrawn;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the City Manager be and he hereby is authorized and directed to take such steps as may be necessary to withdraw its application for said Water Works Plant.

2. That this resolution take effect immediately.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry; the resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

RESOLUTION NO. 1587

A RESOLUTION APPROPRIATING THE SUM OF \$25,000.00 FOR THE OPERATION OF THE CITY DEPARTMENTS AND PROPERTIES DURING THE MONTH OF JULY, 1936.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the sum of \$25,000.00 be and the same is hereby appropriated for the purpose of meeting the necessary expenses of the City departments and properties during the month of July, 1936, said sum being approximately one-twelfth of the total expenses as shown in the City Manager's Budget Estimate for the year 1936-37.

2. That the City Manager and the Director of Finance be and they are hereby authorized to incur and pay expenses necessary to the operation of the City Departments and properties during the month of July, 1936, up to the amount of the above emergency appropriation.

3. Any expenditures made or commitments incurred under the above emergency appropriation are to be charged against the regular appropriations for the year 1936-37, when passed and adopted.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart



RESOLUTION NO. 1588

A RESOLUTION APPROVING A PROPOSED STANDARD LARGE POWER AGREEMENT BETWEEN THE CITY AND FLORIDA POWER & LIGHT COMPANY PROVIDING FOR THE SUPPLY OF ALL POWER AND ENERGY REQUIRED FOR AND IN CONNECTION WITH POWER EQUIPMENT IN THE CITY'S VENETIAN POOL, LOCATED AT 2705 DE SOTO BOULEVARD, CORAL GABLES, FLORIDA: AUTHORIZING AND DIRECTING THE CITY MANAGER AND THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES TO EXECUTE AND ENTER INTO THE AFORESAID PROPOSED STANDARD LARGE POWER AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the proposed Standard Large Power Agreement with Florida Power & Light Company, set forth in form in Section 2 hereof, be and the same is hereby approved as to form and substance.

2. That the City Manager and the City Clerk of and on behalf of the City be and they are hereby authorized and directed to execute and enter into with Florida Power & Light Company the said Standard Large Power Agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

"STANDARD LARGE POWER AGREEMENT

THIS AGREEMENT, made this . . . . . day of . . . . ., 193. . . by and between CITY OF CORAL GABLES, FLORIDA, a municipal corporation organized and existing under the laws of the State of Florida (Hereinafter called the Consumer), and FLORIDA POWER & LIGHT COMPANY, a corporation organized and existing under the laws of the State of Florida, (hereinafter called the Company).

WITNESSETH:

THAT for and in consideration of the sum of One Dollar (\$1.00) paid by each party hereto to the other, and of the covenants and agreements herein set forth, the parties hereto covenant and agree as follows:

1. That the Company shall supply and the Consumer shall receive and pay for all power and energy required for and in connection with power equipment in the Consumer's Venetian Pool located at 2705 De Soto Boulevard, Coral Gables, Florida, in accordance with the terms and conditions of the Company's attached rate schedule X-17, marked Exhibit "A" and made a part hereof.

2. That the minimum quantity of power contracted for hereunder and to be received and paid for by the Consumer shall be 10 Contract KW.

3. That the point of delivery for the electric power and energy delivered hereunder shall be on the Company's line used for supplying service hereunder at the pole thereof nearest to and not more than 100 feet from Consumer's premises used for and in connection with operations hereunder.

4. That the electric power and energy delivered hereunder shall be of the character commonly known as alternating current of approximately 230 volts and approximately sixty cycles, three phase and four wire, and shall be metered at 230 volts.

5. That all payments shall be made at the Company's office in Coral Gables, Florida.



6. That the term of this Agreement shall be for ten (10) years from June 20th, 1936, and shall extend for a further period or periods of five (5) years from the termination of the said period of ten (10) years or any extension thereof, unless by written notice given by either party to the other not more than ninety (90) nor less than thirty (30) days before the date of termination of the said ten (10) years or any extension thereof either party shall have signified its desire to terminate this Agreement.

7. That if, during the term of this Agreement, the Company makes effective any other rate schedule applicable to the class of service rendered hereunder it will give the Consumer notice thereof within thirty (30) days thereafter and such schedule shall apply at the Consumer's option, to service rendered hereunder from the date of receipt by Company of written notice of Consumer's intention to exercise said option.

8. That it is mutually agreed, should the Consumer fail at any time or from time to time, to make payment as provided for herein for the power and energy furnished hereunder or otherwise fail to perform any of the terms and conditions of this Agreement, that the Company, at its option, may cease to supply power and energy to the Consumer hereunder, it being understood and agreed, however, that such discontinuance of the supplying of power and energy by the Company shall not be a breach of this Agreement by the Company nor shall cancel any of the terms and conditions of this Agreement.

9. That this Agreement supersedes all previous agreements or representations, either written or verbal, heretofore in effect between the Company and the Consumer, made with respect to matters herein contained, and when duly executed, constitutes the Agreement between the parties hereto.

10. That this Agreement shall inure to the benefit of and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto, but the Consumer shall not assign this Agreement without first having obtained the written consent of the Company.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be duly executed in triplicate the day and year first above written.

Witnesses for the  
Consumer:

Loretta V. Sheehy

CITY OF CORAL GABLES, FLORIDA

By E. M. Williams  
City Manager

Attest:

Florence Stith

G. N. Shaw  
City Clerk

Witnesses for the  
Company:

FLORIDA POWER & LIGHT CO.

By  
&  
Pres. and General Mgr.

Attest:

Ass't Sec."



was introduced and read. Motion for adoption by Commissioner McGarry;  
seconded by Commissioner Rinehart. The resolution was adopted by the  
following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

There being no further business, on motion duly seconded and unanimously  
carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw

By

*Florence Stith*

DEPUTY CLERK  
Florence Stith



MINUTES OF REGULAR MEETING OF THE COMMISSION OF  
THE CITY OF CORAL GABLES ON JULY 21, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on July 21, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

George E. Hussey of the Florida Power & Light Company appeared before the Commission, requesting the City of Coral Gables to pay a portion of the expenses of local athletes to participate in the Olympic try-outs.

Commissioner McGarry moved that the City contribute \$200.00 to this cause. The Motion was seconded by Commissioner Avery and passed by unanimous vote.

Robert H. Cook appeared before the Commission and stated that he had purchased a judgment against the City of Coral Gables in favor of Hilda Washington. Commissioner McGarry moved that the City offer Mr. Cook Five Hundred Fifty (\$550.00) Dollars for the settlement of this judgment and papers. Motion seconded by Commissioner Rinehart and carried by the following vote:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1589

A RESOLUTION CANCELLING TAX LIENS  
ON LANDS IN SECTION 18-55-41  
LYING EAST OF THE GOVERNMENT MEANDER  
LINE ACCORDING TO THE SURVEY OF  
1847.

WHEREAS, by Resolution No. \_\_\_\_\_, enacted the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1931, The City of Coral Gables cancelled all prior tax liens against the above described properties; and,

WHEREAS, during the said year 1931 the said properties were conveyed to the Trustees of the Internal Improvement Fund and title to the same was held by said Trustees until January 6, 1936, when it was transferred and conveyed to Royal Citrus Groves Company, a Florida Corporation; and,

WHEREAS, through error the said properties have been retained upon the tax rolls and tax sale certificates have issued against the same and the taxes for the year 1931 and prior years were not canceled of record,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

1. That each of the following tax sale certificates be and the same are hereby discharged and canceled upon the respective properties hereinbelow described:



(a) 1/6 of the tax liens for the years 1935 and 1936 and 1/6 of the following tax certificates covering Avocado Land Co's sub. - Tracts 15, 16 and 17, Sec. 18-55-41

<u>Year</u>	<u>Certificate No.</u>	<u>Amount</u>
1934	20931	\$25.53
1933	21686	29.01
1932	22410	113.43
1931	21254	258.69
1930	22797	271.29
1929	18762	768.90
1928	17747	1776.72
1927	14822	1701.12
1926	2726	3402.21

(b) All the tax liens for the years 1935 and 1936 and the following tax certificates covering Fractional East  $\frac{1}{2}$  of SE $\frac{1}{4}$ , Section 18-55-41.

<u>Year</u>	<u>Certificate No.</u>	<u>Amount</u>
1934	20935	\$17.55
1933	21687	17.55
1932	22411	68.66
1928	17748	1288.18
1927	14823	1233.68
1926	2722	2563.29

(c) 11/20 of the tax liens for the years 1935 and 1936 and 11/20 of the following tax certificates covering SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 18-55-41

<u>Year</u>	<u>Certificate No.</u>	<u>Amount</u>
1934	20937	\$16.22
1933	21689	16.22
1932	22413	63.15
1931	21256	59.37
1930	22800	59.48
1929	18765	178.08
1928	17750	1184.55
1927	14825	1134.45
1926	2724	2268.45

(d) All of the tax liens for the years 1935 and 1936 and the following tax certificates covering S $\frac{2}{4}$  of W $\frac{1}{2}$ , Section 18-55-41

<u>Year</u>	<u>Certificate No.</u>	<u>Amount</u>
1934	20936	\$ 24.25
1933	21688	24.25
1932	22412	94.65
1931	21255	8.38
1930	22799	8.39
1929	18764	25.16
1928	17749	1776.75
1927	14824	1701.45
1926	2723	3402.45

2. That the Tax Collector be, and he hereby is, authorized to deliver to the Clerk of the Circuit Court of Dade County, Florida, a copy of this Resolution with the request that the Clerk cancel on his records the entry of the above mentioned tax liens.

was introduced and read.



Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1590

A RESOLUTION APPOINTING MILDRED B. BELL  
DEPUTY TAX COLLECTOR.

WHEREAS, the Tax Collector is away on a  
leave of absence and it is necessary that certain  
instruments be executed by this official,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY  
COMMISSION OF THE CITY OF CORAL GABLES,

That Mildred B. Bell be, and she hereby is,  
appointed Deputy Tax Collector with all the  
authority vested in the Tax Collector under the  
provisions of the City Charter.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The resolution was adopted by unanimous vote.

There being no further business, on motion duly seconded and  
unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw

By *Florence Stith*

DEPUTY CLERK  
Florence Stith



MINUTES OF SPECIAL MEETING OF THE  
COMMISSION OF THE CITY OF CORAL  
GABLES, FLORIDA, ON JULY 27, 1936.

Pursuant to a call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at 6:00 o'clock P.M., on Monday, July 27, 1936.

Vice-Mayor McGarry in the Chair; Commissioners Avery, Garris, and Rinehart. Mayor Brunstetter was unavoidably detained.

RESOLUTION NO. 1591

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter be and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

Absent - Mayor Brunstetter

RESOLUTION NO. 1592

A RESOLUTION AUTHORIZING PAYMENT OF \$5,000.00 TO THE UNIVERSITY OF MIAMI AND DIRECTING THE MAYOR TO WRITE A CERTAIN LETTER.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the payment of Five Thousand (\$5,000) Dollars to the University of Miami, to apply against the 1936-37 appropriation, be and the same is hereby authorized; and,

BE IT FURTHER RESOLVED: That the Mayor be, and he is hereby, authorized and directed to write a letter to the Florida National Bank & Trust Company in Miami, guaranteeing payment of a note of the University of Miami, in the amount of \$5,000.00.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The resolution was adopted by the following vote:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

Absetn: Mayor Brunstetter



Mayor Brunstetter joined the meeting at 6:40 P.M. and occupied the Chair.

AN ORDINANCE MAKING APPROPRIATION  
FOR THE EXPENSES OF OPERATION OF  
THE CITY OF CORAL GABLES AND ITS  
INCOME PROPERTIES FOR THE FISCAL  
YEAR COMMENCING JULY 1, 1936,  
AND PAYMENTS UPON DEBT SERVICE.

WHEREAS, the City Manager has prepared and submitted to the Commission, a Budget Estimate of the expenditures and revenues of all City Departments, divisions, offices and properties for the fiscal year beginning July 1, 1936, and copies of such estimates have been furnished to the newspaper and the library of the City, and posted at the door of the City Hall; and,

WHEREAS, provision has been made for public hearings upon the proposed appropriation ordinance before the City Commission sitting as a Committee of the Whole, and such hearings have been held and are completed;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. That the following appropriations be, and the same are hereby made, and the City Treasurer is hereby authorized to make, or make provision for, such disbursements for the expenses of The City of Coral Gables for the fiscal year beginning July 1, 1936, and to apply upon such maturities of and payments on bonds, in interest and other obligations of The City for such fiscal year, when and as it shall be found necessary, possible and proper, to-wit:

SECTION A.

REQUIREMENTS

OPERATING CITY

ADMINISTRATION:

City Commission	\$5,330.00	x
City Manager's Office	2,690.00	x
City Attorney's Office	3,050.00	x
Municipal Court	600.00	x
Inspector's Office	5,820.00	x
Finance Department	12,680.00	x
Tax Assessor's Office	2,780.00	x
Operation of City Hall	3,200.00	x
City Auditor	2,000.00	x
	<u>\$38,150.00</u>	

PUBLIC SERVICE:

Parks and Parkways	35,055.00	x
Streets, Sewers, Equipment	9,460.00	x
Lighting City	32,000.00	x
Salvadore Park	2,898.00	x
Wastes	19,150.00	x
	<u>\$98,563.00</u>	

PUBLIC SAFETY: (Fire and Police  
Departments) 59,260.00 x



<u>HEALTH DEPARTMENT:</u>	\$5,370.00 *
<u>BONDS AND INSURANCE:</u>	<u>650.00</u> *
<u>TOTAL FOR OPERATING CITY</u>	
DEPARTMENTS:	\$201,993.00
Less Departmental Income	<u>12,500.00</u>
	\$189,493.00
<u>PUBLICITY:</u>	
News Bureau	2,276.00 *
Chamber of Commerce	<u>1,000.00</u> *
	\$3,276.00
<u>EDUCATION:</u>	
University of Miami	\$25,000.00 *
Public Library	<u>4,200.00</u> *
	\$29,200.00
<u>STREET &amp; SIDEWALK REPAIRS:</u>	96,945.78 ✓
<u>CAPITAL EXPENDITURES</u>	1,000.00 *
<u>CONTINGENT FUND</u>	13,451.00 *
<u>DEBT SERVICE:</u>	<u>102,824.22</u> *
TOTAL REQUIREMENTS	\$436,190.00

SECTION B.

ESTIMATED INCOME

GARBAGE COLLECTION CHARGES	\$10,000.00
DELINQUENT TAXES	35,000.00
LICENSES	15,000.00
1936 REAL PROPERTY TAXES	359,452.00
1936 PERSONAL PROPERTY TAXES	<u>16,738.00</u>
	\$436,190.00

Section 2. That the income from the Transportation System, Golf Course, Venetian Pool, the Coliseum and the Country Club be, and it is hereby expressly appropriated for the purpose of operating, maintaining, repairing and/or improving such properties, and the City Manager is hereby authorized to contact and incur, and the City Treasurer is hereby authorized to pay such expenses as may be proper and necessary for such purposes, not in excess of the total income from such properties; and the income from such shall be deposited and set aside in a fund to be known as the "Utilities Fund", and reserved and applied solely to the payment of said operating, maintenance, repair and/or improvement costs.

Section 3. This Ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation and protection of peace, health safety or property, and shall be in full force and effect immediately upon its passage and approval.

was read on first reading.

Motion by Commissioner Avery that the requirement for reading on two separate days be dispensed with, and that the Ordinance be placed on



second reading at once. Motion seconded by Commissioner Rinehart and adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

The Ordinance was read in full on second reading. Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The Ordinance was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Mayor Brunstetter then declared the Ordinance adopted, and ordered its publication as No. 261.

AN ORDINANCE TO PRESCRIBE CERTAIN REGULATIONS RELATING TO THE CONSTRUCTION AND OCCUPATION OF AND REGULATING THE MAKING OF UTILITY SERVICE CONNECTIONS TO RESIDENTIAL PROPERTY IN THE CITY OF CORAL GABLES.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

1. That it shall be unlawful for any person to occupy as a residence any house or any unit of any apartment house before the Building Inspector of The City of Coral Gables shall have approved the house or apartment as a completed structure in conformity with the plans filed at the time of issuing the building permit and the building code of The City of Coral Gables.

2. It shall be unlawful for any person, firm or corporation to cause to be connected or to connect any utility service, excepting for construction purposes, by wire, pipe or otherwise to any building to be used for residential purposes in The City of Coral Gables until after the Building Inspector shall have issued a certificate showing that said building has been completed in compliance with the plans and specifications filed at the time of issuing the permit therefor and the building code of The City of Coral Gables.

3. That any person upon conviction for violation of the above regulations shall be subject to a fine not exceeding One Hundred (\$100) Dollars for each day's occupation of such premises in violation of this Ordinance, or imprisonment at hard labor on the streets or other works of the City for a term not exceeding thirty (30) days, or both such fine and imprisonment.

4. This Ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation of peace, health, safety and property, and the same is hereby adopted by a vote of not less than four-fifths of the members of the Commission and shall take effect immediately upon its passage.

was read on first reading.



Motion by Commissioner Garris that the requirement for reading on two separate days be dispensed with, and that the Ordinance be placed on second reading at once; seconded by Commissioner Avery. The motion was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

The Ordinance was read in full on second reading.

Motion for adoption by Commissioner Garris; seconded by Commissioner McGarry. The Ordinance was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Mayor Brunstetter then declared the Ordinance adopted, and ordered its publication as No. 262.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
 Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
 CITY CLERK  
 G. N. Shaw

By

*Florence Stith*  
 DEPUTY CLERK  
 Florence Stith



MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA  
ON AUGUST 4, 1936.

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock P.M. on August 4, 1936.

Vice-mayor McGarry in the Chair; Commissioners Avery, and Rinehart present; Mayor Brunstetter and Commissioner Garris, absent.

Commissioner Rinehart moved that reading of minutes of previous meetings be dispensed with. Motion seconded by Commissioner Avery and unanimously carried.

RESOLUTION NO. 1593

A RESOLUTION GIVING EFFECT TO DECISION OF SUPREME COURT OF THE STATE DECLARING CERTAIN TAX ROLLS VOID, AND CANCELLING ALL DELINQUENT TAX LIENS HELD BY THE CITY OF CORAL GABLES FOR THE YEARS 1928, 1929 and 1930 AND DIRECTING THE BACK ASSESSMENT OF SUCH PROPERTIES FOR SAID YEARS.

WHEREAS, in the case of Coombes, et al v. The City of Coral Gables, 168 So. 524, the Supreme Court of Florida held that the City tax liens for taxes levied and assessed for the years 1928, 1929 and 1930 are void and unenforceable; and,

WHEREAS, all the properties against which the City holds delinquent taxes for said years were not included in said suit;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

1. That all delinquent tax liens held by it against properties for the years 1928, 1929 and 1930 be and they are hereby vacated and cancelled on the tax records of the City; and the Clerk of the Circuit Court of Dade County, Florida be and he hereby is notified of such cancellation of such City of Coral Gables delinquent tax liens.

2. That the City Tax Assessor be and he hereby is authorized and directed to back assess each of such properties for each of said years in a supplemental roll with the 1936 Tax Roll.

3. That the City Clerk is hereby directed to send a certified copy of this resolution to the Clerk of the Circuit Court of Dade County, Florida.

was introduced and read.



Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
McGarry  
Rinehart

RESOLUTION NO. 1594

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PETITION THE FLORIDA RAILROAD COMMISSION FOR OFFICIAL PERMISSION TO TEMPORARILY SUBSTITUTE MOTOR BUS TRANSPORTATION SERVICE FOR THE ELECTRIC STREET RAILWAY SERVICE IN MIAMI.

WHEREAS, the Florida Railroad Commission has jurisdiction to pass upon the advisability of the change from electric street railway service to motor bus transportation service; and,

WHEREAS, it has been advisable to change the street railway service operation in the City of Miami to motor bus transportation service;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

1. That the City Attorney be, and he hereby is, authorized and directed to file the necessary Petition with the Florida Railroad Commission setting forth the facts and circumstances under which the operation of its street railway line has been changed from such an operation to motor bus transportation service.

2. That, if necessary, he appear before the Railroad Commission and secure an order from the Commission approving this change in said service.

was introduced and read.

Motion for adoption by Commissioner Rinehart, seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
McGarry  
Rinehart

Commissioner Garris joined the meeting at 5:30 P. M.

RESOLUTION NO. 1595

A RESOLUTION NOTIFYING THE CORAL GABLES WOMAN'S CLUB OF THE TERMINATION OF THE PROVISIONS OF ORDINANCE NO. 134, ENTITLED: "AN ORDINANCE GRANTING TO THE CORAL GABLES WOMAN'S CLUB A SITE FOR THE PURPOSE OF ERECTING THEREON A BUILDING TO BE USED AS WELL FOR THEIR OWN PURPOSES AS FOR A PUBLIC LIBRARY, PROVIDING THE CONDITIONS FOR SUCH GRANT, DESIGNATING A TIME WITHIN WHICH SUCH BUILDING SHALL BE ERECTED AND OTHER MATTERS IN CONNECTION WITH THE USE AND OPERATION OF SAID BUILDING."



WHEREAS, the condition to the effect that the Coral Gables Woman's Club would fully erect and complete a public library on Lots One (1), Two (2), Three (3) and Four (4), Anderson's Subdivision, Coral Gables, within two (2) years after the adoption of Ordinance No. 134 on February 3, 1930, has failed; and,

WHEREAS, in the event of failure to complete and operate said library, all right, title and interest of the said Coral Gables Woman's Club in real property hereinbefore described should revert to and become the property of the City of Coral Gables;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Coral Gables Woman's Club be and the same is hereby notified of the termination of the provisions made by Ordinance No. 134.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"yes" \* Commissioners McGarry  
Avery  
Garris  
Rinehart

There being no further business, upon motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

By

VICE-MAYOR

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw

By

*Florence Stith*  
DEPUTY CLERK  
Florence Stith



MINUTES OF THE MEETING OF THE  
COMMISSIONERS OF THE CITY OF  
CORAL GABLES, SEPTEMBER 1, 1936

The Council of the City of Coral Gables convened in regular session  
at the City Hall at 7:00 p.m. on Tuesday, September 1, 1936.  
Representative in the Council, Commissioners Avery and Roberts present.  
Commissioners Kinch, Garris and City Manager Williams out of the city.  
The reading of the minutes of previous meetings was waived.

There being no quorum available, due to the  
absence from the City of three Commissioners, the regular  
meeting of Tuesday, August 18, 1936 was not held.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter



ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw



MINUTES OF THE MEETING OF THE  
COMMISSION OF THE CITY OF  
CORAL GABLES, SEPTEMBER 1, 1936.

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:00 p.m. on Tuesday, September 1, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery and McGarry present. Commissioners Rinehart, Garris and City Manager Williams out of the city.

The reading of the minutes of previous meetings was waived.

RESOLUTION NO. 1596

A RESOLUTION CONFIRMING APPOINTMENT  
OF A. B. CURRY AS DIRECTOR OF  
PUBLIC SERVICE.

WHEREAS, the City Manager has designated A. B. Curry as Director of Public Service and has reported such designation to the Commission for approval;

NOW, THEREFORE, BE IT RESOLVED BY THE  
COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the designation and appointment of A. B. Curry as Director of Public Service for the City of Coral Gables be and the same is hereby approved and confirmed.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
McGarry

RESOLUTION NO. 1597

A RESOLUTION DESIGNATING  
A. B. CURRY AS ACTING CITY  
MANAGER DURING ABSENCE OF  
CITY MANAGER E. M. WILLIAMS

BE IT RESOLVED BY THE COMMISSION OF THE  
CITY OF CORAL GABLES, FLORIDA:

That A. B. Curry, Director of Public Service be and he is hereby designated and appointed as Acting City Manager during the absence from the city of City Manager E. M. Williams.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" -- Mayor Brunstetter  
Commissioners Avery  
McGarry



## RESOLUTION NO. 1598

A RESOLUTION APPROPRIATING THE SUM OF SEVENTY DOLLARS (\$70.) FROM THE CONTINGENT FUND FOR THE PAYMENT OF DUES IN THE FLORIDA LEAGUE OF MUNICIPALITIES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Seventy (\$70.00) Dollars be and the same is hereby appropriated and transferred from the Contingent Fund for the purpose of providing for 1935-36 dues of the City of Coral Gables in the Florida League of Municipalities.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
McGarry

## RESOLUTION NO. 1599

A RESOLUTION APPROVING A PROPOSED CONTRACT FOR A BUS TERMINAL.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That Subject to the approval of the supervising architect and the building department, the plans this day submitted to the Commission by Kenneth W. Chisholm for a building containing a bus terminal be and the same are hereby approved insofar as that portion of the building intended for a bus terminal is concerned; and the proposal of Kenneth Chisholm to lease said bus terminal facilities to the City in consideration for the payment each year for three consecutive years following the completion of the building of a sum equal to the tax levy against such building, exclusive of the lands underlying the building for operating purposes, and after termination of said first three years for an undertaking on the part of the City of Coral Gables to maintain and operate that portion of the building designed as bus terminals, without expense to the owners of the building and without payment of any rental or consideration other than said maintenance and operating costs.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.



## RESOLUTION NO. 1600

A RESOLUTION APPROPRIATING THE SUM OF ONE THOUSAND (\$1,000) DOLLARS FROM THE CONTINGENT FUND FOR PAYMENT OF A RETAINER FEE TO LOFTIN, STOKES AND CALKINS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of One Thousand (\$1,000) Dollars be and the same is hereby appropriated and transferred from the Contingent Fund for the purpose of providing for the payment of a retainer fee to the firm of Loftin, Stokes and Calkins in the defense of certain mandamus and injunction suits brought against the City of Coral Gables by one Harry Peacock, concerning the operation of slot machines in The City of Coral Gables.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following rollcall:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
McGarry

## RESOLUTION NO. 1601

A RESOLUTION DESIGNATING SEPTEMBER 10, 1936 AS CHILDREN'S DAY AND AUTHORIZING THE MAYOR TO ISSUE APROCLAMATION MAKING AND EXPLAINING SAID DESIGNATION.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

WHEREAS, the several Veterans organizations of Dade County have set aside September 10 as Children's Day, and have arranged programs for that day with the purpose of raising funds to extend and continue the work of the Crippled Children's Home at St. Petersburg, sponsored by the America Legion.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Mayor be and he is hereby authorized to issue a proclamation designating September 10, 1936 as Children's Day and urging the participation of the people of Coral Gables in the program arranged by the Veterans organizations for that date.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
McGarry



RESOLUTION NO. 1602

A RESOLUTION APPROPRIATING THE SUM OF TWO THOUSAND FOUR HUNDRED FIFTY (\$2,450) DOLLARS FROM THE CONTINGENT FUND FOR THE PURPOSE OF PURCHASING NEW MOTOR EQUIPMENT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Two Thousand Four Hundred Fifty (\$2,450.00) Dollars be and the same is hereby appropriated and transferred from the Contingent Fund for the purpose of purchasing new motor equipment for replacement purposes.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
McGarry

There being no further business to come before the meeting, upon motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw





MINUTES OF A SPECIAL MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON SEPTEMBER 8, 1936.

Pursuant to call of special meeting by Mayor Brunstetter, the Commission of The City of Coral Gables convened in special session at the City Hall in Coral Gables at 5:00 p. m. on Tuesday, September 8, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris and McGarry present; Commissioner Rinehart absent from the City.

The reading of the minutes of the previous meeting was waived.

The Commission discussed financial matters of the City and appointed September 15, 1936, at 4:45 p. m. at the City Hall as the final date upon which they would sit as a Board of Equalization to review the 1936 tax roll.

The Commission received the report of the Special Committee for the revision of the Zoning Ordinance and Building Codes of the City together with revised ordinances proposed by that committee. The matter was taken under advisement for action at a date to be fixed later.

There being no further business, upon motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Rosecoe Brunstetter*

MAYOR

ATTEST:

*J. N. Shaw*  
CITY CLERK



MINUTES OF REGULAR MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON SEPTEMBER 15, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock p.m. on Tuesday, September 15, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart present.

The minutes of the meetings of July 7th, 21st and 27th, August 4th and 18th, and September 1st and 8th were read and approved.

