

MINUTES OF MEETING OF CITY COMMISSION
ON MARCH 2, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:20 o'clock p.m. on Tuesday, March 2, 1937.

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

The minutes of the meeting of February 16, 1937 were read and approved.

A communication from the Ponce de Leon High School in regard to garbage service fees was referred to City Manager Williams with power to act.

Commissioner McGarry joined the meeting at 5:30 o'clock p.m.

A communication from the Naval Academy Alumni Association soliciting advertisement in the Register of Graduates of the U.S. Naval Academy was referred to the Director of Publicity.

A communication was received from Charles E. Starr of the Consumers Gas and Fuel Company, applying for a franchise to construct, maintain and operate a gas plant to supply and furnish gas to the inhabitants of the City of Coral Gables, and submitting a proposed form of Ordinance to approve the franchise and submit it to referendum. The matter was taken under advisement by the Commission.

Statements of rate base and earned return for the year ending December 31, 1936 were received from the Florida Power & Light Company and the Consumers Water Company.

RESOLUTION NO. 1659

A RESOLUTION APPROPRIATING THE SUM OF ONE THOUSAND, FIVE HUNDRED DOLLARS FOR NEW TAX RECORDS.

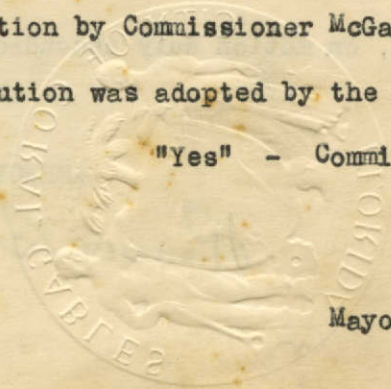
BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the sum of One Thousand, Five Hundred (\$1,500.00) Dollars be and the same is hereby appropriated from the Contingent Fund to the accounts of the Finance Department, for the purpose of defraying the expense of setting up new and comprehensive records of delinquent taxes.

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. 1660

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE FOR THE ACQUISITION OF LOTS FOR THE CITY NURSERY ON CERTAIN TERMS.

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 the purchase of lots needed for the City Nursery at a cost not to exceed One Hundred (\$100.00) Dollars per lot, plus the refund of the cost of redeeming said lots from the City's application for tax deed.

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. 1661

A RESOLUTION APPROPRIATING THE SUM OF THREE THOUSAND DOLLARS TO THE UNIVERSITY OF MIAMI.

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

That the sum of Three Thousand (\$3,000.00) Dollars be and the same is hereby appropriated from the Contingent Fund to the appropriation for the University of Miami; and the Director of Finance be and he is hereby authorized to advance said sum to the University of Miami, to be repaid by the University out of funds to be received during March, 1937.

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
McGarry
Rinehart
- and Mayor Brunstetter
- "No" - Commissioner Garris

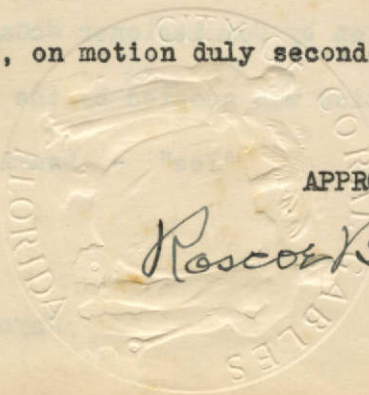
The matter of securing lots necessary in conjunction with the storm sewer pumping station was deferred until the return to the City of City Attorney Morton B. Adams, and was referred to him.

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

ATTEST:

G. N. Shaw
CITY CLERK

3/2/37



APPROVED:

Roscoe Brunstetter
MAYOR
Roscoe Brunstetter

MINUTES OF MEETING OF CITY COMMISSION
ON MARCH 16, 1937

The Commission of the City of Coral Gables convened in regular session at the City Hall at 4:35 o'clock P.M. on Tuesday, March 16, 1937.

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

The minutes of the meeting of March 2, 1937 were read and approved.

Communications were received from W.D. Fuller and Karl Schmitz, requesting certain amendments to provisions in the Zoning Ordinance. The Commission decided to defer action upon these matters until they could be referred to the Zoning Board of Appeals, which is shortly to be set up.

Mr. Kohler appeared before the Commission appealing for Homestead Exemption allowance for the year 1936. The Commission decided to withhold any action upon the matter until a full Commission could be present, and until the Tax Assessor could be heard as to his reason for denying the Exemption.

An appeal by Cyrus H. K. Wicker for assistance, in the form of consideration on annual taxes in opening an Architects' display and sample room at the corner of Ponce de Leon Boulevard and Almeria was denied on the grounds that the proposed business does not conform to the requirements of Section 7-mn of the City Charter, giving the Commission power to adjust or remit taxes to encourage the establishment of industrial plants or health institutions.

The Clerk reported a suggestion from Coral Gables, Incorporated that the City foreclose the taxes on the canal beds and the undredged canal banks, and also the several parks abutting Block 257, Riviera Section. The Commission unanimously agreed that such foreclosure should be undertaken at the earliest possible moment, in order to make such lands available to the owners of abutting lots, and authorized the City Clerk to proceed with plans and negotiate for such a foreclosure suit.

E. P. Owen, Jr., Secretary of the Florida League of Municipalities, and W. M. Madison, Counsel for that organization, appeared before the Commission in regard to the Legislative program of the League. Mr. Owen requested that the City of Coral Gables assist in the program by an appropriation of Five Hundred Dollars (\$500). The Commissioners assured Mr. Owen that the City approved the program and that it will render whatever assistance is possible, in view of its present financial condition.

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 MARCH 26, 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 5:40 o'clock P.M. on Friday, March 26, 1937.

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

RESOLUTION NO. 1662

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 Mc Garry. The resolution was adopted by the following roll call:

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

Mayor Brunstetter then submitted to the Commission the following appointments to the Zoning Board of Appeals: J. Allen Brown; Frank E. Bryant; Upton C. Ewing; Rodney Miller and A. O. Remuart. Commissioner Rinehart moved that the appointments be approved and confirmed; seconded by Commissioner Avery. The motion was carried by unanimous vote.

The following ordinance,

AN ORDINANCE AUTHORIZING THE ZONING BOARD OF APPEALS TO HOLD ITS FIRST MEETING AND TO CONSIDER BUSINESS PRESENTED AT THAT MEETING WITHOUT ANY NOTICES AND SUSPENDING FOR THE FIRST MEETING ALONE THE PROVISIONS OF SECTION 25 OF ORDINANCE NO. 271, BEING AN ORDINANCE TO REGULATE AND RESTRICT THE ERECTION, RECONSTRUCTION, ALTERATION, LOCATION, AND USE OF BUILDINGS, STRUCTURES, ETC., INsofar AS SAID SECTION CONFLICTS WITH THIS ORDINANCE.

was read by title 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 Rinehart. The motion was adopted by the following roll call:

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

Thereupon the ordinance was read again in full.

Motion by Commissioner Garris that the ordinance be adopted; 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. 273.

The following ordinance,

AN ORDINANCE ABANDONING THE
EASEMENT FOR HIGHWAY PURPOSES ON
CERTAIN STRIPS OF LAND SURROUNDING
BLOCK 57, COUNTRY CLUB SECTION
PART 4, AS ORIGINALLY PLATTED IN
PLAT BOOK 10, PAGE 57.

was read by title 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 Rinehart. The motion was adopted by the following roll call:

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

Thereupon the ordinance was read again in full.

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

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

Thereupon, Mayor Brunstetter declared the ordinance adopted and approved, and ordered its publication as No. 274.

RESOLUTION NO. 1663

A RESOLUTION APPROPRIATING THE SUM OF TWENTY FIVE DOLLARS FOR CERTAIN ADVERTISING.

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

That the sum of Twenty-five (\$25.00) Dollars be and the same is hereby appropriated and transferred from the Contingent Fund to the appropriation of the Department of Public Safety, for the purpose of subscribing to the Safe Driving Campaign advertisement in the Miami Riviera.