AN ORDINANCE REGULATING THE ACCUMULATION, REMOVAL AND DISPOSAL OF GARBAGE, TRASH, AND GARDEN TRASH; PROVIDING FOR FEES FOR THE REMOVAL AND DISPOSAL OF GARBAGE AND TRASH BY THE CITY OF CORAL GABLES; PRESCRIBING LICENSE FEES AND CONDITIONS UNDER WHICH REMOVAL AND DISPOSAL MAY BE MADE BY PERSONS OTHER THAN EMPLOYEES OF THE CITY AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

was read on first reading, by title, and carried forward for future consideration and action.

RESOLUTION NO. 1603

A RESOLUTION DIRECTING THAT CERTAIN OLD AND UNCOLLECTIBLE ITEMS BE CHARGED OFF THE BOOKS OF THE CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That, in accordance with the recommendation of the Auditor, the following accounts be and they are hereby charged against surplus as uncollectible:

Bad Checks:

J. A. Yates, Jr.	\$5.00
Franklin & Stoner	107.50
Liggett's Drug Stores	51.80
M. F. Harrison	10.50
J. R. Byerly	25.00
Samuel Shuttleworth	10.00
Forrest L. Bordelon	69.50
Yukatol Mfg. Co.	11.52
Harry A. Stearn	2.06
Alma Maynard	5.53
Hannah M. Weber	11.38
Irmanus Shuber	5.40



## Accounts Receivable:

Consumers Water Company	\$340.71
Coral Gables, Inc.	55.64
Florida Power & Light Co.	162.40
Fred Grinham	434.84
Murray Motor Company	29.54
Phoenix Utility Company	191.24
H. R. Rieder	20.00
E. H. Chambers	20.00
Wm. H. Whitfield	7.50
C. A. Daniel	5.00
Wm. C. Ray	10.00
The Tavern	8.75
Gables French Laundry	6.25
D. D. Shaffer Elec. Co.	8.75
E. N. Cannon	7.50
W. E. O'Neill	20.00
Tax Holding Corporation	4984.21

was introduced and read.

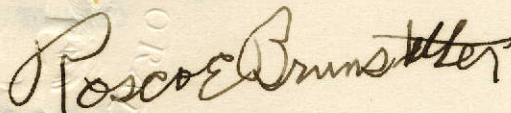
Motion for adoption by Commissioner McGarry, seconded by Commissioner Rinehart, The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

and  
Mayor Brunstetter

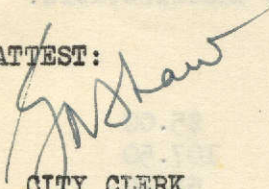
There being insufficient time to handle other matters before the Commission, the meeting was adjourned until 7:30 o'clock, p.m., on the same date.

APPROVED:



MAYOR  
Roscoe Brunstetter

ATTEST:



CITY CLERK  
G. N. Shaw



MINUTES OF ADJOURNED MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON SEPTEMBER 15, 1936.

Pursuant to adjournment at the afternoon meeting of September 15, 1936, the Commission of the City of Coral Gables convened in adjourned session at the City Hall at 7:30 o'clock p.m. on Tuesday, September 15, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart present.

RESOLUTION NO. 1604

A RESOLUTION APPROPRIATING THE SUM OF \$600.00 FROM THE CONTINGENT FUND TO PROVIDE FOR TEN THOUSAND SPORTS BOOKLETS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Six Hundred (\$600.00) Dollars be and the same is hereby appropriated and transferred from the Contingent Fund to the Publicity appropriation for the purpose of providing for the cost of ten thousand (10,000) sports booklets, to be prepared by the Director of Publicity.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1605

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE A CERTAIN AGREEMENT WITH THE EVERHARD CORPORATION PROVIDING FOR BUS TERMINAL FACILITIES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager and the City Clerk be and they are hereby authorized and instructed to execute, on behalf of the City, a certain contract and agreement with the Everhard Corporation, a Florida Corporation, said agreement to read, in words and figures, as follows:



WHEREAS, EVERARD CORPORATION is the owner of the following described property:

"Lots Twenty-five (25) to Thirty-three (33), inclusive, of Block Thirty-seven (37) of Section "K" of Coral Gables, a subdivision of the SE $\frac{1}{4}$  of Section 8, Township 54 South, Range 41 East, according to the Plat thereof recorded in Plat Book 8 at Page 33 of the Public Records of Dade County, Florida."

AND WHEREAS, said corporation is about to construct an a portion of said property a store building with provision for bus terminal facilities therein, and

WHEREAS, THE CITY OF CORAL GABLES is desirous of using said facilities as a terminus for its Loop and Inter-city bus service,

NOW, THEREFORE, THIS INDENTURE made this 22nd day of September, A.D. 1936, between EVERARD CORPORATION, a Florida Corporation, party of the first part, and THE CITY OF CORAL GABLES, a municipal corporation of Dade County, Florida, party of the second part,

W I T N E S S E T H:

That for and in consideration of the sum of One (\$1.00) Dollar and other valuable considerations, as well as the covenants and conditions herein contained, to be performed by the parties hereto, the said party of the first part hereby agrees with the party of the second part;

I.

1. That it will make provision for and provide space and facilities on the above described property for the purpose of and designed for the use of the City of Coral Gables as a terminal for its Loop and Inter-city bus service. Said space and facilities to be as shown in the plans prepared by William H. Merriam, architect, and on file with the City Building Department for Building Permit Number 5264, excepting that it is understood and agreed that said plans are to be amended so as to eliminate all of the public toilets shown thereon, marked "colored" and "white"; and said amendment to said plans shall include private toilet facilities for the rest of the building in compliance with the city building and sanitation codes.

2. The party of the first part by this Agreement grants to the party of the second part the exclusive use of the above described terminal facilities for a period of ten (10) years with the privilege of extending said period for an additional five (5) years. Such extension, however, to be granted only if the party of the first part is so notified in writing by the party of the second part ninety (90) days before the termination of the aforesaid ten (10) year period.

II.

The party of the second part herewith agrees with the party of the first part, as follows:

1. That it will pay to the party of the first part as rental for the entire ten (10) year period, together with the additional five (5) year period, if option for the same be exercised, in annual installments for a period of three (3) years for the first three years hereof, a sum of money which will be equivalent in each year to the operation tax levied by the City of Coral Gables on the assessed valuation of the buildings and improvements erected on said



lots numbers Twenty-five (25) to Thirty-three (33), inclusive, of Block Thirty-seven (37) of Section "X" of Coral Gables, it being understood that no rental will be paid for the additional seven (7) years, or twelve (12) years, as the case may be. Provided, however, that in no case shall the rent in any one year exceed the sum of Six Hundred (\$600.00) Dollars.

2. The party of the second part agrees to use the terminal facilities above described as a bus terminal for a total period of ten (10) years from the date of the completion of the proposed terminal facilities. Provided, however, that the obligation of the City hereunder shall terminate and cease ipso facto upon the happening of either or both of the following contingencies:

(a) That the City is prevented, as the result of legal action, from continuing the operation of any bus transportation service, and

(b) That the City should voluntarily discontinue the entire Loop and Inter-city transportation service.

3. The party of the second part further agrees to take over the entire maintenance of and repairs to the street pavement in terminal facilities at the expiration of the three (3) year period, it being understood that during said three (3) year period the party of the first part will be responsible for maintenance and repairs.

### III.

The party of the second part at the expiration of the three (3) year term of this lease agrees to keep the pavement in the terminal facilities, occupied by it as a bus terminal, in good and substantial repair and clean condition, and will also permit the party of the first part, or its agents, at all reasonable times to enter onto the said terminal to inspect the condition thereof.

### IV.

The party of the second part agrees that during the term of this lease and usage it will keep the premises occupied by it as a bus terminal free from all labor and material liens and will hold the party of the first part free from any and all liability that might or could result from the transportation operations of the party of the second part on said premises, or from injuries to employees of the party of the second part, or any other person or property by virtue of the usage or condition of said premises, or any act or omission of any employee of the party of the second part, or of any other person admitted to the premises by the party of the second part, or by reason of any work or construction done on premises by the party of the second part.

### V.

The party of the second part agrees that should it at any time fail to perform and abide by any of its covenants in this Agreement, and such failure shall continue for a period of thirty (30) days after written notice thereof from the party of the first part, then in such event the party of the first part may at its option consider this Agreement ipso facto terminated and immediately re-enter and re-possess the said bus terminal facilities.

### VI.

The party of the first part covenants that the party of the second part may quietly hold and enjoy the premises occupied by it as a bus terminal without any



interruption by the party of the first part, or any person claiming through it. And the party of the second part shall have the right to terminate this lease and abandon the use of said terminal facilities, should the party of the first part fail and neglect to keep said premises in a reasonably good state of repair, after thirty (30) days written notice, delivered at said premises, of the need of repairs, provided the said party of the first part shall not have made said repairs within said thirty (30) day period.

VII.

In the event the City should sell its bus transportation facilities, either the Loop or the Inter-city then and in that event the City may assign this Agreement or any part thereof without the consent of the party of the first part, in that event, however, said party reserves the right to terminate this agreement.

IX.

It is hereby covenanted and agreed that this Agreement shall, at the option of the party of the second part, cease and terminate upon said party of the first part being by any Court adjudicated bankrupt or insolvent, or upon said party of the first part making an assignment for the benefit of its creditors.

VIII.

Upon the termination of this Agreement, the party of the second part shall deliver to the party of the first part peaceable possession of said terminal facilities in as good condition as when received, ordinary wear and tear excepted.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed in duplicate by their respective officers duly authorized thereunto, and to have their respective corporate seals hereunto affixed, the day and year first above written.

ATTEST:

EVERARD CORPORATION

Hollis Rinehart, Jr.  
Secretary

By Kenneth W. Chisholm  
president

ATTEST:

THE CITY OF CORAL GABLES

G. N. Shaw  
City Clerk

By A. B. Curry  
Acting City Manager

STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF DADE )

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Kenneth W. Chisholm, President, and Hollis Rinehart, Jr., Secretary, of EVERARD CORPORATION, a Florida Corporation, to me well known to be the persons described in and who executed the foregoing Agreement and duly acknowledged before me that they executed the same for the purposes therein expressed as the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Coral Gables, said County and State, this the 22nd day of September, A.D. 1936.

My Commission expires:  
Dec. 19, 1937

Florence Stith  
Notary Public, State of Fla.  
at large.



STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF DADE )

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, A. B. Curry, Acting City Manager, and G. N. Shaw, City Clerk, of THE CITY OF CORAL GABLES, a municipal corporation of Dade County, Florida, to me well known to be the persons described in and who executed the foregoing Agreement and duly acknowledged before me that they executed the same for the purposes therein expressed as the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Coral Gables, said County and State, this the 22nd day of September, A.D. 1936.

Florence Stith  
Notary Public, State of  
Florida at large

My Commission expires  
Dec. 19, 1937

was introduced and read.

Motion for adoption by Commissioner Avery, seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
          Commissioners Avery  
                          McGarry  
                          Garris

Commissioner Rinehart not voting.

The Commission then adjourned until 7:30 o'clock p.m. on Friday,  
September 18, 1936.

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw

APPROVED:

*Roscoe Brunstetter*  
MAYOR  
Roscoe Brunstetter



MINUTES OF ADJOURNED MEETING OF  
THE COMMISSION OF THE CITY OF  
CORAL GABLES ON SEPTEMBER 18, 1936.

Pursuant to adjournment at the meeting of September 15, 1936, the Commission of the City of Coral Gables convened in adjourned session at the City Hall at 7:30 o'clock p.m. on Friday, September 18, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart present.

The Commission reviewed the Ordinance proposed by the Zoning Committee, and appointed 7:30 o'clock p.m. on Thursday, October 1, 1936, as the date of a special meeting to hear comments and suggestions on the Ordinance, instructing the City Clerk to notify the public of the meeting by advertisement.

There being no further business, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF SPECIAL MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON SEPTEMBER 29, 1936.

Pursuant to a notice of special meeting issued by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at 5:40 o'clock p.m. on Tuesday, September 29, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

RESOLUTION NO. 1606

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter, be, and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart.

The resolution was adopted by the following roll call:

- "Yes" - Mayor Brunstetter
- Commissioners Avery
- Garris
- McGarry
- Rinehart

The following Ordinance, first read at the meeting of September 15, 1936, was read again in full.

AN ORDINANCE REGULATING THE ACCUMULATION, REMOVAL AND DISPOSAL OF GARBAGE, TRASH AND GARDEN TRASH; PROVIDING FOR FEES FOR REMOVAL AND DISPOSAL OF GARBAGE AND TRASH BY THE CITY OF CORAL GABLES; PRESCRIBING LICENSE FEES AND CONDITIONS UNDER WHICH REMOVAL AND DISPOSAL MAY BE MADE BY PERSONS OTHER THAN EMPLOYEES OF THE CITY; AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. DEFINITIONS

GARBAGE: That for the purpose of this Ordinance, the word "garbage" is hereby defined to mean every refuse accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and dealing in, or storage of, meats, fish, fowl,



fruits or vegetables, and any other matter, of any nature whatsoever, which, is subject to decay and the generation of noxious or offensive gasses or odors, or which, during or after decay, may serve as breeding or feeding material for flies or other germ-carrying insects; and any bottles, cans, or other containers, which, due to their ability to retain water, may serve as breeding places for mosquitoes or other water-breeding insects.

**TRASH:** That for the purpose of this Ordinance, the word "trash" shall mean refuse accumulations of paper, wooden or paper boxes or containers, sweepings, and all other accumulations, of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices and other business places.

**GARDEN TRASH:** That for the purpose of this Ordinance, the words "garden trash" shall mean all accumulations of grass or shrubbery cuttings, and other refuse attending the care of lawns, shrubbery, vines and trees.

**GARBAGE CAN:** That for the purpose of this Ordinance, the words "garbage can" shall be defined to mean a galvanized iron can of the type commonly sold as a "garbage can" of a capacity not to exceed twenty-five (25) gallons, or of the type commonly sold as an "ash can" of a capacity not to exceed thirty (30) gallons; and in either case such can shall have two handles upon the sides of the can, or a bail by which it may be lifted, and shall have a tight-fitting metal top.

**TRASH CONTAINER:** That for the purpose of this Ordinance, the words "trash container" shall mean any wood or metal container of a size not to exceed five (5) cubic feet capacity for the purpose of storing trash as defined above; such container need not have a cover, but in the case of metal containers without cover, the bottom of the container shall be perforated to prevent the accumulation of water.

## Section 2. STORAGE REMOVAL AND DISPOSITION OF GARBAGE AND TRASH.

All residents or occupants of residences, apartments, or places of business within the City of Coral Gables are hereby required to provide a garbage can, or cans, as hereinbefore defined, of sufficient capacity to hold four days accumulation of garbage.

All garbage, tin can and bottles shall first be drained of all liquids, and shall be daily deposited in the garbage cans herein required. The wet garbage matter shall be wrapped in paper before being placed in the garbage can.

Garbage cans shall be kept tightly covered at all times except when it is necessary to lift the cover to deposit garbage in the garbage can.

Garbage cans are required to be kept in a place easily accessible to the inspectors and to the employees of the Garbage Department of The City of Coral Gables; they shall not be kept upon neighboring property not in the ownership or tenancy of the person by whom the garbage is accumulated, whether such neighboring property be vacant or improved; they are hereby required to be kept at a point upon the premises of the owner or occupant not closer to the street or streets upon which the premises fronts than one-half the depth of the premises from such street or streets, except that where the premises abut upon a used alley, the garbage can or cans shall be placed within easy and convenient access from such alley.

All garbage cans shall be subject to inspection and approval or condemnation by the Inspectors of the Garbage Department of The City of Coral Gables, and no appeal from



such condemnation shall be possible except to the Superintendent of the Garbage Department of The City of Coral Gables.

All garbage cans and trash containers shall be required to be emptied at least twice each week, and the contents thereof to be disposed of at least twice each week in a manner which shall not conflict with the terms of this ordinance. No garbage shall be buried upon the premises of the person by whom such garbage is accumulated unless it shall be placed in a hole permitting it to be covered by not less than thirty-six (36) inches of soil; and no garbage shall be buried elsewhere in the City except upon written permit of the Superintendent of the Garbage Department of The City and the Health Officer of the City, jointly. In all cases in which garbage is removed and disposed of by persons other than the employees of the Garbage Department of The City of Coral Gables, the owner or occupant of the premises from which such removal is made shall previously report to the Superintendent of the Garbage Department and the Health Officer of The City of Coral Gables the name and address of the person or persons, corporation, partnership or agency by which such removal is to be made, the nature of the vehicle in which it is to be transported, the location at which and the manner in which the ultimate disposition of the garbage is to be accomplished; and no person, corporation, partnership or agency shall contract or permit himself to be employed for such private disposition of garbage unless he shall have first procured a license or permit therefor, from The City of Coral Gables, as provided herein.

It shall be unlawful, and subject to the penalties provided in this Ordinance, to deposit garbage, trash, bottles, cans or containers upon any vacant or unoccupied premises of The City of Coral Gables, or upon any street, alley or park, or in any canal, waterway, rockpit, pool or lake within The City of Coral Gables; or to transport garbage through or over the streets or alleys of The City of Coral Gables without having made a report of such transportation of garbage to the Superintendent of the Garbage Department and Health Officer of the City and secured a license or permit therefor, as herein elsewhere provided.

All residents or occupants of The City of Coral Gables shall deposit all trash, as hereinbefore defined, other than garbage or garden trash, in a trash container or containers, of such type, condition and maximum size as defined herein, and shall weight down or cover such trash so that the lighter materials thereof shall be prevented from being blown out of the container or off the premises. Sufficient containers shall be provided to hold four days accumulation of trash. The container or containers shall be placed in a position on the premises similar to that required under this ordinance for garbage cans, and where there are both garbage cans and trash containers on the same premises, the two types of receptacles shall be placed side by side.

### Section 3. LICENSES FOR PRIVATE GARBAGE DISPOSAL.

No person or persons, corporation, partnership or agency of any nature whatsoever shall remove garbage or trash from any premises in The City of Coral Gables, or transport garbage or trash through the streets or alleys or public ways of The Coral Gables, or dump, incinerate, or in any other manner dispose of garbage or trash originating in the limits of The City of Coral Gables, or contract for or permit himself to be employed or engaged for any such removal, transportation or disposal without first having secured a license for such services from the Tax Collector of The City of Coral Gables, evidencing the payment to the City of Coral Gables of the sum of One Hundred (\$100.00) Dollars. Before issuing any such license, the Tax Collector shall require the execution of an



application form, to be furnished by him, showing the name or names of the person or persons to be licensed, or, in the case of a corporation, the names of the principal officers and the name of the person or persons who are to actually perform such services for the corporation, together with the business and home addresses of each of such persons; the description of the equipment to be used in such removal, transportation and disposal; the exact location of and the method of disposal; which application shall be submitted to and approved by the Superintendent of the Garbage Department and the Health Officer of The City of Coral Gables as a prerequisite to the issuance of the license. When such application specifies a point of disposal beyond the limits of The City of Coral Gables, the Health Officer and the Superintendent of the Garbage Department shall determine that the disposal of garbage at the point named, and by the method described in the application are satisfactory to the proper authorities of Dade County or of the municipality, if such point be within a municipality. No licensee under this section shall change any of the personnel named in such application, nor any of the equipment used for removal or transportation, nor the location or method of disposal, as described in such application, without first having reported such changes to the Superintendent of the Garbage Department and the Health Officer of The City of Coral Gables and secured their approval and permission therefor, and in the case of changes in the location and method of disposal, if beyond the limits of The City of Coral Gables, such changes shall also be approved by the proper authorities of Dade County or of the municipality within which such disposal point is located.

Section 4. (a) FEE FOR REMOVAL OF GARBAGE BY GARBAGE DEPARTMENT OF CITY.

All residents and occupants of premises in The City of Coral Gables who have not arranged for private disposal of garbage and trash as elsewhere authorized in this Ordinance shall be required to have accumulations of garbage and trash removed and disposed of by the Garbage Department of the City of Coral Gables, and for such service of garbage and trash removal shall pay to the Tax Collector of The City of Coral Gables the sum of Three (\$3.00) Dollars per garbage can for the first three cans, and the sum of Two (\$2.00) Dollars for each garbage can, in excess of three cans used and kept on any one premises, for each three month period commencing on January 1st, April 1st, July 1st, or October 1st, or for any fractional part of any such three month period; such fees or service charges shall be paid in advance of the first day of the period for which due, except that in cases where service is being started within the period, the fee shall be paid in advance of the first service date. Fees or service charges for periods not yet due may be paid in advance to the Tax Collector, except that in no case shall the Tax Collector accept payment for any period extending beyond the fiscal year in which such fee is paid. Upon payment of such fees, the Tax Collector shall issue a separate and distinct receipt for each three month period, and such receipt must be displayed by the resident or occupant at a conspicuous place near and in plain view from the location of the garbage can and trash container.

All such persons are entitled to the removal by the City of trash from their premises upon the payment of such garbage license fee, provided the quantity of trash shall not require more trash containers than garbage cans used by such licensee. If the amount of trash accumulation by any one such resident or occupant shall require the use of more than one trash container for each licensed garbage can,



then such person shall pay to the City an amount equal to the expense of removing, handling and disposing of such excess trash which amount shall be determined by the City Manager, and this Provision shall apply to residents and occupants who have accumulations of trash but no garbage. The City Tax Collector shall issue special receipts for such trash removal fees.

It shall be unlawful, and a violation of this Ordinance, to permit an accumulation of garbage or trash upon any premises in The City of Coral Gables for a period longer than four days without having arranged for disposal of such accumulation by some person, partnership, corporation or agency qualified under this ordinance to perform such service, or by the Garbage Department of The City of Coral Gables.

(b) REMOVAL OF GARDEN TRASH.

All residents and occupants of premises of the City of Coral Gables shall deposit garden trash, when and as it is accumulated, upon the parkway immediately in front of the premises of the person by whom such accumulation is made, or, where such premises are located upon a used alley, at a point easily accessible from and readily noticable from such alley, for removal and disposition by the employees of the Garbage or Parkways Department of The City of Coral Gables, except that such resident and occupants may arrange for the private removal and transportation of such garden trash to points approved and designated by the Superintendent of the Garbage Department and the Health Officer of the City of Coral Gables, and under permits to be issued by said officers. It shall be unlawful, and subject to the penalties provided in this ordinance, for any such resident or occupant to deposit such garden trash upon any adjoining lot or premises, whether vacant or improved, occupied or unoccupied, or upon any other lot or premises, or street, alley or park, or in any canal or waterway, lake or pool within The City of Coral Gables. Garden trash containing no combustible matter or matter which will, during decay, give off offensive odors, may be accumulated by the owner as a mulch or composte pile in the rear of the premises upon which accumulated.

Section 5. PENALTIES.

That any person, firm or corporation or other association of persons, whether incorporated or not incorporated, for profit or not for profit, and any member, officer or agent of such a firm, corporation or association, found guilty of a violation of any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, shall be sentenced to pay a fine of not more than One Hundred (\$100.00) Dollars, in the discretion of the Municipal Judge and each day any such violation of the provisions of this ordinance takes place shall constitute a separate offense and subject the person convicted to a separate fine.

Section 6. All ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

Section 7. In the event any section, subsection, sentence, clause or phrase of this ordinance shall be adjudicated invalid or unconstitutional such adjudication shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this ordinance which shall be and remain in full force and effect as fully as if the section, subsection, sentence, clause or phrase so adjudged invalid or unconstitutional was not originally a part thereof.

Section 8. This ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation of peace, health, safety and property, thereupon taking effect upon its adoption, publication and posting as required by law.



Motion for adoption of the Ordinance by Commissioner Aver;  
seconded by Commissioner Garris. The Ordinance was adopted by the following  
roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

Mayor Brunstetter then declared the Ordinance adopted  
and approved, and ordered its publication as No. 263.

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION TO KEEP OR MAINTAIN, IN A CERTAIN AREA WITHIN SAID CITY, ANY COIN-OPERATED AUTOMATIC SLOT MACHINE USED, OR TO BE USED, FOR GAMBLING PURPOSES, PRESCRIBING A PENALTY FOR VIOLATION THEREOF; DECLARING THIS ORDINANCE AN EMERGENCY MEASURE; AND REPEALING THAT CERTAIN PART OF ORDINANCE NO. 246 ZONING ALL SECTIONS OF THE CITY, EXCEPT THE INDUSTRIAL SECTION, AGAINST SLOT MACHINES USED FOR GAMBLING PURPOSES.

WHEREAS, that certain area, within the corporate limits of The City of Coral Gables, hereinafter described in section 2 hereof, and zoned against coin-operated automatic slot machines used, or to be used, for gambling purposes, is the area in which is situated the Coral Gables Elementary public free school, maintained by the County of Dade and the State of Florida, having a daily average attendance, during nine months of the year, of about One Thousand (1,000) minor children;

AND WHEREAS, The University of Miami, having an average daily attendance, during nine months of the year, of about One Thousand (1,000) students, mostly minors, is situated near said area;

AND WHEREAS, during said nine months of the year, the minors attending said elementary public school and the students, mostly minors, attending said University of Miami, roam about said area frequenting the shops located therein, and whereas, it is common knowledge that where automatic coin slot machines are allowed for gambling purposes, it is impossible to enforce the provisions against the use thereof by minors; and whereas, it is common knowledge that minors do play and are allowed to play said machines; and whereas, the placing and operation of slot machines for gambling purposes within said area of Coral Gables would have an evil influence on said minor public school children and said students, mostly minors, of the University of Miami;

AND WHEREAS, said area is, also, the area in which is situated the Presbyterian Church, and near said area is situated the Baptist Church, the Community Center and Public Library and the Methodist Church; and whereas, the location of gambling machines or devices in said area would cause noisy, disorderly and boisterous persons to congregate and gamble on the result of operation of such machines by players; therefore,



BE IT ORDAINED by the Commission of the City of Coral Gables;

Section 1. That it shall be unlawful for any person, firm or corporation to keep or maintain, within the area described in Section 2 hereof, any coin-operated automatic slot machine used, or to be used, for gambling purposes.

Section 2. That the area of said City zoned against said slot machines is described as follows:

An area comprising sixteen city blocks being bounded on the North by Majorca Avenue, on the East by Galiano Street, on the South by Andalusia Avenue, and on the West by Salzedo Street, all within the City of Coral Gables, Dade County, Florida.

Section 3. Any person, firm or corporation violating the provisions of this ordinance shall, on conviction, be fined not less than Two Hundred Fifty (\$250.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, or imprisoned for not less than fifteen (15) days, nor more than sixty (60) days, or both such fine and imprisonment, in the discretion of the Judge of the Municipal Court of said City.

Section 4. That the following provision contained in Ordinance No. 246, adopted June 20, 1936, to-wit:

"and all lands within the corporate limits of the City, except the Industrial Section, are hereby zoned against the use, storing, possession or operation of slot machines used or to be used for gambling purposes, or other gambling devices, whether or not the same may be licensed by the State of Florida; and the use of any such premises for either of the purposes aforesaid, by any person, firm or corporation, are hereby prohibited."

is hereby expressly repealed, and all other laws in conflict herewith are hereby repealed.

Section 5. This ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation of peace and property, and said Ordinance shall become effective at the beginning of the next ensuing license fiscal year, to-wit, the first day of October, A.D. 1936.

was introduced and read.

Motion by Commissioner Rinehart that the requirement for reading on two separate days be dispensed with, and that the ordinance be placed on second reading at once; seconded by Commissioner Avery. The motion was adopted by the following roll call:

- "Yes" - Mayor Brunstetter
- Commissioners Avery
- Garris
- McGarry
- Rinehart

The Ordinance was then read, in full, for the second time.

Motion for adoption of the Ordinance by Commissioner McGarry; seconded by Commissioner Garris. The Ordinance was adopted by the following roll call:

- "Yes" - Mayor Brunstetter
- Commissioners Avery
- Garris
- McGarry
- Rinehart



Mayor Brunstetter then declared the Ordinance adopted and approved, and ordered its publication as No. 264.

Commissioner Rinehart then discussed with the Commission the matter of Golf Course rentals by the Coral Gables Country Club, stating that it would be satisfactory to the Club to apply the Three Hundred (\$300.00) Dollar deposit held by the City upon the payment of rental for the month of September, and effective October 1st to handle the rental upon the strict basis of the number of club members using the course, and at the regular greens fee. The City Clerk was instructed to apply the deposit accordingly, and to advise the Golf Course of the new arrangement.