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
- Rinehart
- and
- Mayor Brunstetter

RESOLUTION NO. 1664

A RESOLUTION APPROPRIATING THE SUM OF EIGHTY DOLLARS FOR CERTAIN ADVERTISING

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

That the sum of Eighty (\$80.00) Dollars be and the same is hereby appropriated and transferred from the Contingent Fund to the appropriation for miscellaneous publicity, for the purpose of paying the City's share in the Coral Gables section of the Miami Herald on March 16, 1937, said sum to be paid to the Coral Gables Chamber of Commerce.

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

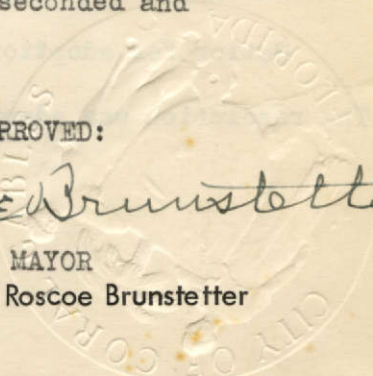
There bring no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

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

APPROVED:

Roscoe Brunstetter
 MAYOR
 Roscoe Brunstetter



MINUTES OF MEETING OF THE CITY COMMISSION
ON APRIL 6, 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, April 6, 1937.

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

The minutes of the meetings of March 16 and 26, 1937 were read and approved.

Mr. Dyer, of the law firm of Batchelor and Dyer, appeared before the Commission in regard to the Summerfield claim, arising out of an accident between a City bus and a private vehicle. Mr. Dyer stated that the damages to the automobile approximated \$1750, and made certain adjustment offers to the Commission. After discussing the matter, the Commission advised Mr. Dyer that it would be willing to settle the claim for \$425 cash. Mr. Dyer stated that he would refer the proposal to his client and advise the Commission of their wishes in the matter.

Correspondence from John A. Bouvier, Jr. in regard to the apartment building started by F. H. Zimmerman on Lot 8, Block 1, Biltmore Section, in violation of certain of the provisions of the Zoning Ordinance, and later abandoned, was discussed by the Commission and referred to the City Attorney for investigation and report.

RESOLUTION NO. 1665

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED FIFTY DOLLARS TO THE FLORIDA LEAGUE OF MUNICIPALITIES.

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 to the appropriation of the Florida League of Municipalities, for the purpose of assisting in the League's legislative program for the perfection and betterment of cities' conditions.

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

The Commission again discussed the matter of placing the employees' fidelity bond, which must be replaced or renewed on April 15. It was moved, seconded and unanimously carried that this bond be continued with the same Company which has been carrying it, but that new insurance should be given to other Coral Gables companies.

The question of the easement for the pumping station, and the advisability of securing title to the site and the surrounding lots was again discussed, and was referred to the City Attorney for report on the question of whether the City's easement is still in force and effect.

City Manager Williams brought up the matter of adjustment of H-1 improvement liens, citing certain cases in which the 20% adjustment authorized by the Commission, when considered in combination with the City and State and County delinquent taxes, creates an influence against the sale and use of Tamiami Trail properties. On motion duly seconded and unanimously carried, the matter was again referred to the Committee, consisting of Mr. McGarry, Mr. Adams and Mr. Shaw, with instructions to reconsider the matter, and to determine from the County whether or not the note for the Tamiami Trail paving could be cancelled, thus permitting a cancellation of a greater portion of the liens by adjustment.

RESOLUTION NO. 1666

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO REFUND A CERTAIN PAYMENT ON ASSESSMENT LIENS.

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 refund the amount of Twenty-One Dollars and seventeen cents (\$21.17) paid as adjusted amount of assessment liens on Lot 4, Block 35, Country Club Section #2, without reinstating the City's right to reassess the at present invalidated liens against said lot.

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. 1667

A RESOLUTION AUTHORIZING THE REPURCHASE OF TAX SALE CERTIFICATES ON PROPERTY WEST OF RED ROAD.