There being no further business, the meeting was adjourned.

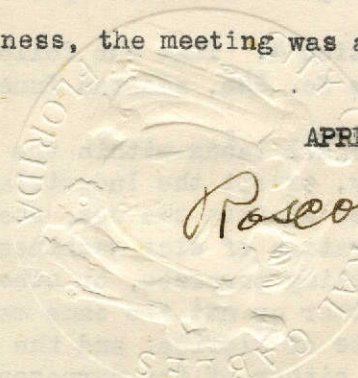
ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter





MINUTES OF SPECIAL MEETING OF THE  
 COMMISSION OF THE CITY OF CORAL GABLES  
 ON OCTOBER 1, 1936.

Pursuant to appointment at the meeting of September 18, 1936, the Commission of The City of Coral Gables convened in special session at the City Hall at 7:30 o'clock p.m. on Thursday, October 1, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

RESOLUTION NO. 1607

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter, be, and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

and  
 Mayor Brunstetter

RESOLUTION NO. 1608

A RESOLUTION APPOINTING CARL L. V. EXSELSEN EXCLUSIVE REPRESENTATIVE OF THE CITY TO NEGOTIATE A DEBT REFUNDING PLAN IN CONJUNCTION WITH THE MAYOR AND CITY COMMISSIONERS.

WHEREAS, recent developments and Supreme Court decisions have made it impractical to refund the indebtedness of the City without amending the February 1936 Refunding Plan; and,

WHEREAS, it has also become essential to negotiate with many creditors not heretofore contacted and not committed to said Plan; and,

WHEREAS, it is vitally important to the City to conclude a refunding of its outstanding indebtedness as soon as reasonably and practically possible provided such a refunding can be accomplished within the present and prospective maximum capacity of the City to pay; and



WHEREAS, to accomplish such a result it is important that the City have an exclusive representative to conduct negotiations with its many creditors in conjunction with the Mayor and members of the City Commission;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

1. That the maximum capacity of the City to pay debt service is: (a) \$4,000,000 Refunding Bonds maturing in approximately 40 years; (b) debt service demands, including payments of both interest and payments on account of principal, not to exceed the yearly amounts shown in the following schedule:

\$100,000.00 per year for 5 years  
 140,000.00 per year for 5 years  
 200,000.00 per year for 5 years  
 240,000.00 per year for 10 years  
 280,000.00 per year for 10 years  
 300,000.00 per year for 4 years  
 and until paid in full.

and (c) the City to make available to the creditors, in any legal form desired by them and approved by the City Attorney, all delinquent tax assets represented by delinquent and/or back assessed taxes against all properties which are at the date of refunding delinquent for the year 1934 and prior years.

2. That Carl L. V. Exselsen, of New York City, New York, be and he hereby is authorized jointly with the Mayor and/or any member or members of the City Commission to exclusively represent The City of Coral Gables in all negotiations with Bondholders and other creditors of the City for the purpose of working out the terms and details of an amended debt refunding program.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

RESOLUTION NO. 1608-A

A RESOLUTION APPROPRIATING THE SUM OF TWO THOUSAND DOLLARS FOR THE EXPENSES OF THE COMMISSIONERS TO NEW YORK TO NEGOTIATE A DEBT SETTLEMENT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Two Thousand (\$2,000.00) Dollars be and the same is hereby appropriated from the debt service funds of the City for the purpose of providing the expenses of the Commissioners to New York to negotiate with the representatives of the bondholders.

was introduced and read.



Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

The Commission then devoted itself to consideration of the proposed zoning ordinance. J.Allen Brown appeared as representing the Real Estate Board Committee, and several citizens addressed the Commission individually on specific requirements. No definite action was taken, and the Ordinance was carried forward for further consideration and discussion.

There being no further business, the meeting was adjourned.

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



APPROVED:

*Roscoe Brunstetter*

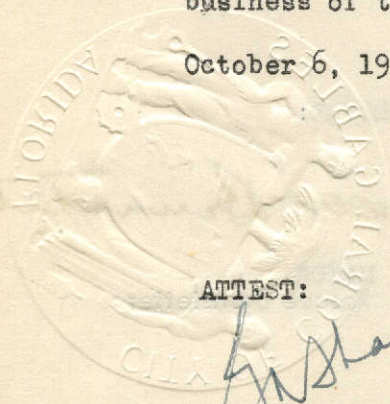
MAYOR  
Roscoe Brunstetter





MINUTES OF REGULAR MEETING OF THE  
CITY COMMISSION ON OCTOBER 6, 1936

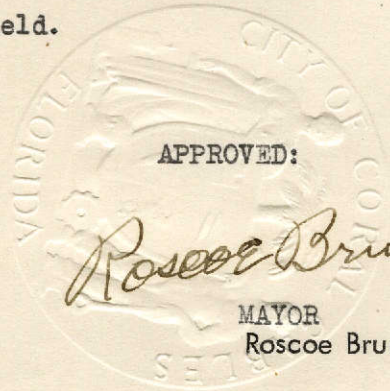
There being no quorum, four members  
of the Commission being absent in New York on  
business of the City, the meeting of Tuesday,  
October 6, 1936 was not held.



ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw



APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter



MINUTES OF SPECIAL MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON OCTOBER 13, 1936.

Pursuant to a call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables convened in special session at the City Hall at 5:45 o'clock p.m. on Tuesday, October 13, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

RESOLUTION NO. 1609

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter, be, and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

AN ORDINANCE PROVIDING FOR THE LEVYING OF TAXES FOR THE YEAR BEGINNING JULY 1, 1936 AND ENDING JUNE 30, 1937; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSE OF PAYING SERVICE OF DEBT AND MEETING OPERATING REQUIREMENTS RESPECTIVELY; AND PROVIDING FOR THE SEGREGATION AND APPLICATION OF THE PROCEEDS FROM THE SEVERAL LEVIES.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. That for the purpose of providing necessary funds to pay the appropriations for the current expenses of the City, and for the payment of service of the principal and/or interest of the bonded and other debts of the City of Coral Gables, and paying other appropriations by the City Commission, there shall be levied upon the real and personal property in the City of Coral Gables, assessed for taxes for the year commencing July 1, 1936 and ending June 30, 1937;



A. Upon all such property within the corporate limits of The City of Coral Gables, Florida, a tax of five (5) mills upon the dollar, which tax shall be levied solely and expressly for the purpose of procuring funds for the payment of service of the principal and/or interest of the bonded and other debts of the City of Coral Gables.

B. Upon all such property lying in Sections 5, 7, 8, 17, 18, 19, 20 and in Section 28 except in the South 231 feet thereof, and in Section 29 except in the South 231 feet thereof east of the County Road (Old Miami-Homestead Highway), and in Section 30, and in Section 32 to the westward of a line as follows: begin at Coco Plum Plaza at the Northwest Corner of Lot 1, Block 1, Biscayne Bay Section Part One, thence southeastwardly along the south shore line of the Coral Gables Waterway to the eastern line of Lot 12 of said Block 1, thence southwardly and southeastwardly along the eastern and northeastern boundaries of said Lot 12, Block 1 and of Block 4 of said Section to the northeastern corner of Lot 64 of said Block 4, thence southwestwardly along the southeastern boundary of said Lot 64 and the extension thereof to the center line of Granada Boulevard, thence northwestwardly along said center line of Granada Boulevard to its intersection with the center line of Cartagena Street, thence southwestwardly along the center line of Cartagena Street to its intersection with the south line of Section 32, all in Township 54 South, Range 41 East, a tax of fourteen (14) mills upon the dollar, which tax shall be levied solely and expressly for the payment of the operating requirements of the City, and all appropriations by the City Commission other than for the service of debts.

Section II. That all proceeds and collections of the five (5) mill levy ordered and made by Section I-A hereof shall be paid upon receipt into a fund to be known as the "Interest and Sinking Fund", and shall be reserved therein solely for the purpose of making payments upon the principal and/or interest of the bonded and other debts of the City, and shall be disbursed therefrom only for that purpose.

Section III. That all proceeds and collections of the fourteen (14) mill levy ordered and made by Section I-B hereof shall be paid upon receipt into a fund to be known as the "Current Operating Fund", and shall be reserved therein until necessary and proper to be disbursed therefrom for the sole and express purpose of paying the necessary operating expenses of the City of Coral Gables, its departments, offices and properties for the year ending June 30, 1937.



and all other appropriations by the City Commission for that year for purposes other than payments on principal and/or interest of the bonded and other debts of the City.

Section IV. That the Tax Collector for the City of Coral Gables be and he is hereby authorized to proceed with the collection and enforcement of the taxes levied herein as provided in the Ordinances of the City of Coral Gables and the Laws of the State of Florida which may be applicable hereto.

Section V. If any section, part or provision of this Ordinance shall be declared unconstitutional or invalid by competent authority, then the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

was introduced and read.

Motion by Commissioner Rinehart that the requirement for reading on two separate days be waived, and that the Ordinance be placed on second reading at once; seconded by Commissioner Avery. The motion was carried by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Thereupon the Ordinance was read again, in full.

Motion for adoption of the Ordinance by Commissioner Rinehart; seconded by Commissioner Avery. The Ordinance was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 McGarry  
 Rinehart

"No" - Commissioner Garris

RESOLUTION NO. 1610

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED DOLLARS FOR THE PURPOSE OF PURCHASING STREET STOP SIGNS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Two Hundred (\$200.00) Dollars be and the same is hereby appropriated and transferred from the Contingent Fund to the appropriation of the Police Department, for the purpose of purchasing stop signs for the streets of the City.

was introduced and read.



Motion for adoption by Commissioner Avery; seconded by  
Commissioner Rinehart. The resolution was adopted by the following roll  
call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1611

A RESOLUTION FIXING THE TIME FOR THE  
REGULAR MEETINGS OF THE COMMISSION OF  
THE CITY OF CORAL GABLES:

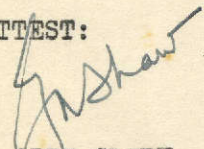
BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

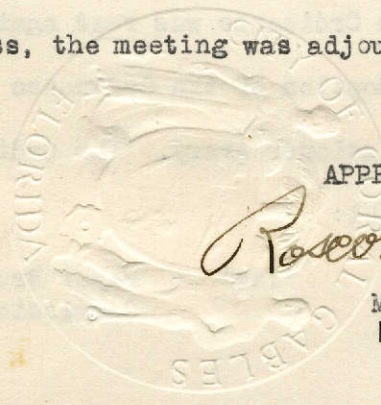
That effective at once, and until otherwise  
ordered, the regular meetings of the Commission of  
The City of Coral Gables, Florida, shall be held  
in the Commission Chamber at the City Hall, in  
Coral Gables, at 4:30 o'clock, p.m. on the first  
and third Tuesdays of each month.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner  
McGarry. The Resolution was adopted by unanimous vote.

There being no further business, the meeting was adjourned.

ATTEST:  
  
CITY CLERK  
G. N. Shaw



APPROVED:  
  
MAYOR  
Roscoe Brunstetter



MINUTES OF REGULAR MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON OCTOBER 20, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 4:25 o'clock p.m. on Tuesday, October 20, 1936.

Vice-Mayor McGarry in the Chair; Commissioners Avery and Garris present.

The minutes of the meetings of September 15th and 29th and October 1st and 13th, 1936 were read and approved.

AN ORDINANCE TO REGULATE AND RESTRICT THE ERECTION, RECONSTRUCTION, ALTERATION, LOCATION AND USE OF BUILDINGS, STRUCTURES, WATER AND LAND TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES; TO REGULATE AND RESTRICT THE SIZE OF BUILDINGS AND OTHER STRUCTURES HEREAFTER ERECTED OR ALTERED: THE SIZE AND DIMENSIONS OF YARDS, COURTS AND OTHER OPEN SPACES SURROUNDING BUILDINGS: TO REGULATE AND RESTRICT BUILDING LINES AND THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE INTENSITY OF USE OF LOT AREAS AND THE DENSITY OF POPULATION: AND FOR SAID PURPOSES TO DIVIDE THE CITY OF CORAL GABLES INTO DISTRICTS OF SUCH NUMBER, SHAPE AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS: AND FOR EACH SUCH DISTRICTS TO IMPOSE REGULATIONS AND RESTRICTIONS DESIGNATING THE KINDS OR CLASSES OF TRADES, INDUSTRIES, RESIDENCE OR OTHER PURPOSES FOR WHICH BUILDINGS OR OTHER STRUCTURES OR PREMISES MAY BE PERMITTED TO BE ERECTED, ALTERED OR USED: TO PROVIDE A METHOD FOR AMENDMENT, SUPPLEMENT, CHANGE, MODIFICATION OR REPEAL OF REGULATIONS, RESTRICTIONS AND BOUNDARIES: FOR CREATING THE OFFICES OF SUPERVISING ARCHITECT AND ASSOCIATE SUPERVISING ARCHITECT AND DEFINING THE DUTIES THEREOF: PROVIDING FOR ADDITIONAL BUILDING PERMIT FEES AND FOR COMPENSATION TO THE SUPERVISING AND ASSOCIATE SUPERVISING ARCHITECT: FOR CREATING A ZONING BOARD OF APPEALS AND DEFINING THE DUTIES AND POWERS THEREOF: FOR PRESERVING PROPERTY VALUES, AND PROMOTING THE GENERAL PROSPERITY THROUGH THE APPROPRIATE USE OF LAND AND BUILDINGS AND MAINTENANCE OF A HIGH STANDARD OF SYMMETRICAL ARCHITECTURAL DESIGN AND CONSTRUCTION: AND PRESCRIBING METHODS FOR ENFORCEMENT OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

was introduced and read on first reading, and carried forward to a later meeting for further consideration and action.

Mayor Brunstetter then joined the meeting, and took the Chair.

Commissioner Rinehart then joined the meeting.

The Commission appointed Monday, October 26, 1936, at 4:30 o'clock p.m. at the City Hall as the time for a second public hearing on the Zoning Ordinance, and instructed the City Clerk to advertise the notice of such meeting.

Mr. Kenneth Chisholm then appeared to request the approval of the Commission upon certain plans for a proposed hotel on Coral Way near the



corner of Ponce de Leon Boulevard. The Commission took the plans under advisement.

RESOLUTION NO. 1612

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED DOLLARS FOR THE PURPOSE OF ADVERTISING IN KIM'S GUIDE TO FLORIDA.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Two Hundred (\$200.00) Dollars be and the same is hereby appropriated and transferred from the Contingent Fund to the appropriation for publicity, for the purpose of securing a one page advertisement in the coming issue of "Kim's Guide to Florida".

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
McGarry  
Rinehart

"No" - Commissioner Garris

AN ORDINANCE AMENDING SECTION SEVEN (7) OF ORDINANCE NO. 48, ENTITLED: "AN ORDINANCE PROVIDING FOR THE CONTROL OF CONDITIONS UNDER WHICH ANY FOOD-HANDLING ESTABLISHMENT MAY BEGIN OPERATION, PROVIDING FOR THE CONTROL OF CONDITIONS UNDER WHICH FOOD-HANDLING ESTABLISHMENTS ARE OPERATED, PROVIDING FOR THE CLOSING OF FOOD-HANDLING ESTABLISHMENTS WHICH DO NOT COMPLY WITH THE PROVISIONS OF THIS ORDINANCE, AND PROVIDING PENALTIES FOR THE VIOLATION OF ANY PROVISION HEREOF", ADOPTED JULY 14, 1926, TO PROVIDE FEES FOR EXAMINATION OF FOOD-HANDLERS.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. That Section Seven (7) of Ordinance No. 48, entitled: "AN ORDINANCE PROVIDING FOR THE CONTROL OF CONDITIONS UNDER WHICH ANY FOOD-HANDLING ESTABLISHMENT MAY BEGIN OPERATION, PROVIDING FOR THE CONTROL OF CONDITIONS UNDER WHICH FOOD-HANDLING ESTABLISHMENTS ARE OPERATED, PROVIDING FOR THE CLOSING OF FOOD-HANDLING ESTABLISHMENTS WHICH DO NOT COMPLY WITH THE PROVISIONS OF THIS ORDINANCE, AND PROVIDING PENALTIES FOR THE VIOLATION OF ANY PROVISION HEREOF", be and the same is hereby amended by the addition of a paragraph as follows:

"At intervals of not less than six (6) months, the Health Officer of the City of Coral Gables shall issue a summons, by advertisement in a newspaper of general circulation in the City of Coral Gables, to all food-handlers to appear at the Health Office in the City Hall, or at any other place conveniently located to the food-handling establishments in the City, for examination and renewal of the Food-Handlers' Health Certificates hereinbefore provided. The fee for such examination and such certificate shall be \$1.50 per person. Whenever, in his



judgment, the Health Officer shall have reason to believe that there is a prevalence of communicable disease in the City or its vicinity, he shall issue, as provided above, a special summons for examination, provided, however, that there shall be no charge for such special examinations, and Food-handlers' Health Certificates in force and unexpired at the time of such special examinations shall remain in force for the remainder of their original term unless specifically revoked by the Health Officer for causes determined in such special examinations."

Section 2. That this Ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation of peace, health and safety, and shall be in full force and effect immediately upon its passage and approval.

was introduced and read.

Motion By Commissioner Avery that the requirement for reading on two separate days be dispensed with and that the Ordinance be placed on second reading at once; seconded by Commissioner Garris. The Motion was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

The Ordinance was then read again, in full. Motion by Commissioner Avery that the Ordinance be adopted. Seconded by Commissioner McGarry. The Ordinance was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

Mayor Brunstetter then declared the Ordinance adopted, and approved, and ordered its publication as No. 266.

Health Officer Kitchens then addressed the Commission in regard to blood tests being made on food handlers. Commissioner McGarry moved that the Health Officer arrange to have blood tests made at such place and in such manner as would best assure their accuracy, and in the most economical manner possible, not to exceed fifty-cents per test, consistent with accuracy.

Motion seconded and carried by unanimous vote.

Commissioner McGarry then moved that the consent of the Commission to given to the Health Officer to make such blood tests in his private laboratory at a fee not to exceed fifty cents per examination. Motion seconded and carried by unanimous vote.



AN ORDINANCE AMENDING SECTION ONE OF ORDINANCE NO. 261 OF THE CITY OF CORAL GABLES, ENTITLED, "AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF OPERATION OF THE CITY OF CORAL GABLES AND ITS INCOME PROPERTIES FOR THE FISCAL YEAR COMMENCING JULY 1st, 1936, AND PAYMENTS UPON DEBT SERVICE" ADOPTED JULY 27, 1936.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, florida;

Section 1. That in Ordinance No. 261 of the City of Coral Gables, entitled: "AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF OPERATION OF THE CITY OF CORAL GABLES AND ITS INCOME PROPERTIES FOR THE FISCAL YEAR COMMENCING JULY 1, 1936, AND PAYMENTS UPON DEBT SERVICE", adopted July 27, 1936, Section One thereof shall be and is hereby amended by the elimination of the words: "when and as it shall be found necessary, possible and proper".

Section 2. That this Ordinance shall take effect immediately upon its passage, approval and publication, as provided by Law.

was introduced and read.

Motion by Commissioner Garris that the requirement for reading on two separate days be dispensed with and that the Ordinance be placed on second reading at once. Seconded by Commissioner McGarry. The motion was carried by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

The Ordinance was then read again in full. Motion by Commissioner Garris that this Ordinance be adopted. Seconded by Commissioner McGarry. The Ordinance was adopted by the following roll call:

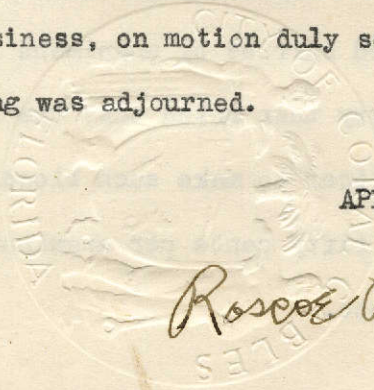
"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

Mayor Brunstetter then declared the Ordinance adopted and approved, and ordered its publication as No. 267.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter



MINUTES OF SPECIAL MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON OCTOBER 26, 1936.

Pursuant to a call of special meeting by Mayor Brunstetter, and unanimous consent of the Commissioners, the Commission of the City of Coral Gables convened in regular session at the City Hall at 4:30 o'clock p.m. on Monday, October 26, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

RESOLUTION NO. 1613

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter be, and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1614

A RESOLUTION AUTHORIZING THE LEASING OF TRACT 107 COCOPLUM HEIGHTS FOR THE POLICE DEPARTMENT.

WHEREAS, it is quite essential that our Police Department continue their pistol target practice and that they have a proper range, and

WHEREAS, the Chief of Police has arranged with Ralph D. Mershon for the leasing of the above described property for said purpose,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES:

1. That the leasing of Tract 107, Cocoplum Heights, as per plat thereof recorded in Plat Book 1, Page 73 of the Public Records of Dade County, Florida, for the purpose of establishing and maintaining a shooting range for the use of the Coral Gables Police Department be and the same is hereby ratified and approved and the Chief of Police and the City Manager be and they are hereby authorized to negotiate such renewals of said lease as in their judgment may be deemed necessary for the good of the department.

2. That the City Manager be and he hereby is



authorized and directed to execute in duplicate the lease of said property, copy of which was presented to the Commission at the time of the adoption of this resolution, and identified by the signature of the City Attorney as follows:

"Approved as to form. October 26, 1936.  
Morton B. Adams, City Attorney."

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1615

A RESOLUTION ACCEPTING AND APPROVING AN AMENDED PLAT OF "JOURNEY'S END".

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That that certain plat, dated August, 1936, and submitted by the Greenfield Land & Investment Company, being an amended plat of "Journey's End", located in fractional Section 4 and 5 and 6, Township 55 South, Range 41 East, be and the same is hereby accepted and approved, and the Tax Assessor is instructed to incorporate such plat in his rolls.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The Resolution was adopted by unanimous vote.

RESOLUTION NO. 1616

A RESOLUTION DELAYING THE REASSESSMENT OF TAXES FOR THE YEARS 1928, 1929 and 1930.

WHEREAS, Resolution No. 1593, adopted August 4, 1936, order the reassessment of 1928, 1929 and 1930 City of Coral Gables taxes concurrently with the assessment of the 1936 taxes; and,

WHEREAS, there is insufficient time to prepare such reassessment without seriously delaying the assessment and collection of 1936 taxes;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

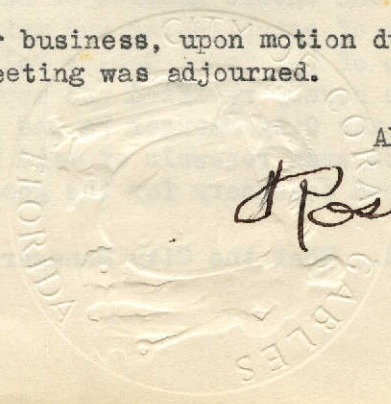
That the Tax Assessor and the Tax Collector for the City of Coral Gables, Florida, be and they are hereby instructed to defer the reassessment of 1928, 1929 and 1930 City of Coral Gables taxes, previously ordered by Resolution No. 1593, adopted August 4, 1936, until such reassessment can be submitted to the Equalization Board, sitting during the month of July, 1937.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Garris. The Resolution was adopted by unanimous vote.

There being no further business, upon motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:  
*[Signature]*  
CITY CLERK



APPROVED:  
*[Signature: Roscoe Brunstetter]*  
MAYOR



MINUTES OF SPECIAL MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES ON  
OCTOBER 29, 1936

Pursuant to a call of special meeting, and unanimous consent of the Commissioners, the Commission of the City of Coral Gables convened in special session at the City Hall at 10:00 o'clock p.m. on Thursday, October 29, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart present.

RESOLUTION NO. 1617

A RESOLUTION WAIVING CALL OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter be, and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1618

A RESOLUTION APPROPRIATING THE SUM OF SEVEN HUNDRED FIFTY DOLLARS FROM THE CONTINGENT FUND TO PROVIDE FOR PUBLIC ENTERTAINMENTS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Seven Hundred Fifty (\$750.00) Dollars be and the same is hereby appropriated from the Contingent Fund to the appropriation for Publicity, for the purpose of providing for the expense of public entertainments during the winter season, and for the purpose of employing personnel and providing miscellaneous expense of the Visitors' Bureau.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

"Yes"- Mayor Brunstetter  
Commissioners Avery  
McGarry  
Rinehart



Commissioner Garris had left the meeting prior to the vote.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter



MINUTES OF REGULAR MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON NOVEMBER 3, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock p.m. on Tuesday, November 3, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

The minutes of the meetings of October 20th and 26th, 1936, were read and approved.

RESOLUTION NO. 1619

A RESOLUTION APPROPRIATING THE SUM OF THIRTY DOLLARS FROM THE CONTINGENT FUND FOR THE PURPOSE OF PROVIDING TROPHIES FOR THE AIR MEET.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Thirty (\$30.00) Dollars be and the same is hereby appropriated from the Contingent Fund to the Publicity Appropriation, for the purpose of providing trophies in the name of the City of Coral Gables, to be presented in events of the coming Air Meet.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

Communications from a number of Architects objecting to the use of cement roofing tile were read to the Commission. The Clerk was instructed to prepare and to bring before the Commission at the time the proposed changes in the Zoning and Building Code Ordinances are to be considered an Ordinance amending the Building Code so as to require the use of Vitrified Clay Tile on all roofs.

Proposed changes at the Country Club, referred to the Commission by the Club management, were referred to the Planning Board and the Supervising Architect for investigation and recommendations, upon motion by Commissioner Garris, seconded by Commissioner Avery, and unanimously carried.



RESOLUTION NO. 1620

A RESOLUTION APPROVING AND ACCEPTING A CERTAIN PLAT OF THE MIAMI BILTMORE HOTEL AND COUNTRY CLUB GROUNDS AND GOLF COURSE IN COUNTRY CLUB SECTIONS PART ONE AND FOUR.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That that certain plat showing the Miami Biltmore Hotel and Country Club Grounds and Tracts 1 to 6, inclusive, constituting the Miami Biltmore Golf Course in Country Club Sections Parts One and Four, prepared by W.C. Bliss as of September, 1936, be and the same is hereby accepted and approved.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Avery. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1621

A RESOLUTION AUTHORIZING AND DIRECTING THE CANCELLATION OF TAXES AFFECTING TRACTS ONE TO FOUR, INCLUSIVE, OF THE MIAMI BITLMORE GOLF COURSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Director of Finance be and he is hereby authorized and instructed to cancel and satisfy all City of Coral Gables taxes through and including the year 1936 now due and payable to The City of Coral Gables on those certain lots which have been made a part of the Miami Biltmore Golf Course in Country Club Section Parts One and Four in Plat thereof approved and accepted under Resolution No. 1620, adopted November 3, 1936; said lots being more particularly described as those lots and parts of lots which underly Tracts 1 to 4, inclusive, of the Miami Biltmore Golf Course as shown by said plat.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

- "Yes" - Mayor Brunstetter
- Commissioners Avery
- Garris
- McGarry
- Rinehart

RESOLUTION NO. 1622

A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT AMENDING THE CONTRACT BETWEEN THE CITY OF CORAL GABLES AND THE EVERARD CORPORATION AS AUTHORIZED BY RESOLUTION NO. 1605 ADOPTED SEPTEMBER 16, 1936.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager and the City Clerk be and they are hereby authorized and instructed to execute and



deliver, on behalf of The City of Coral Gables, a certain agreement between the City of Coral Gables and the Everard Corporation as authorized by Resolution No. 1605 adopted September 16, 1936, such amending agreement to be in words and figures as follows, to-wit:

"WHEREAS, the EVERARD CORPORATION and THE CITY OF CORAL GABLES have agreed upon certain amendments to the contract between the said parties dated 22ND day of September, 1936, and the plans referred to therein and identified as the plans upon which City Building Permit No. 5264 was issued,

NOW, THEREFORE, THIS INDENTURE made this 4<sup>th</sup> day of November, A.D. 1936, between Everard Corporation, a Florida corporation, party of the first part, and The City of Coral Gables, a municipal corporation of Dade County, Florida, party of the second part,

WITNESSETH:

That for and in consideration of the sum of One (\$1.00) Dollar and other valuable considerations, as well as the covenants and conditions contained herein and in the original contract, the said parties agree to the following amendments to the said contract and agree that the plans on file shall be amended to conform to these amendments, to-wit:

A.

That paragraph I, subparagraph 1, shall be amended by inserting at the end thereof the following, to-wit:

"The party of the first part hereby agrees to construct and equip at a place in said building, to be agreed upon between said parties, adjacent to said terminal, one toilet room with two toilets, and to install in said terminal, at a place to be agreed upon between the said parties, a starter's booth, and, according to a plan to be agreed upon between said parties, to install electric light wiring and equipment for the purpose of lighting said terminal, booth and toilets, and the said parties agree that the present plans on file shall be amended by supplemental plans showing the above mentioned toilet, booth and lighting equipment. And in further consideration of this amendment the party of the second part agrees to pay for all water and all electric current furnished to the said terminal, toilets and booth."

The said parties mutually agree that the said plans shall be further amended so as to provide for the installation of full emulsified retread roadway through said terminal instead of a concrete roadway as now shown upon said plan.

IN WITNESS WHEREOF; the parties hereto have caused these presents to be executed in duplicate by their respective officers duly authorized thereunto, and to have their respective corporate seals hereunto affixed, the day and year first above written.

EVERARD CORPORATION

ATTEST:

By \_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

THE CITY OF CORAL GABLES

ATTEST:

By \_\_\_\_\_  
City Manager

\_\_\_\_\_  
City Clerk



STATE OF FLORIDA )  
 ) SS  
COUNTY OF DADE )

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, \_\_\_\_\_, President, and \_\_\_\_\_, Secretary, of EVERARD CORPORATION, a Florida Corporation, to me well known to be the persons described in and who executed the foregoing agreement and duly acknowledged before me that they executed the same for the purposes therein expressed as the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_, said County and State, this the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 1936.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
at large  
My Commission expires: \_\_\_\_\_

STATE OF FLORIDA )  
 ) SS  
COUNTY OF DADE )

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, \_\_\_\_\_, City Manager, and \_\_\_\_\_ City Clerk, of THE CITY OF CORAL GABLES, a municipal corporation of Dade County, Florida, to me well known to be the persons described in and who executed the foregoing Agreement and duly acknowledged before me that they executed the same for the purposes therein expressed as the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at \_\_\_\_\_, said County and State, this the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1936.

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida  
at large  
My Commission expires: \_\_\_\_\_

was introduced and read.

The City Manager addressed the Commission, recommending the adoption of the amendments.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

- "Yes" - Mayor Brunstetter
- Commissioners Avery
- Garris
- McGarry
- Commissioner Rinehart not voting.

Mr. Garris stated that his "yes" vote was not to apply to the changes in the roadway.



The Clerk presented an appeal from Mr. John Norman for the acceptance of City of Coral Gables bond coupons in payment of certain delinquent taxes. The Commission held that neither bonds nor coupons could be accepted in payment of taxes or other items due the City.

Commissioner Rinehart moved that the City Manager be authorized to execute an option for a period of thirty days for the sale of the Transportation Department salvage equipment and material, including the cars, copper and other material, at a price of \$12,500. for the entire list; motion seconded and unanimously carried.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:  
*G. N. Shaw*  
CITY CLERK  
G. N. Shaw

APPROVED:  
*Roscoe Brunstetter*  
MAYOR  
Roscoe Brunstetter



MINUTES OF REGULAR MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON NOVEMBER 17, 1936.

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock p.m. on Tuesday, November 17, 1936.

Vice-Mayor McGarry in the Chair; Commissioners Avery, Garris and Rinehart present; Mayor Brunstetter absent from the City on official business.

The reading of the minutes of previous meetings was waived.

Commissioner Avery moved that the City Manager and the City Attorney prepare amendments to the Garbage Service Ordinance, in order to make it workable, and that they bring the amending ordinance before the next meeting of the Commission. Commissioner Rinehart offered a substitute to motion instructing the City Manager and the City Attorney/investigate the Garbage Service Ordinance and report back to the Commission their suggestions for amendments, and that in the interim the City Manager be authorized to use his discretion in handling those features of the Ordinance which appear to be impractical or to work hardships upon those receiving and paying for the service. Commissioner Avery withdrew his motion in favor of the substitute motion, whereupon the substitute motion was duly seconded and carried.

Mr. H. F. Doughty addressed the Commission upon the subject of Mr. Newburger's failure to apply for Homestead Exemption for the year 1936, because of his illness at the time the applications were to be filed, and requested the Commission to grant the exemption at this time. The matter was taken under advisement.

The Tax Assessor appeared before the Commission with reference to ninety-six cases in which persons who had secured homestead exemption for the year 1935 had failed to make proper application to secure the exemption for the year 1936. The Tax Assessor was instructed to advise all such persons, including Mr. Newburger, that the Commission is without power to accept the applications and make the allowances at this time, being governed by the 1935 statute requiring that applications be filed on or before April 1 of each year. For the year 1937, the Tax Assessor was authorized to mail notices to all persons receiving the exemption for the year 1936, advising them of the necessity of renewing their applications before April 1, 1937, and to advertise such fact in the public press.

Upon motion by Commissioner Rinehart, duly seconded and unanimously



carried, the City Manager was authorized to proceed with the installation of a traffic light at the corner of Ponce de Leon Boulevard and Avenue Minorca, at the Coral Gables Elementary School, in order to reduce the traffic hazard at that corner during school hours.

A Petition from certain residents on Red Road, requesting the City to control the beer saloons and other establishments on the west side of Red Road, and to decline to issue further licenses in the said area. The attention of the Commission was called to the fact that the west side of Red Road in the area mentioned is not and has never been in the City limits. The petition was ordered filed.

On motion by Commissioner Rinehart, duly seconded and unanimously carried, the City Attorney was authorized to negotiate a settlement of the judgment held by E. B. Connally, on the basis of 40% of his claim, or a payment of Three Hundred Fifty-four (\$354.00) Dollars.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST;

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw

APPROVED:

*Roscoe Brunstetter*  
MAYOR  
Roscoe Brunstetter





MINUTES OF REGULAR MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON DECEMBER 1, 1936.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 4:40 O'clock p.m. on Tuesday, December 1, 1936.

Vice-Mayor McGarry in the Chair; Commissioners Avery, Garris and Rinehart, present. Mayor Brunstetter absent.

The minutes of the meetings of October 29th, 1936, November 3, 1936, and November 17th, 1936 were read, corrected and approved.

Mayor Brunstetter joined the meeting at 4:50 O'clock p.m., during the reading of the minutes, and assumed the Chair.

Mr. James P. Kohler appeared before the Commission in regard to his application for Homestead Exemption for the year 1936, which he said that he had filed, and had later told the Tax Assessor on the street, to make the application effective. At the time of the original filing, he was not definite as to his Florida citizenship and his qualifications for the exemption. He stated that before the expiration of the application period, he had become definite as to such qualifications, and had not notified the Assessor.

Commissioner Rinehart moved that the matter be taken up with the Tax Assessor, and unless the record in the Tax Assessor's office show facts making the exemption inadvisable, that the application which Mr. Kohler claims he has filed, within the designated period be allowed; motion seconded and unanimous carried.

Judge Philip E. Paine appeared before the Commission petitioning for better working hours for the Police and Fire Departments. The matter was referred to the City Manager and the Director of finance, with instructions to investigate and report back to the Commission.

AN ORDINANCE AMENDING PARAGRAPH ONE (1) OF SECTION FORTY (40) OF ORDINANCE NUMBER ONE (1), ADOPTED AUGUST 3, 1925, ENTITLED: "AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, PRESCRIBING RULES AND REGULATIONS FOR THE ERECTION, REPAIRS, REMOVAL AND DEMOLITION OF BUILDINGS IN SAID CITY: PROVIDING FOR THE SUBMISSION OF PLANS AND MAKING APPLICATION FOR PERMIT FOR ERECTING, REPAIRING OR REMOVING BUILDINGS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE", SO AS TO REQUIRE THE USE OF VITRIFIED CLAY TILE FOR ALL PITCHED ROOFS.



BE IT ORDAINED BY THE COMMISSION OF THE CITY OF  
CORAL GABLES, FLORIDA:

Section 1. That Paragraph One (1) of Section Forty (40) of Ordinance Number One (1), entitled: "An Ordinance of the City of Coral Gables, Florida, prescribing rules and regulations for the erection, repair, removal and demolition of buildings in said City; providing for the submission of plans and making application for permit for erecting, repairing or removing buildings; providing a penalty for the violation of this ordinance", adopted by the Commission of the City of Coral Gables on August 3, 1925, be and the same is hereby amended to read as follows:

SECTION 40

(1) All pitched roofs shall be of vitrified clay tile, all buildings with other type of roof shall have coverings of approved standard quality, such as brick, concrete, tile slate, highest grade of tin roofing, asbestos shingles, or built up roofing, felt with gravel or slag surface, or built up asbestos roofing, or of like grade, which would rank as class A or B under test specifications of the National Board of Fire Underwriters.

Section 2. This ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation of safety and property value, and shall take effect immediately upon its passage and approval.

was introduced and read.

Commissioner Rinehart moved that the requirement for reading on two separate days be dispensed with, and the Ordinance be placed on second reading at once. Motion seconded by Commissioner McGarry and carried by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

The Ordinance was then read in full on second reading. Commissioner Garris moved that the Ordinance be adopted; motion seconded by Commissioner McGarry; and the Ordinance was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

Mayor Brunstetter then declared the Ordinance adopted and approved, and ordered its publication as No. 268.

RESOLUTION NO. 1623

A RESOLUTION APPROPRIATING FOR THE  
EXPENSE OF DELEGATES TO THE CONVENTION  
OF THE FLORIDA LEAGUE OF MUNICIPALITIES  
AT DAYTONA, FLORIDA.

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That the sum of One Hundred Fifty (\$150.00)



Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of paying the expenses of the delegates from the City of Coral Gables to the Florida League of Municipalities Convention at Daytona Beach, Florida, on December 10th and 11th, 1936.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1624

A RESOLUTION AUTHORIZING THE ISSUANCE OF A DEED TO CORAL GABLES POST #98, THE AMERICAN LEGION, COVERING LOTS 42 to 48, INCLUSIVE, BLOCK 34, SECTION "K".

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Mayor and the City Clerk be and they are hereby authorized to execute and deliver to Coral Gables Post #98, The American Legion, a deed to Lots 42 to 48, inclusive, Block 34, Section "K" of Coral Gables, to be used as a site for the permanent home of that Post, such deed to be without cost or fee; provided, however, that such deed shall carry a provision that should the said property ever be used for purposes other than for the American Legion home, the title thereto shall revert to the City, provided, however, that such reversionary clause shall be subordinated to the interests and rights of any mortgagee in connection with original financing of construction of the proposed home.

was introduced and read.

Mo

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1625

A RESOLUTION APPROPRIATING A SUM OF FIFTY DOLLARS TO THE MUNICIPAL COURT, FOR THE PURPOSE OF PAYING VACATION SALARY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Fifty (\$50.00) Dollars be and the same is hereby appropriated from the Contingent Fund to the appropriation for the Municipal Court, for the purpose of paying the salary of the Associate Judge during the vacation of the Judge of the Municipal Court.



was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Garris. The Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1626

A RESOLUTION APPROPRIATING THE SUM OF FIVE HUNDRED DOLLARS FROM THE CONTINGENT FUND FOR THE PURPOSE OF PAYING BALANCE OF REMUNERATION OF THE FIRM OF LOFTIN, STOKES AND CALKINS IN SLOT MACHINE CASES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Five Hundred (\$500.00) Dollars be and the same is hereby appropriated from the Contingent Fund to the appropriation for special legal services, and that the Director of Finance be and he is hereby authorized to pay to the firm of Loftin, Stokes and Calkins said sum of Five Hundred (\$500.00) Dollars as the full balance of the fee in the cases pertaining to slot machines in Coral Gables.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1627

A RESOLUTION APPROPRIATING THE SUM OF FIFTEEN THOUSAND DOLLARS FROM THE PROCEEDS OF DELINQUENT TAXES FOR THE PURPOSE OF DEFRAYING THE EXPENSE OF NEGOTIATIONS FOR THE SETTLEMENT OF THE CITY'S DEBT.

WHEREAS, delinquent tax proceeds have accrued in excess of the anticipation in the annual budget for the year 1936-37; and,

WHEREAS, the City has full authority to appropriate these previously unappropriated sums for any purpose at the pleasure of the City Commission; and,

WHEREAS, the present status of said settlement negotiations indicate that considerable expense will be incurred in the attempt to consummate the present proposal;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Fifteen Thousand (\$15,000.00)



Dollars be and the same is hereby appropriated from the surplus balance in the Contingent Fund developed by the collection of delinquent taxes in excess of the anticipation in the 1936-37 budget, said appropriation to be used for the purpose of defraying expenses in negotiations for the settlement of the City's debt.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

The City Manager reported to the Commission an approach by persons desirous of leasing the Shriner's Golf Course tract for the purpose of establishing an aviation school on those grounds. The Commission unanimously decided that such a project was contrary to the best interests of the residents and property owners in that section.

RESOLUTION NO. 1628

A RESOLUTION CANCELLING TAXES ON CERTAIN PROPERTY IN CENTRAL MIAMI, ACQUIRED BY THE COUNTY FOR PARK PURPOSES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Tax Collector be and he is hereby authorized and instructed to cancel all City Taxes on Lot 51, Block 1, Lot 46, Block 2, Lot 36, Block 5, and Lot 13, Block 13, all in Central Miami, which land has been acquired and is now held by the County of Dade for the purpose of beautifying and parking the canal entrances to Central Miami.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Avery; the Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1629

A RESOLUTION CANCELLING THE CITY TAXES ON CERTAIN LANDS IN SECTIONS 5 & 6, TOWNSHIP 55S, RANGE 41 E, WHICH ARE COUNTY PARK LANDS.



BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Tax Collector be and he is hereby authorized and instructed to cancel all City taxes on the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 6, Township 55S, Range 41E, and the SW $\frac{1}{4}$  and W $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 5, Township 55S, Range 41E, said lands having been acquired and being now held by the County of Dade for park purposes.

was introduced and read.

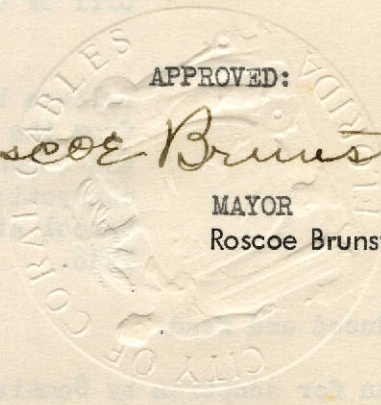
Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

- "Yes" - Mayor Brunstetter
- Commissioners Avery
- Garris
- McGarry
- Rinehart

There being no further business to come before the meeting, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter



MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON DECEMBER 15, 1936

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock p.m. on Tuesday, December 15, 1936.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart present.

The minutes of the meeting of December 1, 1936 were read and approved.

RESOLUTION NO. 1630

A RESOLUTION APPROPRIATING FOR THE EXPENSES OF THE DIRECTOR OF FINANCE IN CONNECTION WITH THE FINANCE OFFICERS' TRAINING SCHOOL AT OCALA.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of One Hundred (\$100.00) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of paying the expenses of the Director of Finance in connection with the Finance Officers' Training School at Ocala on December 19th to 22nd, inclusive, 1936.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The Resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1631

A RESOLUTION APPROPRIATING CERTAIN ACCRUING AND PREVIOUSLY UNAPPROPRIATED REVENUES.

WHEREAS, the appropriation ordinance for the year commencing July 1, 1936, anticipated revenues from garbage service charges, delinquent taxes, departmental income and licenses in amounts less than those which have been or are to be received from those sources during the fiscal year 1936-37; and,

WHEREAS, Section 35 of the Charter of The City of Coral Gables provides: "Any accruing revenue of the City, not appropriated, and the balance at any time remaining after the purposes of an appropriation shall have been satisfied or abandoned, may from time to time be appropriated by the Commission to such uses as the Commission may determine"; and,

WHEREAS, it is imperative that certain salary and wage levels be increased to compensate for the advancing cost of living, and that additional forces be provided for the Department of Public Safety, in the interest of effective and efficient fire and



police protection to the greatly increased number of residents and winter visitors;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the following sums be and they are hereby appropriated from accruing and previously unappropriated revenues, namely: licenses, departmental income, garbage service fees and delinquent taxes, to the departments as follows:

Department of Public Safety	\$8,065.00
Department of Parks and Parkways	2,112.50
Department of Streets, Sewers, and Equipment	362.50
Department of Wastes	655.40
News Bureau	163.38

for the purpose of increasing salaries and wages in those Departments and Bureaus in accordance with the recommendations of the City Manager, previously approved by this Commission.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
Commissioners Avery  
Garris  
McGarry  
Rinehart

RESOLUTION NO. 1632

A RESOLUTION DESIGNATING THE BANK OF NEW YORK AND TRUST COMPANY AS THE AGENT OF THE CITY OF CORAL GABLES FOR THE PURPOSE OF ENDORSING UPON PAST DUE BONDS THE FACT AND AMOUNT OF PAYMENTS TO APPLY UPON INTEREST ON SAID BONDS SINCE MATURITY.

WHEREAS, a number of past due bonds of The City of Coral Gables are deposited with the Coral Gables Bondholders' Protective Committee, upon which various amounts are due on account of interest since the date said bonds matured; and,

WHEREAS, the Coral Gables Bondholders' Protective Committee finds it necessary to distribute portions of debt service payments made or to be made to it by The City of Coral Gables among such past due bonds to apply upon such interest since maturity; and,

WHEREAS, it is proper that such past due bonds should share in the distribution of debt service money paid to the Committee for the account of the deposited bonds; and,

WHEREAS, to accomplish this purpose it becomes necessary to appoint an agent for the purpose of endorsing, on behalf of the City, the fact of such payment to apply upon interest since the date of maturity of the bonds,



NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION  
OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the Trust Company of THE BANK OF NEW YORK AND TRUST COMPANY of New York City, be, and it is hereby designated and appointed as the agent of the City of Coral Gables for the sole and express purpose of endorsing upon past due bonds of the City of Coral Gables held by it for the account of the Coral Gables Bondholders' Protective Committee the fact, date and amount of payments distributed to such past due bonds, to which endorsements it shall affix the signature "The City of Coral Gables, Florida, by The Bank of New York and Trust Company, its Agent, by \_\_\_\_\_, which endorsement shall then be signed in ink by an officer of the Trust Department of The Bank of New York and Trust Company who shall be designated by the Bank for that purpose.

2. That before the Trust Department of The Bank of New York and Trust Company shall execute any such endorsements, it shall notify the Treasurer of The City of Coral Gables of the designation of one of its officers for the purpose of signing such endorsements, and furnish said Treasurer with two specimen signatures of said designated officer, and two specimens of the form of endorsement, as described in Section 1 hereof, to be affixed to such past due bonds; and before any and each such distribution of debt service money to interest on past due bonds, it shall prepare the certificate required in Section 3 hereof and submit such certificate in duplicate to the Treasurer of The City of Coral Gables, to be approved by him as the final authority to said Bank for such endorsements.

3. That promptly upon the application to such interest on past due bonds of any moneys received by it from The City of Coral Gables or the Coral Gables Bondholders' Protective Committee, the Trust Department of The Bank of New York and Trust Company shall execute and deliver to the Treasurer of The City of Coral Gables a certificate over seal, signed by the officer designated to sign the endorsements as above, showing: (1) the date of such endorsements; (2) the number, date of issue, and date of maturity of the bond affected; (3) the amount of payment to apply upon interest as endorsed upon the bond, which information shall be given separately for each bond so endorsed, provided, however, that separate certificates need not be executed for each bond so endorsed, but any number of bonds included in any one payment and distribution may be so shown in one or more certificates.

4. That the amounts to be applied to particular bonds, and the designation of the bonds to which such payments are to be applied may be determined either by The City of Coral Gables or The Coral Gables Bondholders' Protective Committee, subject to the approval of The Treasurer of The City of Coral Gables as required in Section 2 hereof.

5. That the City of Coral Gables assumes no responsibility for any fees or costs in connection with the distribution of debt service money to such past due bonds, or the endorsements thereon, and expressly provides that any costs in connection therewith shall be borne by The Coral Gables Bondholders' Protective Committee.



was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Mayor Brunstetter  
 Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

The City Manager discussed with the Commission matters in connection with the Boxing Commission, and requested amendments to the Ordinance. The City Attorney was instructed to confer with the City Manager, draft a new Boxing Ordinance, and report it to the Commission at the earliest possible meeting.

The City Manager reported a request that the option given the H. E. Salzberg Company, Inc., to purchase the salvaged material and equipment of the Transportation System be extended until December 31, 1936, and recommended that the extension be granted. On motion duly seconded and unanimously carried, the extension was approved.

The City Manager reported that the owners of the property occupied by the City Nursery, in Central Miami, on which we have had an agreement to purchase since the early part of this year, are now ready to deliver nine of the lots, and wish to do so on the basis of a proration of the agreed consideration. Upon motion duly seconded and unanimously carried, authorization was given for purchase of the nine lots as above.

RESOLUTION NO. 1633

A RESOLUTION ACCEPTING A CERTAIN PLAT OF BLOCK 57, COUNTRY CLUB SECTION NO. 4, CONTINGENT UPON THE PAYMENT OF ALL CITY TAXES THROUGH THE YEAR 1936, UPON SAID BLOCK.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That that certain plat, dated November, 1936, and filed by George and Eunice Merrick, of Block 57, Country Club Section No. 4 of Coral Gables be and the same is hereby accepted and approved subject to and contingent upon the payment of all taxes due and payable to The City of Coral Gables to and including those for the year 1936, and that the Mayor and the City Clerk be and they are hereby authorized to endorse such approval upon said plat immediately upon the payment of such taxes.

was introduced and read.



Motion for adoption by Commissioner Garris; seconded by Commissioner Avery; the Resolution was adopted by unanimous vote.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw

APPROVED:



*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter



MINUTES OF SPECIAL MEETING OF THE  
COMMISSION OF THE CITY OF CORAL GABLES  
ON DECEMBER 23, 1936

Pursuant to a call of special meeting by Mayor Brunstetter, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special meeting at the City Hall at 5:00 o'clock p.m. on Wednesday, December 23, 1936.

Vice-Mayor McGarry in the Chair; Commissioners Avery, Garris and Rinehart present; Mayor Brunstetter detained in Miami on business of the Commission.

RESOLUTION NO. 1634

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter be, and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The Resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

Absent - Mayor Brunstetter

RESOLUTION NO. 1635

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED DOLLARS FROM THE CONTINGENT FUND FOR THE PURPOSE OF INCREASING THE SALARY OF THE MUNICIPAL JUDGE DURING THE MONTHS OF DECEMBER, 1936, AND JANUARY, FEBRUARY AND MARCH, 1937.

2 BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Two Hundred (\$200.00) Dollars be and the same is hereby appropriated from the Contingant Fund for the appropriation for the Municipal Court of the City of Coral Gables, for the purpose of providing for an additional salary of Fifty (\$50.00) Dollars per month to the Municipal Judge during the months of December, 1936, and January, February and March, 1937.

was introduced and read.



Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

Absent - Mayor Brunstetter

Mayor Brunstetter then joined the meeting, and assumed the Chair.

The following Ordinance was then read by title on first reading:

AN ORDINANCE AUTHORIZING A READJUSTMENT  
AND REFUNDING OF THE OUTSTANDING  
INDEBTEDNESS OF THE CITY OF CORAL GABLES  
BY THE ISSUANCE OF REFUNDING BONDS AND  
TAX PARTICIPATION CERTIFICATES.

WHEREAS, The City of Coral Gables has outstanding an indebtedness hereinafter more particularly described, aggregating in principal amount Eight Million Three Hundred Eighty-nine Thousand Seventy-three Dollars and Ninety Cents (\$8,389,073.90), upon which unpaid interest accrued to January 1, 1937 will amount to Two Million Eight Hundred Forty-two Thousand Two Hundred Dollars and Fifteen Cents (\$2,842,220.15); and

WHEREAS, a considerable part of such indebtedness has matured and the balance thereof and additional accruals of interest thereon will mature in such amounts and at such times as to impose upon the City too great a burden for it to meet, and it is in the interests of the City and its creditors that such indebtedness be readjusted and refunded; and

WHEREAS, it is the desire of the City to readjust and refund said entire indebtedness and interest accruing thereon by issuing in exchange therefor not to exceed \$4,200,000 Refunding Bonds and also Tax Participation Certificates as hereafter more particularly prescribed; and

WHEREAS, such outstanding indebtedness was incurred prior to November 6, 1934 and the holders thereof by virtue of the laws in existence at the time of incurring such indebtedness have the legal right to require that taxes for the payment thereof be levied on all property subject to taxation at the time such indebtedness was incurred, including homesteads exempted from taxation by the amendment ratified November 6, 1934, adding Section 7 to Article X of the Constitution of Florida, and to require the collection of such taxes in cash at the time and in the same manner as other taxes levied by the City, and to otherwise enforce their claims and the security therefor independently of any restrictions or limitations upon the enforcement thereof enacted by the State Legislature since November 5, 1934; and

WHEREAS, a considerable number of such creditors are willing to have the indebtedness owing them readjusted and refunded, on the terms herein set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES;

SECTION 1. It is hereby found and determined that prior to January 1, 1931, The City of Coral Gables duly issued and now has outstanding a bonded indebtedness incurred for municipal purposes in the principal amount of Seven Million Nine Hundred Seventy-seven Thousand Dollars (\$7,977,000), upon which unpaid interest accrued



to January 1, 1937 will aggregate Two Million Seven Hundred Seven Thousand Nine Hundred Two Dollars and Seventeen Cents (\$2,707,902.17) for the payment of which all property within the present territorial limits of The City of Coral Gables, excepting only such property as was exempted from taxation by the Constitution of Florida prior to its amendment on November 6, 1934, is subject to taxation without limitation of rate or amount. Said bonded indebtedness is more particularly described as follows:

Title of Issue	Date of Issue	Principal Amount	Unpaid Interest Accrued to 1/1/37
Permanent Improvement	Dec. 1, 1925	\$ 526,000	\$ 179,899.67
Permanent Improvement	Apr. 1, 1926	424,000	131,615.00
Improvement	July 1, 1926	1,237,000	417,690.00
Municipal Improvement	Jan. 1, 1927	4,318,000	1,481,080.00
Refunding	June 1, 1928	120,000	40,350.00
Refunding	June 15, 1928	835,000	281,807.50
Refunding	June 1, 1929	154,000	48,410.00
Revenue	July 1, 1929	185,000	66,000.00
Refunding	Jan. 1, 1930	87,000	30,840.00
Refunding	July 1, 1930	91,000	30,210.00

SECTION 2. It is hereby found and determined that prior to November 6, 1934 The City of Coral Gables duly incurred for municipal purposes and now has outstanding other indebtedness in the principal amount of Four Hundred Twelve Thousand Seventy-three Dollars and Ninety Cents (\$412,073.90) upon which unpaid interest accrued to January 1, 1937 will aggregate One Hundred Thirty-four Thousand Three Hundred Seventeen Dollars and Ninety-eight Cents (\$134,317.98), for the payment of which all property within the present territorial limits of The City of Coral Gables, excepting only such property as was exempted from taxation by the Constitution of Florida prior to its amendment on November 6, 1934, is subject to taxation without limitation of rate or amount. Said indebtedness is more particularly described as follows:

#### NOTES PAYABLE

Florida Power & Light Co.	\$120,843.29	\$52,590.30
Rensellaer Valve Co.	2,636.00	321.34
J. E. Canning	10,000.00	4,138.50
County of Dade	5,653.20	2,880.38
City of Miami	11,146.80	5,633.53
Gamewell Company	10,758.00	3,222.03

#### ACCOUNTS PAYABLE

Florida Power & Light Co.	149,630.11	32,199.75
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#### JUDGMENTS

Ellen Hepkins	\$13,337.62	\$3,227.18
Sarah McGuire	71,965.50	25,580.91
W.W. Blount	15,063.45	4,333.60
Parker Maxwell	274.65	50.12
E. B. Connally	765.28	140.34

SECTION 3. The principal of the indebtedness referred to in Sections 1 and 2 hereof, together with all unpaid interest accrued thereon to January 1, 1937, shall be readjusted and refunded by issuing in exchange therefor Refunding Bonds in a principal amount equal to fifty (50%) per cent of all unpaid principal indebtedness referred to in Sections 1 and 2 hereof, not to exceed, however, the total sum of \$4,200,000 and Tax Participation Certificates for the difference between the total principal amount of Refunding Bonds authorized to be delivered hereunder and the amount of such total outstanding indebtedness with unpaid interest accrued thereon to January 1, 1937. Each creditor shall receive Refunding Bonds in a principal amount equal to fifty (50%) per cent of the principal amount of the outstanding indebtedness held by such creditor and for the difference between the total outstanding indebtedness including unpaid interest accrued



to January 1, 1937, so held by such creditor, and the principal amount of Refunding Bonds to be so issued to him, such creditor shall receive Tax Participation Certificates on the basis hereinafter provided evidencing the fact that indebtedness in an amount equal to such difference has been surrendered by him.

SECTION 4. Refunding Bonds in the principal amount of Three Million Nine Hundred Eighty-eight Thousand Five Hundred Dollars (\$3,988,500) are hereby authorized to be issued for the purpose of refunding the bonded indebtedness described in Section 1 hereof and any judgments heretofore or hereafter recovered thereon. Wherever any such bonded indebtedness has been or may hereafter be reduced to judgment it shall be refunded hereunder in the same manner and upon the same basis as though it had not been reduced to judgment, and for this purpose interest on the principal amount of bonds reduced to judgment shall be computed at the rate prescribed in such bonds and interest upon interest shall be excluded. Taxes sufficient to produce the sums required for the payment of principal and interest of said Refunding Bonds will be levied upon all property within the present territorial limits of The City of Coral Gables, which was not exempted from taxation by the Constitution of the State of Florida as it existed immediately prior to November 6, 1934, and all such property shall be subject to the specific tax levies hereinafter directed to be made.

SECTION 5. Refunding Bonds in the principal amount of Two Hundred Six Thousand Dollars (\$206,000) are hereby authorized to be issued for the purpose of refunding the indebtedness described in Section 2 hereof and any judgments heretofore or hereafter recovered thereon. Wherever any such indebtedness has been or may hereafter be reduced to judgment it shall be refunded hereunder in the same manner and upon the same basis as though it had not been reduced to judgment, and for this purpose interest on the principal amount of such indebtedness reduced to judgment shall be computed at the rate, if any, prescribed in such indebtedness, but in no event at a rate in excess of six per cent per annum, and interest upon interest shall be excluded. Taxes sufficient to produce the sums required for the payment of principal and interest on said Refunding Bonds will be levied upon all property within the present territorial limits of The City of Coral Gables, which was not exempted from taxation by the Constitution of the State of Florida as it existed immediately prior to November 6, 1934, and all such property shall be subject to the specific tax levies hereinafter directed to be made.

SECTION 6. All of said Refunding Bonds shall be dated January 1, 1937 and shall mature July 1, 1977, subject to redemption on any interest payment date prior to maturity upon payment of the par value thereof and accrued interest to the date fixed for redemption. In the event bonds are to be redeemed prior to maturity, except in respect to purchases and/or redemption of bonds that may be made under Section 12 of this Ordinance, the particular bonds to be redeemed shall be determined by lot and shall be redeemed only after notice of redemption, setting forth the numbers of the particular bonds to be redeemed and the date fixed for redemption, shall have been published in a financial newspaper published in the City of New York, N.Y., once a week for two consecutive calendar weeks, the date of the first publication of such notice to be at least thirty days prior to the date fixed for redemption. Said Refunding Bonds shall bear interest at the rate of two and one-half per centum per annum to July 1, 1939; thereafter at the rate of three per centum per annum to July 1, 1945; thereafter at the rate of three and one-half per centum per annum to July 1, 1947; thereafter at the rate of four per centum per annum to July 1, 1952; thereafter at the rate of four and one-half per centum per annum to July 1, 1962; and at the rate of five per centum per annum thereafter and until the maturity of said bonds. Interest upon said Refunding Bonds shall be payable semi-annually January 1 and July 1, and shall be evidenced by interest coupons to be attached thereto. Both principal and interest of said Refunding Bonds shall be payable in lawful money of the United States of America at Central Hanover Bank and Trust Company, New York City, N.Y., and said Refunding Bonds shall contain provisions for their registration as to principal alone and as to both principal and interest. Said Refunding Bonds shall be numbered and issued in such denominations as may hereafter be fixed by resolution of the City Commission.

The City may apply any monies in the Sinking Fund hereinafter provided for said Refunding Bonds to the purchase of Refunding Bonds at the lowest prices submitted, provided that such prices shall be less than



the par value and accrued interest on the Refunding Bonds to be so purchased. The City covenants that in the event there is in the Sinking Fund hereinafter provided for the Refunding Bonds the sum of \$20,000 or more, it will apply the monies in such Sinking Fund to the purchase of Refunding Bonds at the prices and subject to the conditions herein provided for. Any and all purchases of Refunding Bonds with Sinking Fund monies will be made by calling for and accepting tenders. Thirty days prior to the receipt of tenders the City will cause to be published in a financial paper published in the City of New York, N.Y., a notice requesting tenders of Refunding Bonds and fixing the time and place at which such tenders will be received. All tenders will be required to be contained in plain, sealed envelopes marked "Tender of City of Coral Gables, Refunding Bonds", and will be opened in public on the day and at the place fixed in the notice calling for such tenders. Except in the case of calls for tenders which may be required to be made by reason of the existence of \$20,000 or more in the Sinking Fund for Refunding Bonds, the City shall have the right to reject any and all tenders in excess of a fixed price to be determined by it. Subject to the exercise of this right all monies on hand in the Sinking Fund on the date fixed for the receipt of such tenders will be applied immediately to the purchase of Refunding Bonds tendered at the lowest prices. If tenders of a greater amount of Refunding Bonds at the same price are received, than monies are available in the Sinking Fund for the purchase thereof, the City will purchase the Refunding Bonds tendered at such price in the order in which the tenders were received, provided, however, that the City shall have first purchased all other Refunding Bonds, which may have been tendered at a lower price, if any. In the event there shall be insufficient monies in the Sinking Fund to purchase all of the Refunding Bonds offered by any tender otherwise acceptable, the City may accept any part of the Refunding Bonds so tendered. The City, at its option, may require all tenders of Refunding Bonds to be accompanied by a certified check of not exceeding one per cent of the amount of Refunding Bonds so tendered to evidence the good faith of the tender.

In the event monies in the Sinking Fund shall accumulate to the amount of \$20,000 or more and remain on hand for more than six months, notwithstanding the fact that the City has made all calls for tenders of Refunding Bonds as required herein, the City covenants that such monies will be applied to the redemption of Refunding Bonds to be selected by lot in an amount sufficient to exhaust such monies upon the first interest payment date thereafter occurring, provided that if such interest payment date should occur within a period of time less than that for which notice of redemption must be given, plus 15 days, said monies will be set aside to be applied solely to the redemption of Refunding Bonds upon the next succeeding interest payment date. Any and all redemptions that may be made, as required by this paragraph will be made in accordance with the terms and provisions set forth in the Refunding Bonds, and in this Ordinance, whereby the City reserves the right to redeem said Refunding Bonds prior to their maturity.

All Refunding Bonds purchased or redeemed by the City will be cancelled immediately upon their surrender to the City. The City will not purchase any Refunding Bonds if and while it may be in default in the payment of interest on any Refunding Bonds unless tenders thereof shall have been accepted prior to such default, and then it may purchase only the bonds covered by such tenders.

SECTION 7. The Refunding Bonds herein authorized to be issued shall be signed by the Mayor, attested by the City Clerk and the corporate seal of The City of Coral Gables shall be affixed thereto. The interest coupons thereto attached shall be executed with the facsimile signatures of said Mayor and said City Clerk. The text of said bonds shall be in the following form, with the additional recitals hereinafter prescribed incorporated therein where space is provided therefor.



## UNITED STATES OF AMERICA

## STATE OF FLORIDA

## THE CITY OF CORAL GABLES

## REFUNDING BOND -- ISSUE OF JANUARY 1, 1937

No.....

\$500.00

The City of Coral Gables in Dade County, Florida, is justly indebted and for value received hereby promises to pay to bearer, or if this bond be registered, to the registered owner hereof, on the 1st day of July, 1977, the principal sum of Five Hundred Dollars (\$500.00) together with interest thereon from the date hereof at the rate of two and one half per centum per annum to July 1, 1939; thereafter at the rate of three per centum per annum to July 1, 1945; thereafter at the rate of three and one-half per centum per annum to July 1, 1947; thereafter at the rate of four per centum per annum to July 1, 1952; thereafter at the rate of four and one-half per centum per annum to July 1, 1962, and at the rate of five per centum per annum thereafter and until the maturity hereof, said interest being payable semi-annually on the first days of January and July in each year. Both principal and interest hereof are payable in lawful money of the United States of America at Central Hanover Bank & Trust Company in the City of New York, N.Y., upon presentation and surrender of this bond and the interest coupons hereto attached as they severally mature.

This bond is issued under the authority of and in full compliance with the Constitution and statutes of the State of Florida, including the Charter of The City of Coral Gables, and pursuant to the authority conferred by a majority of the votes cast in an election held in said City on the 25th day of January 1937 by the qualified electors who were freeholders of The City of Coral Gables, in which election a majority of the freeholders who were qualified electors residing in said City participated, for the purpose of refunding valid subsisting bonded debt of said City for the payment of which the City was obligated to levy taxes upon all property within its present territorial limits, which was subject to taxation under the Constitution and Laws of Florida as they existed prior to November 6, 1934.

The City of Coral Gables hereby reserves the right to redeem this bond on any interest payment date upon payment of par and accrued interest, and agrees that it will apply the sinking fund created by the ordinance authorizing the issuance of this bond to the redemption of the bonds of this issue at par and accrued interest by lot whenever such Sinking Fund amounts to \$20,000 or more, and is not used for the purchase of bonds of this issue at less than par and not reserved to so acquire such bonds under then published notice, in the manner more particularly prescribed by the ordinance authorizing the issuance of this bond. In the event this bond is so called for redemption, notice thereof shall be published in a financial newspaper published in the City of New York, N.Y., once a week for two consecutive calendar weeks, the date of first publication to be at least thirty days prior to the date fixed for redemption. If this bond shall not be presented for payment on the date so fixed for redemption, it shall cease to bear interest from and after said date. The Sinking Fund provided for said bonds may also be used in the purchase thereof, in accordance with the provisions of the ordinance authorizing their issuance.

It is hereby certified and recited that all acts, conditions and things required to happen, exist and be performed precedent to and in the issuance of this bond, have happened, exist and have been performed in due time, form and manner as required by the Constitution and laws of the State of Florida; that the total indebtedness of said City, including this bond, does not exceed, and that the total indebtedness of said City at the creation of the indebtedness refunded hereby, including said indebtedness, did not then exceed, any constitutional or statutory limitation thereon and that the full faith and credit of the City are pledged for the payment of principal and interest of this bond.

The City of Coral Gables covenants with the holder of this bond that for the payment of the principal and interest thereof, it will levy



taxes in an amount sufficient to provide therefor upon all property within the present territorial limits of said City, excepting only that property which was exempted from municipal taxation by the Constitution of the State of Florida, as it was in force and effect immediately prior to November 6, 1934. The City further covenants that all taxes levied for the payment of the principal and interest hereof, including taxes upon homesteads will be collected in cash at the same time and in the same manner as operating and governmental ad valorem taxes levied by said City, and the remedies for the enforcement of the indebtedness refunded hereby shall appertain to this bond and the taxes securing the same independently of any restrictions or limitations thereon enacted or made effective since November 5, 1934.

This bond may be registered as to principal alone and as to both principal and interest in accordance with the provisions endorsed hereon.

IN WITNESS WHEREOF said City of Coral Gables has caused this bond to be signed by its Mayor, attested by its City Clerk and its corporate seal to be hereunto affixed and the interest coupons hereto attached to bear the facsimile signatures of said Mayor and said City Clerk, all as of the first day of January, 1937.

.....  
Mayor

ATTEST:

.....  
City Clerk

VALIDATION CERTIFICATE

Validated and confirmed by decree of the Circuit Court of the 11th Judicial Circuit of the State of Florida, in and for Dade County, rendered .....19.....

.....  
Clerk of said Circuit Court

PROVISIONS FOR REGISTRATION

This bond may be registered in the name of the holder on books to be kept by the City Clerk, as Registrar, as to principal only, such registration being noted hereon by such Registrar in the registration blank below, after which no transfer shall be valid unless made on said books by the registered holder or attorney duly authorized, and similarly noted in the registration blank below, but it may be discharged from registration by being transferred to bearer, after which it shall be transferable by delivery, but it may be again registered as before. The registration of this bond as to principal shall not restrain the negotiability of the coupons by delivery merely, but the coupons may be surrendered and the interest made payable only to the registered holder, in which event the registrar shall note in the registration blank below that the bond is registered as to interest, as well as to principal, and thereafter the interest will be remitted by mail in New York exchange to the registered holder. With the consent of the holder and of The City of Coral Gables, this bond when converted into a bond registered as to both principal and interest may be reconverted into a coupon bond and again converted into a bond registered as to both principal and interest, as hereinabove provided. Upon reconversion of this bond when registered as to principal and interest into a coupon bond, coupons representing the interest to accrue upon the bond to date of maturity shall be attached hereto by the registrar, and the registrar shall note in the registration blank below whether the bond is registered as to principal only or payable to bearer.

Date of Registration	In Whose Name Registered	Address	Manner of Registration	Signature of Registrar
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....



FORM OF COUPON

No.....

\$.....

On the first day of ....., 19...., The City of Coral Gables will pay to bearer at the Central Hanover Bank and Trust Company, New York City, New York, the sum of ..... Dollars (\$.....) in lawful money of the United States of America being six months' interest then due on its Refunding Bond -- Issue of January 1, 1937, no.....

.....  
Mayor

.....  
City Clerk

Refunding Bonds issued to refund the indebtedness described in Section 1 hereof shall recite that they are issued "for the purpose of refunding valid subsisting bonded debt of said City for the payment of which the City was obligated to levy taxes upon all property within its present territorial limits, which was subject to taxation under the Constitution and Laws of Florida as they existed prior to November 6, 1934."

Refunding Bonds issued to refund the indebtedness described in Section 2 hereof shall recite that they are issued "for the purpose of refunding valid subsisting indebtedness of said City for the payment of which the City was obligated to levy taxes upon all property within its present territorial limits, which was subject to taxation under the Constitution and Laws of Florida as they existed prior to November 6, 1934."

SECTION 8. There is hereby directed to be annually levied and collected a separate and special tax at the rate of six mills for each of the fiscal years 1937-38 to 1941-42, inclusive; at the rate of seven mills for each of the fiscal years 1942-43 to 1946-47, inclusive; at the rate of seven and one-half mills for each of the fiscal years 1947-48 to 1956-57, inclusive, and at the rate of eight mills for each of the fiscal years 1957-58 to 1976-77, inclusive. The proceeds of such tax levies, whether received before delinquency or after delinquency, or through the issuance of tax certificates or tax deeds, are hereby appropriated and will be paid immediately upon receipt into a special fund known as "Issue of January 1, 1937 Fund," which is hereby established and pledged to the sole and exclusive purposes hereinafter set forth, and no obligations other than those expressly provided for herein shall ever be made a charge against such fund. If for any fiscal year the assessed valuation of property made subject to taxation hereunder, multiplied by the rate of tax above prescribed for such fiscal year, should equal an amount less than 33-1/3 % of the amount appropriated for such fiscal year for purposes other than the Issue of January 1, 1937 Fund, then the rate of tax above prescribed for such fiscal year will be increased to a rate, the application of which to such assessed valuation will equal not less than 33-1/3% of the amount appropriated for such other purposes; provided, however, that in no event will the above prescribed rates ever be reduced; and provided, further that in arriving at the amount of such total annual appropriations there shall be excluded any sums appropriated: (a) for the payment of the extraordinary, non-recurring expenses incident to the present readjustment and refunding; (b) for repairs necessitated by hurricanes or other major catastrophes beyond the control of the City; (c) for capital improvements in connection with garbage or sewage disposal; and (d) in an amount not exceeding 12 1/2% of the amount appropriated for purposes other than the Issue of January 1, 1937 Fund, for major paving repairs and parkway extensions. If any monies appropriated for any of the foregoing specified purposes should not be expended for such purposes during the fiscal year for which they were appropriated, then the amount thereof not so expended shall be deemed included in the total amount of appropriations for purposes other than the Issue of January 1, 1937 Fund for such fiscal year, and if the rate of tax prescribed for such fiscal year for the Issue of January 1, 1937 Fund, multiplied by the assessed



valuation of property against which it is imposed, should equal an amount less than 33-1/3% of the appropriations for purposes other than the Issue of January 1, 1937 Fund, including the amount of such unexpended appropriations, there shall be paid into the Issue of January 1, 1937 Fund, on the last day of such fiscal year, such additional amount as may be necessary to increase the appropriation for the Issue of January 1, 1937 Fund to 33-1/3% of such total appropriations for other purposes. There will also be paid into said Issue of January 1, 1937 Fund so much of the proceeds of taxes levied for the fiscal year 1936-37 as may be equal to the amount of interest to accrue upon the Refunding Bonds herein authorized from January 1, 1937 to July 1, 1937.

SECTION 9. The monies in said Issue of January 1, 1937 Fund established by Section 8 will in the first instance and from time to time be applied to the payment of interest on the Refunding Bonds as that interest matures and when at any time during the life of the Refunding Bonds the monies in such Fund should exceed the amount of such unpaid interest maturing during the then current fiscal year and the first semi-annual interest payment maturing in the next succeeding fiscal year, so much of such excess monies will be paid into a Sinking Fund for the Refunding Bonds so that payments into said Sinking Fund will be made during the fiscal years set forth below and in the amounts set opposite thereto.

Fiscal year	Amount of Payment	Fiscal year	Amount of Payment
1945-46	\$ 5,000	1961-62	\$115,000
1946-47	10,000	1962-63	130,000
1947-48	20,000	1963-64	135,000
1948-49	25,000	1964-65	140,000
1949-50	30,000	1965-66	145,000
1950-51	30,000	1966-67	150,000
1951-52	30,000	1967-68	160,000
1952-53	40,000	1968-69	170,000
1953-54	40,000	1969-70	180,000
1954-55	40,000	1970-71	190,000
1955-56	50,000	1971-72	200,000
1956-57	55,000	1972-73	210,000
1957-58	85,000	1973-74	220,000
1958-59	90,000	1974-75	230,000
1959-60	100,000	1975-76	240,000
1960-61	110,000	1976-77	250,000

The Sinking Fund payment to be made during the fiscal year 1976-77 will be increased by the amount, if any, by which the principal amount of Refunding Bonds then outstanding exceeds the amount of the Sinking Fund payment above required for such fiscal year.

Notwithstanding the rates of taxation directed to be levied by Section 8 for the fiscal years 1937-38 to 1976-77, it is hereby further directed that as long as any Refunding Bonds may be outstanding the rates of taxation prescribed by Section 8 will be increased, if necessary, in order to produce the sums required for the payment of interest on said Refunding Bonds and the Sinking Fund payments hereinabove directed to be made as the same respectively mature or become payable hereunder and in determining the rate of tax necessary to be levied in any fiscal year for said purposes such rate of tax will be levied which will produce the sum so required when applied (1) to the current assessed valuation of all real property against which the City held no tax lien on the preceding August 31st for taxes levied prior to the preceding fiscal year, and (2) to that percentage of the current assessed valuation of personal property which was found to be collectible in the next preceding fiscal year; provided, however, that in no event will the rate of tax be lower than the minimum rates prescribed by Section 8. If in any fiscal year while the Refunding Bonds are outstanding there should not be paid into the Sinking Fund for the Refunding Bonds, the amount hereinabove required for such fiscal year, the City covenants that for the next succeeding fiscal year it will levy an additional tax over and above all other taxes required hereby, sufficient to produce in such fiscal year the amount of such deficiency. The additional taxes required to be levied for any fiscal year by this paragraph may be reduced by the amount of money derived from sources other than the proceeds of levies required to be made under



the provisions of Section 8 which is actually on hand and validly appropriated to the Issue of January 1, 1937 Fund at the time of making the tax levy for such fiscal year, but no reduction shall be made below the minimum rates prescribed by Section 8; provided, however, that the proceeds collected from the said extra millage which might be required to make up such a deficiency in the Sinking Fund shall be considered as an advance by the City against the collection of the delinquent Debt Service Taxes, the non-payment of which caused the necessity for the said extra millage, and as such delinquent taxes are collected they shall be repaid to the City in the amount of the proceeds of said extra millage actually paid into said Sinking Fund, to be held by the City in trust as a separate Emergency Sinking Fund, to be used for the purpose of reducing the amount of any such extra millage which might otherwise be required in the future to make up such a deficiency in the Sinking Fund, and all delinquent tax collections resulting from said extra millage, made after supplying such deficiency in the Sinking Fund, shall be paid into said Emergency Sinking Fund for future use for said purpose, but in no event shall the tax rates required in Section 8 be reduced. Interest maturing July 1 of any fiscal year will be levied for and included in the taxes imposed for the fiscal year immediately preceding. The proceeds of all taxes required to be levied by this Section, received before delinquency, and the net proceeds collected after delinquency or through the issuance of tax certificates or tax deeds, after deducting their proportionate share of foreclosure and other necessary collection costs, are hereby appropriated and will be paid immediately upon receipt into the Issue of January 1, 1937 Fund, established by Section 8 and thereafter applied as other monies in said Fund are directed to be applied. Upon the retirement of all of said Refunding Bonds or the call thereof and setting aside of sufficient monies to redeem the same no further Sinking Fund payments shall be made out of said Issue of January 1, 1937 Fund and the obligation of the City to levy additional taxes under this Section shall cease, but the City will continue to levy the minimum taxes prescribed by Section 8 for the years set forth therein; provided, however, that if the City should at any time retire all of said Refunding Bonds then outstanding, through a new refunding or refinancing issue bearing interest at a rate lower than that borne by the Refunding Bonds herein authorized, the City shall be entitled to reduce the annual payments herein provided to be made into said Issue of January 1, 1937 Fund to the extent of the annual interest and Sinking Fund payments prescribed by this section for the Refunding Bonds so retired, but in no event shall the aggregate reductions in the annual payments into said Issue of January 1, 1937 Fund exceed the principal amount of Refunding Bonds so retired and the interest that would have been paid thereon at the rates prescribed herein if they had been retired in the amounts and at the times contemplated by the schedule of Sinking Fund payments hereinbefore prescribed; and provided, further, that if at any time prior to the fiscal year 1976-77 all of said Refunding Bonds shall have been retired and there shall have been earmarked for payment or paid on account of such Tax Participation Certificates an amount equal to the full amount of the indebtedness surrendered therefor, the obligation of the City to levy the foregoing fixed debt service annual tax millages shall cease and terminate and any surplus funds and delinquent taxes over and above the amounts required to complete said payments in the Issue of January 1, 1937 Fund, the Emergency Sinking Fund or any other funds raised from levies made under the provisions hereof, shall be released to the City and become available for expenditure for any lawful municipal purpose.

Monies in the Sinking Fund will be applied solely to the retirement of the principal of Refunding Bonds by purchase, call or payment in the manner hereinbefore directed and any surplus monies remaining in said Sinking Fund upon retirement of all Refunding Bonds will be repaid to the Issue of January 1, 1937 Fund.

SECTION 10. Annually on the last day of each of the fiscal years 1937-38 to 1976-77, inclusive, all monies, if any, derived from levies at the tax rates prescribed in Section 8 hereof, remaining in said Issue of January 1, 1937 Fund after paying interest maturing on the Refunding



Bonds in such fiscal year and the Sinking Fund payment required to be made hereunder for such fiscal year, and after reserving in said Issue of January 1, 1937 Fund an amount equal to the first semi-annual interest payment maturing on said Refunding Bonds in the next succeeding fiscal year, will be forthwith paid into a "Tax Participation Certificate Fund" which is hereby constituted and established. Said Tax Participation Certificate Fund will be held and administered by the City as trustee for the sole use and benefit of the registered holders of Tax Participation Certificates issued against such fund.

It is hereby directed that there be issued against such fund Tax Participation Certificates in exchange for and in full satisfaction of the difference between the aggregate indebtedness including unpaid interest thereon accrued to January 1, 1937 described in Sections 1 and 2 hereof and the principal amount of Refunding Bonds authorized to be issued and delivered hereunder. One Tax Participation Certificate shall be issued in exchange for each Five Hundred (\$500.00) Dollars of indebtedness surrendered and representing the difference between the aggregate indebtedness and the principal amount of the Refunding Bonds authorized to be delivered hereunder. For any part of such indebtedness which may be less than Five Hundred (\$500.00) Dollars, a fraction of a Tax Participation Certificate equal to the percentage that such indebtedness bears to Five Hundred (\$500.00) Dollars shall be issued. Each creditor of the City shall be entitled to receive a number of Tax Participation Certificates which, on the basis of Five Hundred (\$500.00) Dollars per certificate, will be equal to the difference between the amount of the indebtedness held by him, including unpaid interest accrued thereon to January 1, 1937, and the principal amount of Refunding Bonds to which he may be entitled hereunder upon surrender and cancellation of the indebtedness so held by him. The extent of the participation in such fund of any holder of such certificates shall be measured by the ratio that the amount of indebtedness exchanged for the certificates held by him bears to the total amount of indebtedness surrendered for all Tax Participation Certificates issued and outstanding hereunder. Such certificates shall be entitled to payment solely out of the Tax Participation Certificate Fund if and when monies may accumulate therein and shall not constitute, either directly or indirectly, or be construed to be, a debt of the City, but shall merely evidence the right of the holder to participate annually on a pro rata basis in the years 1938 to 1977, inclusive, in the monies, if any, herein required to be paid into the Tax Participation Certificate Fund. Said Certificates shall bear no interest and shall have no definite maturity date.

It is hereby directed that on August 1st of each year, beginning in the year 1938, all funds on hand on the preceding July 1st in said Tax Participation Certificate Fund shall be apportioned and distributed pro rata among all the holders of the outstanding Tax Participation Certificates registered on each said July 1st as owners on the register of the Tax Participation Certificates kept by the City Clerk, as Registrar, by remitting such funds to them in New York Exchange by mail. There shall accompany each disbursement to be so made a statement setting forth the total amount of monies being disbursed, the total amount of indebtedness for which outstanding Tax Participation Certificates have been issued, and the amount being disbursed on account of each of the Tax Participation Certificates registered in the name of the holder to whom such disbursement is remitted. In the year 1977 such disbursement shall be made on December 31st of all monies in said Tax Participation Certificate Fund as of December 15th to the registered holders of record December 15th.

Tax Participation Certificates shall be issued in registered form, transferable only upon the books of the City Clerk of The City of Coral Gables, as Registrar, shall be executed with the facsimile signature of the Mayor under the corporate seal of the City, attested manually by the City Clerk and shall be dated January 1, 1937.

Upon there being paid on account of such certificates the full amount of the indebtedness exchanged therefor they shall be surrendered to the City and cancelled by it provided, however, that, in any event, all such certificates shall be surrendered to the City and cancelled by it upon the 1977 and prior annual payments, if any, being made thereon, regardless of the total amount paid thereon and thereupon the City shall have no further duties with respect to any such certificates.



Said Certificates may be transferred from time to time by the holder thereof, or his personal representative, by assignment duly registered and noted in the registration blank on said certificate. The transfer shall be registered in a book kept for that purpose by the City Clerk of The City of Coral Gables, as Registrar, and no holder thereof, or party interested therein, shall be entitled to recognition as such by the City for any purpose unless the same be so registered, but said Register shall be conclusive as to such ownership; and the City shall be authorized to treat the person in whose name any such Certificate may be registered on the books of the City Clerk of The City of Coral Gables, as Registrar, as the owner thereof for all purposes.

Any notice to be sent to any Certificate holder shall be mailed postage prepaid addressed to such certificate holder at the address shown on the Register of the Tax Participation Certificates kept by the City Clerk, as Registrar, and the mailing of such notice shall be sufficient and conclusive evidence of actual notice to the certificate holders. Any monies, checks, remittances or other things at any time to be distributed or forwarded to any certificate holder may, in like manner and at the risk of the certificate holder, be mailed to such certificate holder at such address.

The City will keep accurate records showing the total amount and rate of taxes levied in each of the fiscal years 1937-38 to 1976-77 and the amount and rate of tax levies made pursuant to the provisions of Section 8 hereof and the manner in which such amount and rate was determined. The records of the City will also be maintained in such a manner as to show the proceeds of all tax collections made during such fiscal years and the manner in which such proceeds have been accounted for, as well as an accurate record of any and all payments and disbursements made into and out of the Issue of January 1, 1937 Fund, the Sinking Fund and the Tax Participation Certificate Fund. Any registered holder of Tax Participation Certificates will be entitled to examine and inspect such books and records of the City and at his own expense to have an audit thereof made from time to time during the regular business hours for which the City's offices and departments are open.

SECTION 11. The Tax Participation Certificates authorized to be issued by Section 10 hereof, shall be issued in substantially the following form. Tax Participation Certificates issued in exchange for any indebtedness described in Section 1 hereof, shall state that the indebtedness surrendered in exchange therefor, constituted a "valid subsisting bonded debt of said City" and Tax Participation Certificates issued in exchange for any indebtedness described in Section 2 hereof shall state that the indebtedness surrendered in exchange therefor, constituted a "valid subsisting indebtedness of said City".

No.....

UNITED STATES OF AMERICA

STATE OF FLORIDA

THE CITY OF CORAL GABLES  
TAX PARTICIPATION CERTIFICATE

ISSUE OF JANUARY 1, 1937

The City of Coral Gables in Dade County, Florida, hereby certifies that the registered holder hereof or his predecessors in interest, has surrendered to the City in exchange for this certificate Five Hundred Dollars valid subsisting bonded debt (or indebtedness) of said City, for the payment of which the City was obligated to levy taxes upon all property within its territorial limits, which was subject to taxation under the Constitution and laws of Florida as they existed prior to November 6, 1934, and has accepted this Certificate in complete satisfaction and discharge of the indebtedness so surrendered.

This Certificate is payable solely out of the Tax Participation Certificate Fund established by Ordinance No. 269, adopted December 23rd, 1936 and shall not constitute, either directly or indirectly, or be construed to be, an indebtedness of The City of Coral Gables, but shall merely evidence the right of the holder to participate annually on a pro rata basis in the years 1938 to 1977, inclusive, in the monies, if any, required to be paid into the Tax Participation Certificate Fund. This Certificate shall bear no interest and shall have no definite maturity date.



The City of Coral Gables covenants that during the fiscal years 1937-38 to 1976-77, inclusive, it will levy the taxes provided for by said Ordinance and that it will annually apply the proceeds thereof in the first instance to the payment of interest and Sinking Fund payments on Refunding Bonds of the Issue of January 1, 1937 in the manner more particularly prescribed by such Ordinance and that it will pay the balance of such proceeds, if any, into the Tax Participation Certificate Fund.

On August 1st of each year, beginning in the year 1938, The City of Coral Gables covenants that it will apportion and make pro rata disbursement of all funds on hand on the preceding July 1st in said Tax Participation Certificate Fund among all the holders of the outstanding Tax Participation Certificates registered on each said July 1st as owners on the register of the Tax Participation Certificates kept by the City Clerk as Registrar, by remitting such funds to them in New York exchange by mail, except that in the year 1977 such disbursement will be made on December 31st of all monies in such fund as of December 15th to the registered holders of record December 15th. The pro rata share of any and all monies that might be available in the Tax Participation Certificate Fund to which the registered holder of this certificate may be entitled shall be that proportion of such monies equal to the ratio that the indebtedness surrendered in exchange for this certificate bears to the total indebtedness surrendered in exchange for all certificates of this issue that might be outstanding.

If the total of the payments made upon this certificate should at any time equal the Five Hundred Dollars of indebtedness exchanged herefor, this certificate shall be surrendered to the City and cancelled by it. Notwithstanding the fact that the total of the payments made hereon may not equal the amount of the indebtedness exchanged herefor, this Certificate shall expire upon disbursement of all monies in the Tax Participation Certificate Fund after completion of the sale of tax liens representing taxes levied for the fiscal year 1976-77 and thereafter the City shall have no further duties with respect hereto.

This Certificate may be transferred from time to time by the holder hereof, or his personal representative, by assignment duly registered and noted in the registration blank on the reverse hereof. The transfer shall be registered in a book kept for that purpose by the City Clerk of the City of Coral Gables, as Registrar, and no holder hereof, or party interested therein, shall be entitled to recognition as such by The City for any purpose unless the same be so registered, but said register shall be conclusive as to such ownership; and the City shall be authorized to treat the person in whose name this Certificate may be registered on the books of the City Clerk of The City of Coral Gables, as Registrar, as the owner thereof for all purposes.

Any transferee of this certificate shall take the same subject to any and all payments that might theretofore have been made hereon and subject to all the terms and provisions of the ordinance authorizing the issuance hereof and shall acquire only the rights and interests of the transferor as such rights and interests are more particularly prescribed by Ordinance No. 269, adopted December 23rd, 1936, which by reference is made a part hereof and hereby made binding upon each and every transferee hereof.

Any monies, checks, remittances, or other things at any time to be distributed or forwarded to any certificate holder may, at the risk of the certificate holder, be mailed, postage prepaid, addressed to such certificate holder at the address shown on the Register of the Tax Participation Certificates kept by the City Clerk as Registrar.

Any and all payments to which this Certificate may be entitled will be made in lawful money of the United States of America, and the City covenants that the taxes required to be levied in the fiscal years 1937-38 to 1976-77, inclusive, by the ordinance pursuant to which this Certificate has been issued, will be levied upon all property within the present territorial limits of the City, excepting only that property which was exempted from municipal taxation by the Constitution of Florida as it was in force and effect immediately prior to November 6, 1934, and that such taxes will be collected in cash at the same time and in the same manner as



as operating and governmental ad valorem taxes levied by said City, and that the remedies appertaining to this Certificate and the taxes securing the same will exist independently of any restrictions or limitations enacted or made effective since November 5, 1934.

This Certificate is issued under the authority of and in full compliance with the Constitution and Statutes of the State of Florida, including the Charter of The City of Coral Gables, and pursuant to the authority conferred by a majority of the votes cast in an election held in said City on the 25th day of January, 1937, by the qualified electors who were freeholders of The City of Coral Gables, in which election a majority of the freeholders who were qualified electors residing in said City participated.

It is hereby certified and recited that all acts, conditions and things required to happen, exist and be performed, precedent to and in the issuance of this Certificate, have happened, exist and have been performed in due time, form and manner as required by the Constitution and Statutes of the State of Florida, and that this Certificate is within every constitutional and statutory limitation.

IN WITNESS WHEREOF, The City of Coral Gables has caused this Certificate to be executed with the facsimile signature of its Mayor, attested by its City Clerk, and its Corporate Seal to be hereunto affixed as of this First day of January, A.D. 1937.

.....  
Mayor

ATTEST:

.....  
City Clerk

VALIDATION CERTIFICATE

Validated and confirmed by decree of the Circuit Court of the Eleventh Judicial Circuit of the State of Florida, in and for Dade County, rendered , 19 .

.....  
Clerk of said Circuit Court

PROVISION FOR REGISTRATION AND TRANSFER

No transfer of this Certificate shall be valid unless made on the books of the City Clerk of The City of Coral Gables, as Registrar, by the registered owner or attorney duly authorized, and similarly noted in the registration blank below.

Date of Registration:	In Whose Name Registered:	Address:	Signature of Registrar:
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

SECTION 12. The City further covenants and agrees, particularly in consideration of the waiver and relinquishment by the creditors of the City of all right to participate in the proceeds of delinquent tax assets of the City covering any and all claims representing delinquent taxes



and/or special assessments imposed prior to January 1, 1936 and/or Tax Certificates, Tax Deeds or other assets now or hereafter derived therefrom, to apply to the purchase of Refunding Bonds at less than their par value with accrued interest, whether in the open market at the lowest price obtainable or in any other manner approved by the City Commission, the following cash sums or their equivalent arising out of the liquidation of said delinquent tax claims or otherwise:

\$45,000 on or before July 1st, 1938  
 48,000 on or before July 1st, 1939  
 51,000 on or before July 1st, 1940  
 51,000 on or before July 1st, 1941  
 51,000 on or before July 1st, 1942  
 51,000 on or before July 1st, 1943  
 54,000 on or before July 1st, 1944  
 54,000 on or before July 1st, 1945  
 48,000 on or before July 1st, 1946  
 47,000 on or before July 1st, 1947

In the event the City, on or before July 1st, in any of said years, shall fail to realize and/or apply said respective sums or their equivalent to and for the purchase and/or acquirement of Refunding Bonds, as aforesaid, the City hereby covenants and agrees that it will levy a further and additional tax based on the assessment roll for the year in which said default occurs at a millage sufficient to produce the sum required for that year, and apply the proceeds from said levy to the purchase of Refunding Bonds in the manner above provided on or before July 1st of the following year.

The City further covenants and agrees that, during the period beginning January 1, 1938 and ending July 1, 1947, it will apply yearly a sum (inclusive of the yearly sums above set forth) equal to not less than sixty (60%) per cent of all net cash proceeds which may be realized from the liquidation of said delinquent taxes and/or other assets above described to the purchase of Refunding Bonds at less than their par value with accrued interest either in the open market at the lowest price obtainable or in any other manner approved by the City Commission, until an aggregate sum equal to Five Hundred Thousand (\$500,000) Dollars, or its equivalent, realized from this source or procured from any other source, has been utilized under the terms of this Section 12, whereupon any and all further obligation to apply said net proceeds shall cease and terminate. The City shall be under no obligation to apply to the purchase of Refunding Bonds any net proceeds in any manner realized from the liquidation of the above described delinquent taxes and other assets during the calendar year 1937. In the event the City should be unable to purchase Refunding Bonds at less than their par value with accrued interest in the manner above provided, it will apply the funds above referred to to the retirement of Refunding Bonds by lot in accordance with the redemption provisions contained therein.

All Refunding Bonds so purchased or redeemed by the City under the terms of this Section 12 shall be promptly cancelled.

SECTION 13. The City agrees that in preparing its annual appropriation ordinance and tax levy ordinance for any fiscal year, it will include therein as an appropriation for operating expenses, an amount equal to the estimated deficit to be incurred in the operation of all utilities and enterprises by the City during the fiscal year for which such appropriation and tax levy ordinances are prepared, which estimated deficit shall never be less than the actual deficit incurred in the operation of such utilities and enterprises during the preceding fiscal year. Anticipated collections of delinquent taxes will not be considered as revenue available for the Issue of January 1, 1937 Fund in preparing the appropriation ordinance of the City or in fixing the tax levy for any fiscal year, but the City covenants that all monies received by it through the collection of delinquent taxes levied for such fund will be paid into it immediately upon collection.

SECTION 14. The City hereby covenants that all property within its territorial limits subject to taxation hereunder will be assessed at the full cash value thereof and that notwithstanding Section 7, Article X, of



the Constitution of the State of Florida, added thereto by amendment ratified November 6, 1934, and any legislation enacted pursuant thereto, it will, while said Refunding Bonds or Tax Participation Certificates or any of them remain outstanding, levy the taxes herein provided for upon all homesteads within the territorial limits of the City to the same extent as other property in the City may be liable therefor.

The City further covenants and expressly agrees that the same rights of procedure open to property owners in appealing from assessments on property are hereby made available to any holder or holders of Refunding Bonds.

SECTION 15. All tax levies required to be made hereunder for the Issue of January 1, 1937 Fund and the tax levies that may be required to be made by Section 12 hereof shall constitute special levies for the particular purposes for which they are imposed. Such tax levies, while constituting special levies, will be collected at the same time and in the same manner as other ad valorem taxes which may be levied by the City and upon collection will be immediately segregated and paid into such funds as hereinbefore provided. The City covenants that it will set aside daily out of the proceeds of its tax collections, including the monies derived from the sale or transfer of tax certificates and tax deeds in connection with taxes levied after July 1, 1936 the proper proportionate amount thereof applicable to the Issue of January 1, 1937 Fund and the Fund provided for by Section 12 hereof. All monies so paid into such funds will be forthwith deposited with a city depository and held by it in trust for the purposes hereinbefore specified.

SECTION 16. The City hereby covenants that it will actively and diligently enforce the collection of all taxes hereafter levied for the Issue of January 1, 1937 Fund and the Fund provided for by Section 12 hereof and that it will not accept anything but lawful money of the United States of America in payment or satisfaction of the taxes required to be levied or pledged hereunder to such funds. No reduction, compromise or adjustment will be made in the amount or time for payment of such taxes, but promptly following the legally allowable date the City will enforce the collection of such taxes as may become delinquent through tax sales and by strictly pursuing all remedies available to it for compelling the payment of such delinquent taxes and will complete the sale for the enforcement of taxes at the earliest possible date following the close of the fiscal year for which such taxes were levied. The net proceeds received through the sale of tax liens, tax certificates and tax deeds after pro rating and deducting foreclosure and all necessary collection costs and expenses will be applied by the City to the purposes for which the taxes collected thereby were levied or are pledged hereunder.

SECTION 17. The City covenants that it will not accept payment of any tax or part thereof hereafter levied against any parcel of property for operating or governing the City unless all taxes hereafter levied against the same parcel of property for the Issue of January 1, 1937 Fund and the Fund provided for by Section 12 hereof are paid at the same time.

SECTION 18. The City covenants that so long as any of the Refunding Bonds or Tax Participation Certificates authorized hereby may be outstanding, it will not avail itself of the provisions of Chapter 16965, Laws of 1935, or any other legislation which may be hereafter enacted by the Legislature of the State of Florida in any way impairing or modifying the obligation of the City on such Refunding Bonds or any undertakings in connection with Tax Participation Certificates authorized hereby or the covenants of the City contained herein.

SECTION 19. The City may acquire for its own account with any monies other than monies in the Issue of January 1, 1937 Fund, the Sinking Fund, the Tax Participation Certificate Fund or the \$500,000 Fund provided for by Section 12 hereof or required to be paid into such funds hereunder, Refunding Bonds or Tax Participation Certificates authorized hereby and upon so acquiring such bonds or Certificates, may hold the same for its own use and benefit. Any Refunding Bonds that may be so



acquired by the City shall not be eligible for purchase by it pursuant to calls for tenders required to be made hereunder, but such Refunding Bonds shall be included with all other outstanding Refunding Bonds in the event the City is required hereunder to call bonds for redemption. In all respects other than the tender of bonds for purchase, Refunding Bonds and Tax Participation Certificates so acquired by the City shall be entitled to the same rights and privileges and subject to the same terms and conditions as outstanding bonds and Certificates held by others, and the monies, if any, received by the City on account of such bonds and certificates, may be used by the City for any valid municipal purpose. Nothing in this section shall be deemed to permit the City to acquire bonds or Certificates for its own account out of any monies in the Issue of January 1, 1937 Fund, the Sinking Fund or the Tax Participation Certificate Fund or the \$500,000 Fund provided for by Section 12 hereof or required hereby to be paid into such funds.

SECTION 20. The Commission of the City of Coral Gables is hereby authorized to take any and all proceedings and to enter into any and all agreements deemed necessary or advisable for the purpose of effectuating the readjustment and refunding hereby authorized.

SECTION 21. A special election is hereby called and directed to be held at the regular voting place in the City of Coral Gables from 8 o'clock A. M. to sundown on the 25th day of January, 1937, for the purpose of submitting to the qualified electors who are freeholders of said City, a proposition for the issuance of the Refunding Bonds and Tax Participation Certificates authorized by this ordinance, and no Refunding Bonds or Tax Participation Certificates shall be issued hereunder until the proposition for the issuance thereof shall have been approved by a majority of the votes cast at such election by the qualified electors who are freeholders of said City, in which election a majority of the freeholders who are qualified electors residing in the City shall have participated. Notice of such election shall be given by publication in a newspaper of general circulation published in The City of Coral Gables once a week for three consecutive weeks, the first publication to be not less than twenty-one (21) days prior to the date of the election. Such notice of election shall set forth the date of election, the hours the polls will be open and the place at which the election will be held, and shall contain a complete copy of this ordinance.

The official ballot to be used at said election shall be in substantially the following form:

THE CITY OF CORAL GABLES, FLORIDA

OFFICIAL BALLOT

ELECTION JANUARY 25, 1937

If you approve the issuance of the Refunding Bonds and Tax Participation Certificates, make a cross mark (x) in the square after the words "For the Refunding Bonds and Tax Participation Certificates". If you disapprove of the issuance of Refunding Bonds and Tax Participation Certificates, make a cross mark (x) in the square after the words "Against the Refunding Bonds and Tax Participation Certificates."

Shall the indebtedness of The City of Coral Gables be adjusted and refunded by the issuance of not to exceed \$4,200,000 Refunding Bonds maturing forty and one-half years after their date, subject to prior redemption, and bearing interest per annum at the rate of two and one-half per cent for the first two and one-half years; three per cent for the next six years; three and one-half per cent for the next two years; four per cent for the next five years; four and one-half per cent for the next ten years; and five per cent for the remaining fifteen years, and by the issuance of Tax Participation Certificates in exchange for the difference between the total indebtedness of the City, including unpaid interest thereon accrued to January 1, 1937, and the principal amount of such Refunding Bonds, said Tax Participation Certificates to represent

For the Refunding  
Bonds and Tax  
Participation Cer-  
tificates





the participating interests of the holders thereof in and to any funds in excess of the requirements of the Refunding Bonds that may be produced by certain fixed tax levies to be made in the years 1937 to 1976, inclusive, all as more particularly prescribed by Ordinance No. 269, entitled "An Ordinance Authorizing a Readjustment and Refunding of the Outstanding Indebtedness of The City of Coral Gables by the Issuance of Refunding Bonds and Tax Participation Certificates", adopted by The City Commission on the 23rd day of December, 1936.

Against the Refund-  
ing Bonds and Tax  
Participation Cer-  
tificates



Section 22. All Ordinances and parts of ordinances in conflict herewith shall be and the same are hereby repealed.

Section 23. In the event any section, subsection, sentence, clause or phrase of this ordinance shall be adjudicated invalid or unconstitutional such adjudication shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this ordinance which shall be and remain in full force and effect as fully as if the section, subsection, sentence, clause, or phrase so adjudged invalid or unconstitutional was not originally a part thereof.

Section 24. This ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation of peace, health, safety and property, and the measure, being passed by a vote of not less than four-fifths of the members of the Commission, shall take effect upon its adoption, publication, and posting as required by law.

PASSED AND ADOPTED THIS 23rd day of December A.D. 1936.

APPROVED: ROSCOE BRUNSTETTER  
Mayor

ATTEST:

G. N. SHAW  
City Clerk

(SEAL OF THE CITY OF  
CORAL GABLES)

Motion by Commissioner Garris that the requirement for reading on two separate days be dispensed with, and that the Ordinance be placed on second reading at once; seconded by Commissioner Rinehart, The motion was adopted by the following roll call;

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

and  
Mayor Brunstetter

The Ordinance was then read again, in full.

Motion for adoption of the ordinance by Commissioner McGarry; seconded



by Commissioner Avery. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

and  
Mayor Brunstetter

Mayor Brunstetter then declared the ordinance adopted and approved, and ordered its publication as No. 269.

The following ordinance was then read by title on first reading:

AN ORDINANCE PROVIDING FOR SPECIAL REGISTRATION OF QUALIFIED FREEHOLDER ELECTORS OF THE CITY OF CORAL GABLES IN CONNECTION WITH SPECIAL ELECTION TO BE HELD FOR THE PURPOSE OF AUTHORIZING THE REFUNDING OF THE BONDED AND OTHER INDEBTEDNESS OF THE CITY OF CORAL GABLES ON THE 25TH DAY OF JANUARY, A.D. 1937, AND DECLARING SAME TO BE AN EMERGENCY ORDINANCE.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. A special registration of freeholder electors residing in The City of Coral Gables, Florida, is hereby ordered to be held at the City Hall in said City, commencing on December 26, 1936, and ending on January 2, 1937. The Supervisor of Registration shall prepare a special registration book for the purpose of such registration, and shall keep said book open at his office between the hours of nine o'clock A. M. and five o'clock P. M. on the 26th day of December, 1936, and between the hours of nine o'clock A.M. and nine o'clock P.M. on the 28th day of December, 1936, and on each day thereafter until and including the 2nd day of January, 1937. Said registration book shall contain a column in which shall be indicated the fact that the registration is a freeholder.

Section 2. Electors may register at such registration as prescribed by the General Laws of this State and the Ordinances of The City of Coral Gables for registration of electors, and such electors shall have the qualifications for and prerequisites to voting as in elections under the General Laws of said State and said City, and in addition thereto they shall submit proof, by affidavit before the registration officer at the time of the registration, that they are freeholders who are qualified electors residing in The City of Coral Gables. In any case where any freeholder who is a registered elector residing in The City of Coral Gables, as shown by the general registration books thereof, is, on the date of the closing of the registration book for such election, a qualified elector in said City, he or she shall be entitled to participate in said election, provided he or she shall submit proof by affidavit before the registration officer, within five days after the closing of said registration book, that he or she is a freeholder who is a qualified elector residing in said City.

Section 3. It shall be the duty of the Supervisor of Registration, within seven days after the closing of said special registration book, to make up and certify a list of the names of all qualified electors who have been determined to be freeholders residing insaid City, and who also have been



determined to be qualified to vote in said special election, and to furnish certified copies of such list of electors who are freeholders residing in said City, and who are entitled to participate in the election, to the inspectors and clerks of said special election. A copy of said list shall be filed and preserved among the records of the City Commission.

Section 4. The word "freeholder", as used herein, is defined to mean any person who has an immediate, beneficial, ownership interest, legal or equitable, in the title to a fee simple estate in land in The City of Coral Gables.

Section 5. That all Ordinances, or parts of Ordinances, conflicting with the provisions hereof, be and the same are hereby repealed in so far as said special registration and special election are concerned, and that otherwise all ordinances of The City of Coral Gables in connection with the registration and qualification of electors, not in conflict with the terms of this Ordinance or the Laws of the State of Florida, shall be applicable to said registration.

Section 6. This ordinance is hereby declared to be an emergency measure on the ground of urgent public need for the preservation of property, and shall take effect immediately upon its passage.

Motion by Commissioner Garris that the requirement for reading on two separate days be dispensed with, and that the Ordinance be placed on second reading at once; seconded by Commissioner Rinehart. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

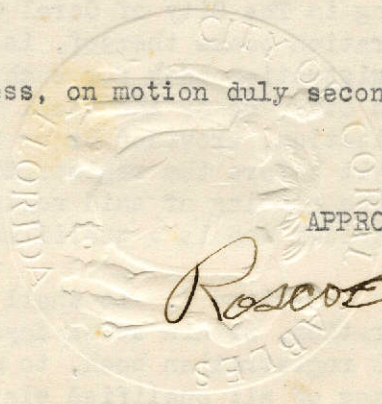
The Ordinance was then read again, in full.

Motion for adoption of the Ordinance by Commissioner McGarry; seconded by Commissioner Avery. The Ordinance was adopted by the following roll call:

"YES" - Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

Mayor Brunstetter then declared the Ordinance adopted and approved, and ordered its publication as No. 270.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.



APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON JANUARY 5, 1937.

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, January 5, 1937.

Vice Mayor McGarry in the Chair; Commissioners Avery and Garris present; Mayor Brunstetter and Commissioner Rinehart absent.

The minutes of the meetings of December 15th and 23rd, 1936 were read and approved.

Mayor Brunstetter joined the meeting at this time, and assumed the Chair.

A request was made to the Commission that the license fee of Five (\$5.00) per year per machine required under the license ordinance for cigarette vending machines be reduced. The Clerk was instructed to prepare an amendment to the license ordinance so as to fix the license amount for such machines at Three Dollars and Fifty Cents (\$3.50).

RESOLUTION NO. 1636

A RESOLUTION APPROPRIATING THE SUM OF THREEHUNDRED THIRTY (\$330.00) DOLLARS FOR THE PURCHASE OF COCONUT PALM SPROUTS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Three Hundred Thirty Dollars (\$330.00) be and the same is hereby appropriated from the Contingent Fund to the appropriation for Parks and Parkways for the purchase of coconut palm sprouts.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Garris.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry

and  
Mayor Brunstetter

RESOLUTION NO. 1636-A

A RESOLUTION APPOINTING CLERKS, INSPECTORS AND ALTERNATES FOR THE SPECIAL FREEHOLDER ELECTION TO BE HELD ON JANUARY 25, 1937.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the following be and they are hereby designated and appointed as clerk, inspectors and alternates, as indicated below, to serve as an election board in the special freeholder



election to be held on January 25, 1937, on the question of refunding the outstanding debts of The City of Coral Gables:

Lewis H. Fogle	Clerk
Walter E. Schaefer	Inspector
Capt. John A. Cook	Inspector
H. C. Johanson	Inspector
George Mugford	Alternate
Harris M. Van Horn	Alternate

2. That the City Clerk be and he is hereby authorized and instructed to advise the above appointees of their selection, and to arrange and pay remuneration for their services on the day and night of the election upon the same basis as is paid in State and County elections for similar services.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Garris. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
and  
Mayor Brunstetter

RESOLUTION NO. 1636-B

A RESOLUTION APPROPRIATING THE SUM OF SEVENTY-FIVE (\$75.00) DOLLARS TO PROVIDE FOR A CORAL GABLES TROPHY IN THE FISHING TOURNAMENT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Seventy-five (\$75.00) Dollars be and the same is hereby appropriated from the Contingent Fund to the appropriation for miscellaneous publicity to provide for a Coral Gables Trophy in the annual Fishing Tournament.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
and  
Mayor Brunstetter

The Clerk was instructed to prepare additional copies of the proposed zoning ordinance, and to furnish them to the Commissioners at the earliest possible date.

The City Manager reported that the Works Progress Administration is prepared to turn the Community House over to the City, and had requested that a date be appointed for the corner stone and delivery ceremony. The



Commissioners agreed to accept the building and to participate in the necessary proceedings at 1:00 o'clock p.m. on Saturday, January 9, 1937.

The City Manager reported bids for the purchase of the Transportation Department electric cars, rotary converter, and other salvaged equipment and materials, the highest of which was that of the Transit Equipment Company, for \$12,601.00 for the entire list of equipment and material, as is and where is.

RESOLUTION NO. 1637

A RESOLUTION ACCEPTING THE BID OF THE TRANSIT EQUIPMENT COMPANY FOR CERTAIN EQUIPMENT AND MATERIALS OF THE TRANSPORTATION DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH THE SALE OF SAID EQUIPMENT AND MATERIALS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the bid of the Transit Equipment Company for the equipment and salvaged materials of the electric railway, in the amount of Twelve Thousand Six Hundred One (\$12,601.00) Dollars be and the same is hereby accepted, and the City Manager is hereby authorized to proceed with the sale and delivery of said equipment and material to that company.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Garris. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
and  
Mayor Brunstetter

RESOLUTION NO. 1638

A RESOLUTION APPROPRIATING THE SUM OF FIVE HUNDRED (\$500.00) DOLLARS FOR PAYMENT TO CENTRAL HANOVER BANK AND TRUST COMPANY AS A DEPOSIT ON THE COST OF THAT COMPANY'S SERVICE AS DEPOSITARY AND TRUSTEE BANK IN THE PROPOSED REFUNDING OF THE THE CITY'S DEBTS.

BE IT RESOLVED BY THE COMMISSION OF CORAL GABLES, FLORIDA:

That the sum of Five Hundred (\$500.00) Dollars be and the same is hereby appropriated from debt service moneys to provide a deposit of the amounts to be due the Central Hanover Bank and Trust Company in its service as depository and refunding agent in the







in person or by duly authorized attorney, upon surrender of this certificate duly endorsed. Title to this Certificate of Deposit, when duly endorsed, shall, to the extent permitted by law, be transferred with the same effect as in the case of a negotiable instrument, and each holder hereof consents and agrees that the delivery of this Certificate of Deposit, when duly endorsed shall vest title hereto in the transferee to the same extent and for all purposes as delivery under like circumstances of a negotiable instrument; provided, however, that any transferee hereof shall be bound by all the terms and provisions of said Agreement dated as of December 24, 1936, and provided, further, that the Depository may treat the registered holder hereof as the absolute owner hereof for all purposes and shall not be affected by any notice to the contrary.

Dated .....

CENTRAL HANOVER BANK & TRUST  
COMPANY  
Depository

BY .....  
Authorized Officer



ASSIGNMENT

FOR VALUE RECEIVED, .....  
hereby sell, assign and transfer unto

.....  
(Name)

.....  
(Address)

all the property, right, title and interest represented by the within certificate of deposit and to said certificate itself, subject, however, to all of the terms and conditions of the Memorandum of Agreement dated December 24, 1936 referred to therein and do hereby irrevocably constitute and appoint ..... Attorney, to transfer said Certificate on the books of the within named Depository with full power of substitution in the premises.

Dated.....

In the presence of:  
.....

---

NOTICE: The signature to this assignment must correspond to the name in which the certificate is registered in each particular without alteration or enlargement or any change whatsoever. When assignments are executed by administrators, executors, trustees, guardians, attorneys, etc., proper evidence of their authority so to act must be filed with the Depository.

was introduced and read.



Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

A committee consisting of Commissioner McGarry, City Attorney Adams, and City Clerk Shaw was appointed to inquire into the matter of assessment liens for Miami Trail paving, and to make recommendations to the Commission as to the adjustment of such liens.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.



APPROVED:

*Roscoe Brunstetter*

MAYOR

Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF THE COMMISSION  
 OF THE CITY OF CORAL GABLES  
 ON JANUARY 13, 1937

Pursuant to call of special meeting by Mayor Brunstetter, and unanimous consent of the Commissioners, the Commission of the City of Coral Gables convened in special session at the City Hall at 7:30 o'clock p.m. on Wednesday, January 13, 1937.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

RESOLUTION NO. 1639-A

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter be, and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
 Garris  
 McGarry  
 Rinehart  
 and  
 Mayor Brunstetter

Mr. D. P. Caldwell and Mr. W. D. Fuller of the Florida Power and Light Company then discussed with the Commission the matter of the City's debts to that Company and its participation in the refunding plan; the necessary extension of street lighting service in the City; and the transfer of certain poles owned by the City to the Company, as partial consideration for the refunding agreement and for certain concessions to be made in the charge for additional street lights. Thereupon the following

RESOLUTION NO. 1640

A RESOLUTION APPROVING A PROPOSED LETTER AGREEMENT PROVIDING FOR THE COMPROMISE AND SETTLEMENT OF ALL OUTSTANDING INDEBTEDNESS OWED BY THE CITY TO FLORIDA POWER & LIGHT COMPANY AS OF JANUARY 1, 1937, SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH SAID



COMPROMISE AND SETTLEMENT SHALL BE EFFECTED; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES, FLORIDA, TO EXECUTE AND ENTER INTO THE SAID PROPOSED LETTER AGREEMENT WITH FLORIDA POWER AND LIGHT COMPANY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the proposed Letter Agreement providing for the compromise and settlement of all outstanding indebtedness as of January 1, 1937, owed by the City to Florida Power & Light Company, as set forth in Section 2 hereof, be and the same is hereby approved as to form and substance.

2. That the Mayor and the City Clerk of and on behalf of the City, be and they are hereby authorized and directed to execute and enter into the said proposed Letter Agreement approved in Section 1 hereof and hereinafter set forth in form as follows:

City of Coral Gables  
Coral Gables, Florida

Gentlemen:

This is to confirm the understanding between us in connection with the participation by this Company in the plan for Readjustment and Refunding of Outstanding Indebtedness of the City of Coral Gables, as set forth in Ordinance No. 269, adopted by the City Commission on the 23rd day of December, 1936.

Be a Letter Agreement between us dated January 31, 1933, which was extended by our letters to you dated June 1, 1934 and September 5, 1934, it was agreed that you were indebted to us in the principal amount of \$120,843.29 on account of a Certificate of Indebtedness executed and delivered to us by you on July 28, 1928, and in the principal amount of \$149,630.11 on account of annual Carrying and Maintenance Charges on Street Lighting equipment rendered inoperative through discontinuance of street lights installed in the City, and in satisfaction of your total liability in connection with the said Carrying and Maintenance Charges under Supplementary Street Lighting Agreements dated July 17, 1928 and November 6, 1928, respectively.

It was further agreed that said principal amount of the Certificate of Indebtedness, \$120,843.29, would continue to bear interest at the rate of 6 1/2% per annum and the said principal amount of Carrying and Maintenance Charges, \$149,630.11, would bear interest at the rate of 6% per annum from January 31, 1933 until said indebtedness was settled in accordance with your Debt Settlement Plan.

In accordance with the above you owe to us in principal and accrued interest as of January 1, 1937, the following amounts;



	<u>Principal</u>	<u>Unpaid Interest to Jan. 1, 1937</u>
Certificate of Indebtedness	\$120,843.29	\$52,590.30
Carrying and Maintenance Chgs.	<u>149,630.11</u>	<u>32,199.75</u>
Total	\$270,473.40	\$84,790.05
Total Principal and Unpaid Interest <u>\$355,263.45</u>		

It is understood and agreed that the total amount of principal and unpaid interest which you owe to us as outlined above in the amount of \$355,263.45 shall not be increased by the bearing of any further interest and shall remain the same up to and including the time this indebtedness has been fully settled in accordance with the provisions of your bond settlement Ordinance No. 269, or up to and including June 30, 1937, whichever date shall be the earlier.

The Agreement set forth in this letter is made upon the condition that if the Readjustment and Refunding of the Outstanding Indebtedness plan of the City, as set forth in Ordinance No. 269 is not consummated on or before June 30, 1937, and the "Refunding Bonds" and "Tax Participation Certificates" provided for in said Ordinance are not delivered to us in proper form and amounts in accordance with provisions of said Ordinance on or before said date, covering the amount of the total indebtedness of \$355,263.45 owed by the City to us, then this Letter Agreement between us shall be deemed cancelled and terminated as of January 1, 1937, and Florida Power & Light Company's respective rights and the City's respective liabilities, including the payment of interest charges on the principal amounts owed to the Company, shall resume the status in which they would exist if this Letter Agreement had never been executed.

It is understood and agreed between us that this Letter Agreement shall be deemed completed when we have received the "Refunding Bonds" and "Tax Participation Certificates" for indebtedness described herein, pursuant to the Readjustment and Refunding of Outstanding Indebtedness plan of the City, as set forth in Ordinance No. 269 and as of such date the City shall be relieved from paying to the Company the said Certificate of Indebtedness and accrued interest thereon, and the said accrued "Carrying and Maintenance Charges", all in the said amount of \$355,263.45, and the City shall be further relieved from paying any future "Carrying and Maintenance Charges" as provided for in those certain Supplementary Street Lighting Agreements dated July 17, 1928 and November 6, 1928, respectively, and now in effect between us. However, except as expressly provided herein, the said Supplementary Street Lighting Agreements shall remain in full force and effect between us.

If you agree to the foregoing, kindly so indicate by causing this letter and the attached copies to be executed by your duly authorized officials under your corporate seal in the spaces provided below for that purpose.

Yours very truly,

FLORIDA POWER & LIGHT COMPANY

By \_\_\_\_\_  
Acting President







authorized and directed to execute the said Instrument approved in Section 1 hereof and hereinafter set forth in form as follows:

KNOW ALL MEN BY THESE PRESENTS: That the CITY OF CORAL GABLES, FLORIDA, a municipal corporation organized and existing under the laws of the State of Florida, party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) to it paid by FLORIDA POWER & LIGHT COMPANY, a corporation organized and existing under the laws of the State of Florida, party of the second part, and for other good and valuable considerations, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed, confirmed, quit-claimed, transferred and delivered and by these presents does grant, bargain, sell convey, confirm, quit-claim, transfer and deliver unto the said Florida Power & Light Company, all the property located in The City of Coral Gables, County of Dade and State of Florida, hereinafter described as follows:

Those certain six hundred and thirty-eight (638) thirty (30) foot tubular steel poles complete, owned by the party of the first part, and now located and installed in the City of Coral Gables, Dade County, Florida, and more particularly described on the schedule attached hereto, marked "Exhibit A" and made a part hereof.

Together with every right, privilege, permit and easement of every kind and nature of the party of the first part in, to and in connection with the said tubular steel poles now located and installed in the City of Coral Gables, Dade County, Florida.

TO HAVE AND TO HOLD the same unto the said party of the second part, its successors and assigns, forever.

AND said party of the first part does for itself and its successors covenant to and with the said party of the second part, its successors and assigns, that it is the lawful owner of the said property above described and that said property is free and clear from all liens, encumbrances and charges whatsoever, and that it has good right and lawful authority to sell the same as aforesaid, and that it will warrant and defend the title and the sale of the said property hereby made unto the said party of the second part, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part has caused this instrument to be executed by its duly authorized officials and its seal to be affixed, this 13th day of January, 1937.

Signed, sealed and delivered in the presence of:

CITY OF CORAL GABLES

By \_\_\_\_\_  
City Manager

ATTEST:  
\_\_\_\_\_  
City Clerk

Approved as to form and correctness this \_\_\_\_\_ day of \_\_\_\_\_ 1937.

\_\_\_\_\_  
City Attorney  
City of Coral Gables, Florida.



STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF DADE. )

Before me, an officer duly authorized to take acknowledgments, on this day personally appeared E. M. Williams and G. N. Shaw, respectively City Manager and City Clerk of the City of Coral Gables, Florida, a municipal corporation organized and existing under the laws of the State of Florida, to me well known and known to me to be the City Manager and the City Clerk of the said City of Coral Gables, Florida, who acknowledged before me that they executed the foregoing instrument; that the seal affixed to said instrument is the seal of the said municipal corporation; that the said instrument was signed for and on behalf of the said municipal corporation by authority of its City Commission; that they subscribed their names thereto by like authority, and that they executed the said instrument as their free act and deed as such officers, for the uses and purposes therein expressed.

WITNESS my hand the official seal at Coral Gables, County of Dade and State of Florida, this 14th day of January 1937.

\_\_\_\_\_  
Notary Public  
State of Florida at Large  
  
My Commission expires;

EXHIBIT "A".

SCHEDULE SHOWING THE NUMBER AND PARTICULAR LOCATION OF SIX HUNDRED AND THIRTY-EIGHT (638) THIRTY (30) FOOT TUBULAR STEEL POLES OWNED BY THE CITY OF CORAL GABLES, FLORIDA, AND CONVEYED TO FLORIDA POWER & LIGHT COMPANY BY THE FOREGOING BILL OF SALE.

<u>MAP NO.</u>	<u>LOCATION OF POLES.</u>	<u>NUMBER OF POLES</u>
57*	On Ponce de Leon Blvd. - Flagler Street to south side of Almeria Avenue . . . . .	193
57*	On Coral Way - Douglas Road to Le Jeune Road . . . . .	62
56*	On Ponce de Leon Blvd. - South side of Almeria Avenue to University Concourse . . . . .	130
56*	On University Concourse - Ponce de Leon Blvd. to Miller Road Railroad Crossing . . . . .	69
56*	On Ponce de Leon Blvd. - Miller Road Railroad Crossing to Hardee . . . . .	37
56*	On Biltmore Way - Le Jeune Road to Segovia Street . . . . .	28
56*	On Segovia Street - Biltmore Way to Bird Road . . . . .	94



<u>Map No.</u>	<u>LOCATION OF POLES</u>	<u>NUMBER OF POLES</u>
56*	On Bird Road - Ponce de Leon Blvd. to Segovia Street . . . . .	25.
TOTAL . . . . .		638

\* An exact and comprehensive location of the said tubular steel poles is shown on the above respectively numbers Maps of Florida Power & Light Company on file in the office of said Company.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
 Garris  
 McGarry  
 Rinehart  
 and  
 Mayor Brunstetter

The City Attorney and City Clerk were instructed to prepare and bring before the Commission an Ordinance requiring the shielding of all electrical apparatus the operation of which would tend to interfere with radio reception.

RESOLUTION NO. 1642

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS FROM DEBT SERVICE FUNDS FOR THE PURPOSE OF PROVIDING EXPENSES OF COMMISSIONER RINEHART TO NEW YORK TO CONFER WITH BONDHOLDERS COMMITTEE ON THE PROPOSED DEBT SETTLEMENT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

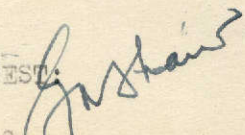
That the sum of Three Hundred(\$300.00) Dollars be and the same is hereby appropriated from debt service funds for the purpose of providing expenses of Commissioner Rinehart to New York to confer with Bondholders Committee on the proposed debt settlement.


was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Garris. The Resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
 Garris  
 McGarry  
 Rinehart  
 and  
 Mayor Brunstetter

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:  
  
 CITY CLERK  
 G. N. Shaw

APPROVED:  
  
 MAYOR  
 Roscoe Brunstetter



MINUTES OF MEETING OF CITY COMMISSION  
OF CORAL GABLES ON  
JANUARY 19, 1937

The Commission of The City of Coral Gables, Florida, convened in regular session at the City Hall at 5:00 o'clock p.m. on Tuesday, January 19, 1937.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

Minutes of the meetings of January 5th and 13th, 1937 were read and approved.

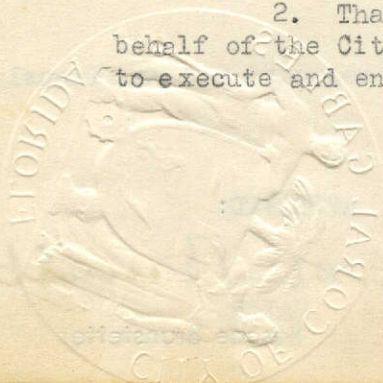
Dr. E. L. Rasmussen appeared before the Commission in connection with the inspection of the electrical connections and wiring at his offices by the Building Inspector and a representative of the Florida Power & Light Company. Motion by Commissioner McGarry that the City Manager investigate and report back to the Commission at the next regular meeting; seconded by Commissioner Avery. The motion was adopted by unanimous vote.

RESOLUTION NO. 1642-A

APPROVING A PROPOSED LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY PROVIDING FOR ADDITIONAL STREET LIGHTING SERVICE AND FOR THE INSTALLATION OF "OTHER STREET LIGHTS" AND/OR RESTORING STREET LIGHTS TO SERVICE AND/OR INCREASING THE CANDLEPOWERS OF CERTAIN OTHER STREET LIGHTS BY FLORIDA POWER & LIGHT COMPANY, AT NO ADDITIONAL COST TO THE CITY, AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH THE SAID ADDITIONAL STREET LIGHTING SERVICE; THE INSTALLATION OF "OTHER STREET LIGHTS", AND RESTORING CERTAIN STREET LIGHTS TO SERVICE, AND INCREASING THE CANDLEPOWER OF CERTAIN STREET LIGHTS, SHALL BE EFFECTED BY SAID COMPANY; PROVIDING FOR THE SUBSTITUTION IN THE STREET LIGHTING AGREEMENT BETWEEN THE CITY AND THE SAID COMPANY OF NEW STREET LIGHTING RATE SCHEDULES, AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH SUCH SUBSTITUTION SHALL BE MADE; AUTHORIZING AND DIRECTING THE CITY MANAGER AND THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES, FLORIDA, TO EXECUTE AND ENTER INTO THE SAID PROPOSED LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the proposed Supplemental Letter Agreement with Florida Power & Light Company, which is hereinafter set forth in form in Section 2 hereof, be and the same is hereby approved as to form and substance.
2. That the City Manager and the City Clerk of and on behalf of the City, be and they are hereby authorized and directed to execute and enter into with Florida Power & Light Company the





said proposed Letter Agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

City of Coral Gables  
Coral Gables, Florida.

Gentlemen:

This relates to that certain Street Lighting Agreement between us dated the 14th day of August, 1928, and to those certain Supplementary Agreements thereto dated July 17, 1928, November 6, 1928 and June 1, 1934, respectively.

In the future whenever we install additional street lights or increase the candlepower of street lights, in accordance with the said Street Lighting Agreement, or restore to service street lights which are not in operation, in accordance with the said Supplementary Agreements, we hereby agree that, for so long as the said additional street lights, street lights increased in candlepower, and street lights restored to service are paid for by you, in accordance with the said Street Lighting Agreement, to furnish you, at no additional cost whatsoever, approximately 50% additional street lighting service which shall be computed and based on the amount of the bills you pay us for the said additional street lights installed, increased in candlepower and restored to service under the said Street Lighting Agreement and Supplementary Agreements thereto. This 50% additional street lighting service to be furnished at no additional cost to you may be effected upon your written request by our (a) installing and thereafter serving "other street lights" of a type requested by you and mutually satisfactory to us, subject, however, to the limitations and provisions contained in the said Street Lighting Agreement and/or by (b) restoring and thereafter serving street lights which are not now in operation, and/or (c) by increasing the candlepowers of certain installed street lights.

It is understood and agreed, however, that you will pay us, in accordance with the said Street Lighting Agreement for all electric energy and services furnished by us to you for the operation of (1) additional street lights installed and/or served under the said Street Lighting Agreement, (2) street lights restored to service under the said Supplementary Agreements, and (3) street lights increased in candlepower in accordance with the said Street Lighting Agreement, as distinguished from "other street lights" installed, street lights restored to service, and street lights increased in candlepower, in accordance with the second paragraph of this Letter Agreement.

It is further understood and agreed that in no event shall the additional street lighting service to be furnished to you, at no additional cost under the said Supplementary Agreement dated June 1, 1934, and under this Letter Agreement, exceed approximately 50% of the street lighting service for which you pay us under the said Street Lighting Agreement and Supplementary Agreements thereto.

It is understood and agreed that in the event we make effective in the City of Coral Gables new street lighting rate schedules, which, when applied to the then existing street lighting installations or street lights in service in the City of Coral Gables, would result in a total annual street lighting bill to you equal to, or less than your total annual street lighting bill then paid by you under the said Street Lighting Agreement and rate schedules contained therein and under all of the said Supplementary Agreements thereto, including this Supplemental Letter Agreement, then the new street lighting rate schedules shall be automatically substituted for the rate schedules now a part of the said Street Lighting Agreement and thereafter



you shall be billed and pay us for all of the street lights then installed and any future street lights which may be installed in the City of Coral Gables, in accordance with such new rate schedules, and, as of the date of such substitution, the said Supplementary Street Lighting Agreement dated June 1, 1934, and the arrangements contained in this Letter Agreement, shall be deemed cancelled, terminated, and of no effect.

It is understood and agreed that this Letter Agreement shall be considered supplemental to the said Street Lighting Agreement between us dated the 14th day of August, 1928, and supplemental to the said Supplementary Agreements thereto, and that, except as expressly provided herein, the said Street Lighting Agreement, and all Supplementary Agreements thereto, shall remain in full force and effect between us.

If you agree to the foregoing, kindly so indicate by causing this letter and the attached copies to be executed by your duly authorized officials under your corporate seal in the spaces provided below for that purpose.

Yours very truly,

FLORIDA POWER & LIGHT COMPANY

By \_\_\_\_\_  
Acting President

We agree to the foregoing this 20th day of January, 1937.

CITY OF CORAL GABLES

By \_\_\_\_\_  
City Manager

Approved as to Form and Correctness this \_\_\_\_\_ day of 1937.

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Attorney for City of Coral Gables, Florida.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

Motion by Commissioner Garris that the repairs to the Miller Road bridge, to be done by Dade County and the cost deducted from Coral Gables' share of Road and Bridge millage, be referred to the City Manager with power to act; seconded by Commissioner Avery. The motion was adopted by unanimous vote.

RESOLUTION NO. 1643

A RESOLUTION APPROPRIATING THE SUM OF FOUR HUNDRED DOLLARS FROM THE CONTINGENT FUND TO PROVIDE FOR PAYMENT OF BALANCE OF FEE AND EXTRAS TO ROBERT PENTLAND, JR. FOR SPECIAL AUDIT OF DELINQUENT TAXES.

BE IT RESOLVED BY THE COMMISSION OF  
THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Four Hundred (\$400.00)



Dollars be and the same is hereby appropriated from the Contingent Fund to the appropriation for the City Auditor's office, for the purpose of paying the balance of the fee, and the extras, in connection with the special audit of delinquent taxes authorized by the City Commission, for which Eight Hundred (\$800.00) Dollars was provided in the current budget, and for which the cost, with extras, has amount to Twelve Hundred (\$1200.00) Dollars.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

RESOLUTION NO. 1644

A RESOLUTION GRANTING A TEMPORARY PERMIT TO SOUTH MIAMI COACH LINE, INC., TO OPERATE ON CERTAIN STREETS OF THE CITY OF CORAL GABLES.

WHEREAS, it is not now practical for the transportation department of the City to render to the residents in the neighborhood of Sunset Road and Le Jeune Road from Cocoplum Plaza North to the Railroad any public transportation service into the City of Miami; and

WHEREAS, the South Miami Coach Line, Inc. is operating a public transportation bus from South Miami over Sunset Road, a portion of Le Jeune Road and Grand Avenue, which furnishes transportation to the residences of this area into the City of Miami; and

WHEREAS, our citizens in the said neighborhood are desirous of having this line continue to operate; and

WHEREAS, the owners of said line have evidenced their readiness and willingness to improve the service on said line,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

1. That while The City of Coral Gables finds it impractical to furnish transportation service into Miami for its residents along Sunset Road and Le Jeune Road from Cocoplum Plaza North to the Railroad thence over the State Highway to Grand Avenue, thence over Grand Avenue into The City of Miami, we hereby grant to the South Miami Coach Line, Inc. a permit to operate a bus for hire over the said streets of The City of Coral Gables, which permit shall be subject to cancellation on ninety (90) days notice to the said line to be given in the discretion of The City of Coral Gables.

2. That this permit shall continue without renewal from year to year until The City of Coral Gables serves written notice as above provided for that the same will be terminated.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner



McGarry. The Resolution was adopted by unanimous vote.

Upon motion duly seconded and unanimously carried, the City Manager was authorized to arrange with the County Tax Collector for a deputy to be placed at the Coral Gables City Hall for collection of automobile tag fees, and to arrange space for said deputy.

RESOLUTION NO. 1645

A RESOLUTION RECOMMENDING THAT THE UNUSED FUNDS OF THE ALL FLORIDA COMMITTEE BE MADE AVAILABLE TO THE EVERGLADES NATIONAL PARK ASSOCIATION FOR THE PURPOSE OF ASSISTING IN THE EVERGLADES NATIONAL PARK PROJECT.

WHEREAS, it has come to the attention of a group of determined men and prominent citizens, known as the EVERGLADES NATIONAL PARK ASSOCIATION, who are sponsoring a great project for the advertisement of the State of Florida, and

WHEREAS, these men at great personal sacrifice to themselves succeeded in having legislation, both National and State passed to assure for the people of Florida a great National Park to be known as the EVERGLADES NATIONAL PARK, and

WHEREAS, certain funds in the approximate amount of SEVENTY-FIVE HUNDRED (\$7500.00) DOLLARS are on deposit in the First National Bank of Miami, and that E. C. ROMPH, as Trustee of the State Fund, brought an Interpleader suit in Chancery known as Cash #46371-D, E. C. ROMPH vs. THE ALL-FLORIDA COMMITTEE, asking what disposition might be made of these funds in as much as the Governor never appointed a Commission by reason of the fact that the largest sum of money was donated by the citizens of Coral Gables, Miami and Miami Beach and Judge Barns in an Order appointed three trustees as follows, to dispose of these funds, to-wit: P. B. FREELAND, representing Miami, Florida, P. J. O'SHAUGHNESSY, representing the City of Coral Gables, and W. L. PHILBRICK, representing the City of Miami Beach, who are Trustees for the disposition of this fund.

BE IT THEREFORE RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That since the EVERGLADES NATIONAL PARK will bring to Florida thousands of tourists who will spend their money in the State and since the Park will be adjacent to the Cities mentioned herein and embrace land in close proximity to the Counties in which these Cities lie, so that they will benefit immeasurable from the Park and since at personal sacrifice, the Association has already achieved much in the way of advertising Florida, that the Commission of the City of Coral Gables hereby expresses its moral approval of the proposal that P. J. O'Shaughnessy, its representative on the All-Florida Committee, join with the other Committeemen in turning over the Everglades National Park Association all funds in the hands of the Committee and that these funds be used by said Association to carry on its advertising work for and in behalf of the State of Florida, provided the said P. J. O'Shaughnessy can satisfy himself that it is lawful for him to so pay out said funds for such purposes.

was introduced and read.



Motion for adoption by Commissioner Garris; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

RESOLUTION NO. 1647

A RESOLUTION APPROPRIATING THE SUM OF THIRTY DOLLARS TO COVER EXTRA COST OF THE SPORT BOOKLET.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Thirty (\$30.00) Dollars be and the same is hereby appropriated from the Contingent Fund to provide for and pay the additional cost of preparing and issuing the Sport Booklet, authorized by Resolution No. 1604.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioner Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON JANUARY 27, 1937

Pursuant to requirement of the City Charter, and to call of special meeting by Mayor Brunstetter, the Commission of the City of Coral Gables, Florida, convened in special session at the City Hall at 5:30 o'clock p.m. on Wednesday, January 27, 1937.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

RESOLUTION NO. 1648

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter be, and the same is hereby waived; and,

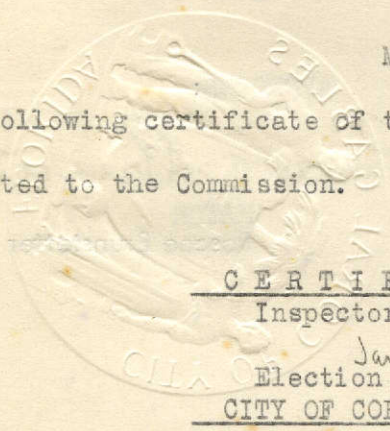
BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

The following certificate of the results of the election of January 25th was submitted to the Commission.



CERTIFICATE OF  
Inspectors and Clerk  
January 15,  
Election, A. D. 1937.  
CITY OF CORAL GABLES, FLORIDA

STATE OF FLORIDA )  
COUNTY OF DADE )  
CITY OF CORAL GABLES)

We the undersigned, Inspectors and Clerk of the Election held in the City of Coral Gables on January 25th, A.D. 1937, DO HEREBY CERTIFY:

That a total of 747 Ballots were cast, constituting a majority of the qualified electors, who are freeholders of the City of Coral Gables.

And that the following proposal received the number of votes, both for and against, as indicated here below:

Shall the indebtedness of the City of Coral Gables be adjusted and refunded by the issuance of not to exceed \$4,200,000 Refunding Bonds maturing forty and one-half



years after their date, subject to prior redemption, and bearing interest per annum at the rate of two and one-half per cent for the first two and one-half years; three per cent for the next six years; three and one-half per cent for the next two years; four per cent for the next five years, four and one-half per cent for the next ten years; and five per cent for the remaining fifteen years, and by the issuance of Tax Participation Certificates in exchange for the difference between the total indebtedness of The City, including unpaid interest thereon accrued to January 1, 1937, and the principal amount of such Refunding Bonds said Tax Participation Certificates to represent the participating interests of the holders thereof in and to any funds in excess of the requirements of the Refunding Bonds that may be produced by certain fixed tax levies to be made in the years 1937 to 1946, inclusive, all as more particularly described by Ordinance No. 269, entitled "An Ordinance Authorizing a Readjustment and Refunding of the Outstanding Indebtedness of The City of Coral Gables by the Issuance of Refunding Bonds and Tax Participation Certificates," adopted by The City Commission on the 23rd day of December, 1936, subject to the approval of the vote of a majority of the qualified electors who are freeholders of said City, cast at an election in which a majority of the freeholders, who are qualified electors, residing therein, shall participate?

566. FOR THE ORDINANCE

179 AGAINST THE ORDINANCE

And that 2 ballots were thrown out and not counted on account of being marked wrongly, or defaced or spoiled.

WITNESS OUR SIGNATURES, this 25th day of January, A.D. 1937.

Walter E. Schaefer

H. C. Johanson

Capt. John A. Cook  
INSPECTORS

Lewis H. Fogle  
CLERK

RESOLUTION NO. 1649

A RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE ELECTION HELD JANUARY 25, 1937 FOR THE PURPOSE OF APPROVING OR DISAPPROVING THE PROPOSAL TO SETTLE AND REFUND THE PRESENT INDEBTEDNESS OF THE CITY OF CORAL GABLES BY THE ISSUANCE OF REFUNDING BONDS IN THE AMOUNT OF FOUR MILLION, TWO HUNDRED THOUSAND DOLLARS AND TAX PARTICIPATION CERTIFICATES TO REPRESENT THE BALANCE OF EXISTING INDEBTEDNESS, PURSUANT TO ORDINANCE NO. 269 ADOPTED DECEMBER 23, 1937.

WHEREAS, there has been filed with the City Clerk the Certificate of the Supervisor of Registration showing 847



freeholder electors qualified to vote in the special election of January 25, 1937; and the Certificate of the Inspectors and the Clerk of said election together with the poll list, tally sheets, ballot box, ballot stubs, and other matter comprising a complete record of the ballots cast at said election by those registered freeholder-electors who had paid their poll taxes for the years 1935 and 1936 on or before the 2nd day of January, 1937, and the returns thereof having been made, certified, delivered to and canvassed by the City Commission:

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the Commission of the City of Coral Gables hereby declares that the results of said special election held on January 25, 1937 according to the ballots cast therein by those registered freeholder voters who had paid their poll taxes for the years 1935 and 1936 on or before January 2, 1937, were as follows:

1. That the total number of qualified electors residing in the said City as were legally qualified to participate in the said election was 847;
2. That a total number of 747 ballots were cast;
3. That on the question of adoption of the proposal as follows:

Shall the indebtedness of The City of Coral Gables be adjusted and refunded by the issuance of not to exceed \$4,200,000 Refunding Bonds maturing forty and one-half years after their date, subject to prior redemption, and bearing interest per annum at the rate of two and one-half per cent for the first two and one-half years; three per cent for the next six years; three and one-half per cent for the next two years; four per cent for the next five years; four and one-half per cent for the next ten years; and five per cent for the remaining fifteen years, and by the issuance of Tax Participation Certificates in exchange for the difference between the total indebtedness of the City, including unpaid interest thereon accrued to January 1, 1937, and the principal amount of such Refunding Bonds, said Tax Participation Certificates to represent the participating interests of the holders thereof in and to any funds in excess of the requirements of the Refunding Bonds that may be produced by certain fixed tax levies to be made in the years 1937 to 1976, inclusive, all as more particularly prescribed by Ordinance No. 269, entitled "An Ordinance Authorizing a Readjustment and Refunding of the Outstanding Indebtedness of The City of Coral Gables by the Issuance of Refunding Bonds and Tax Participation Certificates", adopted by The City Commission on the 23rd day of December, 1936.

566 votes were cast FOR the proposal; 179 votes were cast AGAINST the proposal;

4. That two ballots were thrown out and not counted on account of being marked on the wrong side or otherwise defaced, spoiled and disqualified.

SECTION 2. That this Commission finds the election to have been fairly held according to the provisions of law, and that said returns of the Inspectors and Clerk are found to be correct.

SECTION 3. That the City Commission further certifies and declares that said proposal for settling and refunding the



indebtedness of the City, pursuant to Ordinance No. 269, was duly voted upon and ratified by a majority of the qualified voters voting at said special election.

SECTION 4. BE IT FURTHER RESOLVED:

That the returns of said Inspectors and Clerk be spread in full upon the minutes of this meeting of this Commission and the original thereof delivered to the City Clerk as ex-officio Supervisor of Registration, and by him filed among his records.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner McGarry.

The resolution was adopted by the following roll call:

"Yes" -- Commissioners Avery  
Garris  
McGarry  
Kinahart  
and  
Mayor Brunstetter

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON FEBRUARY 2, 1937

The Commission of the City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, February 2, 1937.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris and Rinehart present; Commissioner McGarry absent from the City.

The minutes of the meetings of January 19 and 27, 1937 were read, corrected and approved.

Mr. Lavine of the Dade Pharmacy appeared before the Commission in regard to street lighting at the corner of Ponce de Leon Boulevard and Coral Way, and in regard to the parking situation at that point. Both questions were referred to the City Manager.

The Commission appointed 7:30 o'clock p.m. on Tuesday, February 9th, 1937 for a conference on the proposed zoning ordinance.

RESOLUTION NO. 1649-A

A RESOLUTION AUTHORIZING ADJUSTMENT OF PAVING LIENS FOR DISTRICT NUMBER H-1 FOR A PERIOD OF NINETY DAYS, AND ORDERING PUBLICATION OF NOTICE OF SUCH ADJUSTMENT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

Section 1. That for a period of ninety days from Friday, February 5, 1937, the Director of Finance be and he is hereby authorized to adjust and compromise paving assessment liens for Highway District No. H-1, covering paving on Southwest Eighth Street, for amounts equal to twenty (20%) per cent of the balance of principal and accrued interest to date of settlement on any such liens.

Section 2. That the Director of Finance be and he hereby is directed to cause to be published a notice of such adjustment authority, and of the expiration date of the period for such adjustment, such notice to appear in the Miami Riviera issue of February 5, 1937.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Garris. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
Rinehart

and  
Mayor Brunstetter

Absent - Commissioner McGarry



A communication was received from L. D. Breckenridge, stating that the Circuit Court had held void tax certificates on territory west of Red Road, even in the hands of a third party, and requesting that the City refund in cash or in an equivalent amount of tax sale certificates on property still in Coral Gables, certain certificates held by his clients in that excluded area. The Commission took the matter under advisement for later discussion and action.

## RESOLUTION NO. 1649-C

A RESOLUTION AUTHORIZING THE SIGNING OF CHECKS AND DRAFTS ON BEHALF OF THE CITY OF CORAL GABLES.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That the Treasurer of the City of Coral Gables be and he is hereby authorized, instructed and directed to open and keep bank accounts with banks furnishing adequate guarantees of security in conformity with the provisions of the City Charter and paying satisfactory interest on deposits, in the name and for the use of the City of Coral Gables and to deposit in such banks to the credit of said City from time to time moneys and checks and until otherwise ordered such banks be and hereby are authorized to make payments from the funds of said City on deposit with them, upon and according to the check of the City of Coral Gables, signed by G. N. Shaw, City Treasurer, and countersigned by E. M. Williams, City Manager. And the said G. N. Shaw as City Treasurer and E. M. Williams as City Manager, are authorized to sign, endorse, accept, make, execute, and deliver any and all checks and drafts on behalf of said City of Coral Gables.

was introduced and read.

Motion for adoption by Commissioner Rinehart. Seconded by Commissioner Garris. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
Rinehart

and  
Mayor Brunstetter

Absent - Commissioner McGarry

## RESOLUTION NO. 1650

A RESOLUTION DESIGNATING THE MIAMI RIVIERA TO PUBLISH THE ADVERTISEMENT OF SALE OF DELINQUENT TAXES FOR THE YEAR 1936.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Miami Riviera Publishing Company be and it is hereby designated and appointed to publish the advertisement of sale of delinquent



taxes for the year 1936, and the Tax Collector be and he is hereby authorized and directed to prepare such advertisement at the proper time and arrange the publication in said Miami Riviera.

was introduced and read.

Motion for adoption by Commissioner Garris; seconded by Commissioner Avery; the Resolution was adopted by unanimous vote.

The City Clerk reported to the Commission bias for furnishing gasoline to the City of Coral Gables for the ensuing three months period. The bid from Sam's Service Station being low, the Commission expressed the unanimous desire that that company be given the business.

A communication was received from Irving J. Thomas offering to deed to the City for park purposes, Lots 1 to 21, inclusive, of Block 1 and all of Block 3 of Golden Gate, in exchange for cancellation of all outstanding City taxes on other properties owned by Irving J. Thomas in that subdivision. The Clerk reported that the approximate adjusted value of the taxes on said other property to be cancelled as remuneration to Mr. Thomas is \$906.21. Motion by Commissioner Garris that the proposition by Mr. Thomas be accepted, subject to verification of the figures by the City Clerk, and that a resolution formally authorizing the matter be brought before the Commission at the earliest possible meeting; seconded by Commissioner Rinehart. The motion was adopted by unanimous vote.

RESOLUTION NO. 1651

A RESOLUTION APPROPRIATING AN ADDITIONAL SUM OF TWENTY-FIVE (\$25.00) DOLLARS TO THE FISHING TOURNAMENT.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of Twenty-five (\$25.00) Dollars be and it is hereby appropriated from the Contingent Fund, in addition to the Seventy-five (\$75.00) Dollars previously appropriated by Resolution No. 1636B, adopted January 5, 1937, and that the Director of Publicity be and he is hereby authorized to use such portion of the One Hundred (\$100.00) Dollars as is desirable for a trophy, and to arrange for the transmission of the balance of the One Hundred (\$100.00) Dollars appropriation in cash to the fishing tournament committee to assist in defraying the expenses of the tournament.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Garris. The resolution was adopted by the following roll call:



"Yes" - Commissioners Avery  
Garris  
Rinehart  
and  
Mayor Brunstetter

Absent - Commissioner McGarry

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw





MINUTES OF MEETING OF THE COMMISSION  
OF THE CITY OF CORAL GABLES  
ON FEBRUARY 11, 1937

Pursuant to call of special meeting by Mayor Brunstetter, and unanimous consent of the Commissioners, the Commission of the City of Coral Gables, following a conference convened at 7:30 o'clock p.m., convened in special session at the City Hall at ten o'clock p.m. on Thursday, February 11, 1937.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart, present.

RESOLUTION NO. 1652

A RESOLUTION WAIVING NOTICE OF SPECIAL MEETING AND GRANTING CONSENT TO ANY SPECIAL BUSINESS.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That call of special meeting by written notice under the provisions of the City Charter be, and the same is hereby waived; and,

BE IT FURTHER RESOLVED: That the Commission consent to any business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The Resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

RESOLUTION NO. 1653

A RESOLUTION REQUIRING THAT ADJUSTMENT OF DELINQUENT TAXES BE MADE AVAILABLE ONLY TO OWNERS OF TITLE OR AN INTEREST IN TITLE TO THE LOTS OR LANDS INVOLVED; FIXING THE BASIS UPON WHICH ADJUSTMENTS ARE TO BE MADE FOR THE ACCOUNT OF SUCH OWNERS; AND REQUIRING THAT ALL REDEMPTIONS AND PURCHASES BY OTHERS BE AT FULL VALUE PLUS STATUTORY INTEREST.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

1. That the Tax Collector be and he is hereby instructed to discontinue all adjustment and discount of delinquent taxes and tax sale certificates except to the owners of title or an interest



in the title to the property.

2. That the Tax Collector be and he is hereby authorized and instructed to accept from the owners of the title or an interest in the title to lands in Coral Gables in full settlement for the taxes for 1934 and any prior year a sum equal to the product of the 1936 valuation of the property, adjusted to the basis of assessment of the year for which levied, multiplied by the millage of the year for which levied, plus interest and penalties at the statutory rates from date of tax sale to date of settlement and redemption.

3. That all persons other than the owner of title or an interest in the title to the lands involved shall be required to pay, for wither redemption or assignment of delinquent taxes or tax sale certificates, the full value of such delinquent taxes or tax sale certificates plus interest at the statutory rates from date of tax sale to date of redemption or assignment.

4. That this resolution shall become effective immediately upon its adoption and approval.

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Avery.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

RESOLUTION NO. 1654

A RESOLUTION DIRECTING THE CITY ATTORNEY TO INSTITUTE A SUIT FOR THE PURPOSE OF VALIDATING THE REFUNDING BONDS AND TAX PARTICIPATION CERTIFICATES AUTHORIZED UNDER ORDINANCE NO. 269.

WHEREAS, The City of Coral Gables has, by Ordinance No. 269, authorized a compromise and adjustment of the outstanding bonded and floating indebtedness and authorized, for the purpose of consummating said compromise and adjustment, the issuance of Refunding Bonds in the amount of \$4,194,500, forty year coupon bonds, and Tax Participation Certificates for the difference between the amount of the Refunding Bonds and the total amount of outstanding indebtedness, bonded and floating; and

WHEREAS, at an election held on January 25th, 1937, the qualified freeholder electors of the City approved the issuance of said securities,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES,

That the City Attorney be, and he hereby is, directed to institute and carry to a conclusion the necessary proceedings under the laws of the State of Florida for the validation of said proposed Refunding Bonds and Tax Participation Certificates.



was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.



APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter

ATTEST:

*G. N. Shaw*  
CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF CITY COMMISSION  
ON FEBRUARY 16, 1937

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5:10 o'clock p.m. on Tuesday, February 16, 1937.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris, McGarry and Rinehart present.

The minutes of the meetings of February 2nd and 11th, 1937, were read, corrected and approved.

AN ORDINANCE TO REGULATE AND RESTRICT THE ERECTION, RECONSTRUCTION, ALTERATION, LOCATION, AND USE OF BUILDINGS, STRUCTURES, WATER AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES; TO REGULATE AND RESTRICT THE SIZE OF BUILDINGS AND OTHER STRUCTURES HEREAFTER ERECTED OR ALTERED; THE SIZE AND DIMENSIONS OF YARDS, COURTS AND OTHER OPEN SPACES SURROUNDING BUILDINGS; TO REGULATE AND RESTRICT BUILDING LINES AND THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE INTENSITY OF USE OF LOT AREAS AND THE DENSITY OF POPULATION; AND FOR SAID PURPOSES TO DIVIDE THE CITY OF CORAL GABLES INTO DISTRICTS OF SUCH NUMBER, SHAPE AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS; AND FOR EACH SUCH DISTRICTS TO IMPOSE REGULATIONS AND RESTRICTIONS DESIGNATING THE KINDS OR CLASSES OF TRADES, INDUSTRIES, RESIDENCE OR OTHER PURPOSES FOR WHICH BUILDINGS OR OTHER STRUCTURES OR PREMISES MAY BE PERMITTED TO BE ERECTED, ALTERED OR USED; TO PROVIDE A METHOD FOR AMENDMENT, SUPPLEMENT, CHANGE, MODIFICATION OR REPEAL OF REGULATIONS, RESTRICTIONS AND BOUNDARIES; FOR CREATING THE OFFICES OF SUPERVISING ARCHITECT AND ASSOCIATE SUPERVISING ARCHITECT AND STRUCTURAL ENGINEER AND DEFINING THE DUTIES THEREOF; PROVIDING FOR ADDITIONAL BUILDING PERMIT FEES AND FOR COMPENSATION TO THE SUPERVISING AND ASSOCIATE SUPERVISING ARCHITECT AND STRUCTURAL ENGINEER; FOR CREATING A ZONING BOARD OF APPEALS AND DEFINING THE DUTIES AND POWERS THEREOF; FOR PRESERVING PROPERTY VALUES, AND PROMOTING THE GENERAL PROSPERITY THROUGH THE APPROPRIATE USE OF LAND AND BUILDINGS AND MAINTENANCE OF A HIGH STANDARD OF SYMMETRICAL ARCHITECTURAL DESIGN AND CONSTRUCTION; AND PRESCRIBING METHODS FOR ENFORCEMENT OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

which had been read at the meeting of October 20, 1936, was read again in full.

Motion that the ordinance be adopted by Commissioner Rinehart; seconded by Commissioner Garris. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery  
Garris  
McGarry  
Rinehart

and  
Mayor Brunstetter

Mayor Brunstetter then declared the Ordinance adopted and approved, and ordered its publication as No. 271.



AN ORDINANCE PROHIBITING  
ELECTRICAL INTERFERENCE WITH  
RADIO RECEPTION AND PROVIDING  
FOR THE PUNISHMENT FOR THE  
VIOLATION THEREOF.

was introduced and read.

Motion by Commissioner Garris that the requirement for reading on two separate days be waived, and the the Ordinance be placed on second reading at once; seconded by Commissioner McGarry. The motion was adopted by the following roll call:

- "Yes" - Commissioners Avery
- Garris
- McGarry
- Rinehart
- and
- Mayor Brunstetter

Whereupon the ordinance was read again in full.

Motion for adoption of the ordinance by Commissioner Garris; seconded by Commissioner McGarry. The ordinance was adopted by the following roll call:

- "Yes" - Commissioners Avery
- Garris
- McGarry
- Rinehart
- and
- Mayor Brunstetter

Mayor Brunstetter then declared the ordinance adopted and approved, and ordered its publication as No. 272.

RESOLUTION NO. 1655

A RESOLUTION AUTHORIZING THE ISSUANCE  
OF DUPLICATE TAX SALE CERTIFICATES TO  
TRICO INVESTMENT CORPORATION.

WHEREAS, Trico Investment Corporation on January 14, 1930 paid to The City of Coral Gables in full for certain delinquent taxes on lots in McFarlane Homestead Subdivision, and the said tax sale certificates were delivered by the Tax Collector to Trico Investment Corporation for presentation and surrender to the Clerk of the Circuit Court for cancellation; and,

WHEREAS, such surrender to the Clerk of the Circuit Court was not made, and the certificates can not now be located in the files of the Trico Investment Corporation; and,

WHEREAS, the Clerk of the Circuit Court will not cancel the record of delinquency unless said certificates, or duplicates thereof, are surrendered; and,

WHEREAS, the Trico Investment Corporation has filed with the City Clerk an affidavit covering the loss of said certificates, and a bond to indemnify the City in the event that the original certificates should reappear and be made the basis of a claim,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Tax Collector be and he is hereby



authorized to prepare and deliver to Trico Investment Corporation duplicates of the Tax Sale Certificates sold October 7, 1929, for taxes of the year 1928, on the following lots:

Block 1-A, McFarlane Homestead: Lots 8 to 11, inclusive.  
 Block 3-A, McFarlane Homestead: Lot 23  
 Block 1-B, McFarlane Homestead: Lots 1, 8, 11, 13 to 21, inclusive, and Lot 26  
 Block 2-B, McFarlane Homestead: Lots 8 to 16, inclusive.  
 Block 3-B, McFarlane Homestead: Lots 1 to 3, inclusive, and Lots 6 to 8, inclusive.

was introduced and read.

Motion for adoption of the resolution by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1656

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEED TO A PORTION OF BLOCK 36-A, RIVIERA SECTION, TO THE COUNTY OF DADE FOR STREET PURPOSES.

WHEREAS, the officials of Dade County desire to decrease the sharpness of the curve in University Concourse (Miami-Homestead Highway) just east of the bridge over the Coral Gables Waterway, and the City Commission approves this proposal to eliminate a dangerous condition in the road at that point; and,

WHEREAS, The City of Coral Gables owns that portion of Block 36-A, Riviera Section, which would be necessary to the proposed change in the right-of-way; and,

WHEREAS, the County Engineer has requested the City to deed to the County of Dade a sufficient portion of said Block 36-A to enable the County to proceed with the straightening and paving of the Highway,

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the City Manager and the City Clerk be and they are hereby authorized to execute a deed to the County of Dade, for street purposes, covering that portion of the westerly end of Block 36-A, Riviera Section, required by the County for roadway purposes.

was introduced and read.

Motion for adoption of the resolution by Commissioner Garris; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery  
 Garris  
 McGarry  
 Rinehart

and  
 Mayor Brunstetter



## RESOLUTION NO. 1657

A RESOLUTION AUTHORIZING THE  
EXECUTION OF A CERTAIN AGREEMENT  
BETWEEN THE CITY OF CORAL GABLES  
AND THE CORAL GABLES BONDHOLDERS  
PROTECTIVE COMMITTEE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY  
OF CORAL GABLES, FLORIDA:

That the Mayor and the City Clerk be and they are hereby authorized and directed to execute and deliver, as of the 3rd day of February, 1937, a contract and agreement between the City of Coral Gables and the City of Coral Gables, Florida, Bondholders' Protective Committee in words and figures as follows:

THIS AGREEMENT made the third day of February, 1937, between The City of Coral Gables, Florida (hereinafter called the "City") and Edwin H. Barker, Prentiss de V. Ross and Sanders Shanks, Jr. (hereinafter called the "Committee") as and constituting the City of Coral Gables, Florida, Bondholders' Protective Committee organized and existing under than certain Deposit Agreement dated January 22, 1931, as amended:

WHEREAS, the City is indebted in the manner and amounts as more particularly appears from Ordinance No. 269 adopted by the City Commission the 23rd day of December, 1936, and the Committee by virtue of the aforesaid Deposit Agreement is authorized by the depositors of bonds thereunder to negotiate with the City for the purpose of determining upon a plan for refinancing the City's outstanding indebtedness subject to the approval or rejection thereof by such depositors;

NOW, THEREFORE, it is agreed between the City and the Committee that the bonds and interest claims deposited with the Committee will be readjusted and refunded in accordance with the terms and provisions set forth in Ordinance No. 269, entitled "AN ORDINANCE AUTHORIZING A READJUSTMENT AND REFUNDING OF THE OUTSTANDING INDEBTEDNESS OF THE CITY OF CORAL GABLES BY THE ISSUANCE OF REFUNDING BONDS AND TAX PARTICIPATION CERTIFICATES", adopted by the City Commission on the 23rd day of December, 1936, upon the Committee obtaining from its depositors their approval of the terms and provisions of readjustment and refinancing embodied in said ordinance and this agreement, subject to the following conditions:

1. The readjustment and refunding provided for by said ordinance shall be consummated at such time as may be mutually agreed upon by the City and the Committee. Neither the City nor the Committee will be obligated to readjust or refund the bonds and interest claims deposited with the Committee unless and until each determines to its own satisfaction and in its own discretion that a sufficient amount of the outstanding indebtedness of the City is obligated to be readjusted and refunded under said ordinance in order to assure the success of the proposed readjustment and refunding. The Committee will notify the City of its desire to consummate the readjustment and refunding immediately upon its determination that the best interests of its depositors will be served by effecting an immediate readjustment and refunding of bonds and interest claims thereunder, and the City will notify the Committee of its desire to consummate the readjustment and refunding immediately upon its determination that the best interests of its citizens and tax payers will be served by effecting



an immediate readjustment and refunding.

2. The Refunding Bonds and Tax Participation Certificates provided for by said ordinance shall first be validated by decree of the Circuit Court of the 11th Judicial Circuit of the State of Florida and said validating decree shall be affirmed by the Supreme Court of the State of Florida. Notwithstanding the provisions of Section 23 of said Ordinance, the validity of each and every covenant and provision contained in said ordinance shall be sustained by said validating decree and decision of said Supreme Court, unless otherwise agreed by the Committee. The form and contents of such validating decree and affirmance by the Supreme Court of the State of Florida shall be satisfactory to counsel for the Committee, and the validity and enforceability of such Refunding Bonds and Tax Participation Certificates shall first be approved by counsel for the Committee.

3. Prior to the delivery of said Refunding Bonds or Tax Participation Certificates no legislation will be enacted which, in the opinion of counsel for the Committee, would in any way impair or modify the obligation of the City on the Refunding Bonds and its undertakings with respect to the Tax Participation Certificates or the covenants contained in the ordinance authorizing their issuance.

Pending the preparation and exchange of the Refunding Bonds and Tax Participation Certificates authorized by said ordinance, the City will levy the taxes in the amounts and at the times required by such ordinance and comply therewith in all other respects in the same manner and to the same extent as if the outstanding indebtedness were actually the Refunding Bonds and Tax Participation Certificates proposed to be exchanged therefor. Pending the preparation and exchange of the Refunding Bonds and Tax Participation Certificates authorized by the aforesaid ordinance, the City will pay to the Committee interest accruing from January 1, 1937, at the rates prescribed by the aforesaid ordinance for the Refunding Bonds authorized thereby on fifty per cent of the principal amount of outstanding indebtedness held by the Committee. Such payments of interest will be made on the interest payment dates provided by said ordinance for the Refunding Bonds, upon surrender of outstanding interest coupons evidencing the accrual of interest on the outstanding indebtedness during the period of time covered by such interest payments or in the case of past due bonds having no interest coupons covering such period of time, upon presentation of such bonds for endorsement thereon of a notation of such payment. The Committee will accept payment made upon such basis in complete satisfaction and discharge of the interest coupons of claims thereby paid.

Upon delivery of the Refunding Bonds in exchange for the principal indebtedness to be refunded thereby, the interest coupons attached to said Refunding Bonds shall be adjusted to reflect any payments which may hereafter be made on account of interest accruing on 50% of the outstanding principal indebtedness held by the Committee during the period from January 1, 1937 to date of exchange, at the rates prescribed by the aforesaid ordinance; provided, however, that if, at the time of exchange, said interest payments theretofore so made do not equal the amount evidenced by any past due coupons that may then be attached to said Refunding Bonds, the City agrees to pay the difference in cash so that all past due interest coupons may be detached and cancelled.

Upon the delivery of any of the Refunding Bonds or Tax Participation Certificates in exchange for the outstanding indebtedness, the City will cancel all its outstanding bonds to be refunded hereunder which may be held by it in any sinking fund or in any capacity other than a trust capacity.

The City will pay all costs and expenses incurred by it incident to the issuance and validation of the Refunding Bonds and Tax Participation Certificates and in the event the City should default in any of the terms



of the aforesaid ordinance which are to be operative pending the consummation of the readjustment and refunding or in the event the City should make payments to its creditors, other than the Committee, at rates or in amounts in excess of the payments contemplated by the terms of the aforesaid ordinance and this agreement to be made to the Committee, the Committee shall be at liberty to withdraw from this agreement.

This agreement shall not impose any individual or partnership liability upon any member of the Committee, it being intended that the covenants and agreements made herein by the members of the Committee are made solely in a representative capacity under the terms of the Deposit Agreement of January 22, 1931, and amendments thereto, and as such will be binding upon the successor or successors of the present members of the Committee and their survivors.

This agreement shall expire on the 1st day of August, 1937 unless extended in writing by the parties hereto for a longer period and nothing in this Agreement shall be construed to prevent either party hereto from preserving and enforcing any legal rights not inconsistent with the provisions of this Agreement or the aforesaid Ordinance.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

THE CITY OF CORAL GABLES, FLORIDA

BY \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk and Director of Finance

CITY OF CORAL GABLES, FLORIDA  
BONDHOLDERS' PROTECTIVE COMMITTEE

BY \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Committee Secretary

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes"- Commissioners Avery  
Garris  
McGarry  
Rinehart  
and  
Mayor Brunstetter

RESOLUTION NO. 1658

A RESOLUTION APPROPRIATING THE SUM OF FIVE THOUSAND DOLLARS FROM DEBT SERVICE MONEYS FOR THE PURPOSE OF MEETING CERTAIN EXPENSES OF THE NEGOTIATIONS FOR SETTLEMENT OF THE CITY'S DEBT.

BE IT RESOLVED BY THE COMMISSION OF THE  
CITY OF CORAL GABLES, FLORIDA:



That the sum of Five Thousand (\$5,000) Dollars be and the same is hereby appropriated from debt service moneys on hand or to be collected, for the purpose of providing Carl L.V. Exselsen with a fund from which to pay necessary expenses of the negotiations for settlement of the City's debts, and the Director of Finance be and he is hereby authorized to provide said sum to Carl L. V. Exselsen and to accept his later accounting for the disbursements thereof,

was introduced and read.

Motion for adoption of the resolution by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by the following roll call:

- "Yes" - Commissioners Avery
- Garris
- McGarry
- Rinehart
- and
- Mayor Brunstetter

There being no further business, on motion duly seconded and unanimously carried the meeting was adjourned.

APPROVED:

*Roscoe Brunstetter*

MAYOR  
Roscoe Brunstetter



ATTEST:

*G. N. Shaw*

CITY CLERK  
G. N. Shaw



That the sum of five thousand (\$5,000) dollars be and the same is hereby appropriated for the purpose of providing for the necessary expenses of the Department of Finance in and to be hereby authorized to provide said sum to the Director of Finance and to accept his check accounting for the same.

and returned and read.

Written for adoption of the resolution by Commissioner Richard; second by Commissioner Henry. The resolution was adopted by the following roll call:

- \*Yes - Commissioners Henry
- Gardner
- Hobbs
- Richard
- and
- Hunt

There being no further business, on motion duly seconded and unanimously carried the meeting was adjourned.



W. M. ...