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 repurchase the City of Coral Gables tax sale certificates on lands lying west of Red Road, now outstanding and unpaid in the hands of purchasers, to the approximate principal amount of \$1,800, giving in repurchase and consideration therefor, credit to be used by said tax buyers immediately for the purchase of tax sale certificates on land in the present corporate limits of the City, upon the basis prescribed in Resolution No. 1527 of the City of 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" - Commissioners Avery
 McGarry
 Rinehart
 and
 Mayor Brunstetter
 "No" - Commissioner Garris

RESOLUTION NO. 1668

A RESOLUTION AUTHORIZING THE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATES ON LOTS 2 AND 3, BLOCK 50, COUNTRY CLUB SECTION #4.

WHEREAS, Rosalind Garfinkle has executed and filed with the Commission an affidavit and bond in connection with the loss of tax sale certificates dated October 7, 1929 on Lots 2 and 3, Block 50, Country Club Section #4, and has petitioned for the issuance of duplicate certificates thereon, and such affidavit and bond has been found to be in proper form and sufficient;

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 issue to Rosalind Garfinkle duplicates of certificates Nos. 2651 and 2652 of the sale of October 7, 1929 on Lots 2 and 3, Block 50, Country Club Section #4.

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

AN ORDINANCE GRANTING EXCEPTIONS
TO THE REQUIREMENTS OF ORDINANCE NO. 271
ADOPTED BY THE COMMISSION OF THE CITY
OF CORAL GABLES ON FEBRUARY 16, 1937,
KNOWN AS THE "ZONING ORDINANCE" OF THE
CITY OF CORAL GABLES.

was introduced and read by title.

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" - Commissioners Avery
Garris
McGarry
Rinehart
and
Mayor Brunstetter

Thereupon the ordinance was read again in full.

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

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

Thereupon Mayor Brunstetter declared the ordinance adopted and approved, and ordered its publication as No. 275.

AN ORDINANCE AMENDING ORDINANCE NO. 271
OF THE CITY OF CORAL GABLES ADOPTED
FEBRUARY 16, 1937, KNOWN AS THE
"ZONING ORDINANCE" OF THE CITY OF
CORAL GABLES.

was introduced and read by title.

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 Rinehart. The motion was adopted by the following roll call:

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

Thereupon the ordinance was read again in full.

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

"Yes" - Commissioners Avery
Garris
McGarry
Rinehart

and
Mayor Brunstetter

Thereupon Mayor Brunstetter declared the ordinance adopted and approved and ordered its publication as No. 276.



APPROVED:

Roscoe Brunstetter

MAYOR
Roscoe Brunstetter

ATTEST:

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

MINUTES OF SPECIAL MEETING OF
THE CITY COMMISSION
ON APRIL 15, 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 five o'clock P.M. on Thursday, April 15, 1937.

Mayor Brunstetter in the Chair; Commissioners Avery, Garris and Rinehart present; Commissioner McGarry absent from the City.

RESOLUTION NO. 1669

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 Garris.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
Garris
Rinehart

and

Mayor Brunstetter
Absent - Commissioner McGarry

RESOLUTION NO. 1670

A RESOLUTION APPROPRIATING THE SUM OF TWO THOUSAND, FIVE HUNDRED DOLLARS FOR VALIDATION SUIT EXPENSES.

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

That the sum of Two Thousand, Five Hundred Dollars (\$2,500.00) be and the same is hereby appropriated from debt service funds for the purpose of meeting necessary expenses in the suit to validate the refunding issue of January 1, 1937; and the Director of Finance be and he is hereby authorized to pay said sum to Morton B. Adams, City Attorney, to apply upon his fee in said suit.

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
Rinehart
and
Mayor Brunstetter
Absent - Commissioner McGarry

RESOLUTION NO. 1671

A RESOLUTION APPROPRIATING THE SUM OF SEVEN THOUSAND, FIVE HUNDRED DOLLARS FROM DEBT SERVICE FUNDS TO MEET NECESSARY REFUNDING EXPENSES.

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

1. That the sum of Seven Thousand, Five Hundred (\$7,500.00) Dollars be and the same is hereby appropriated from Debt Service funds for the purpose of meeting certain expenses of the refunding issue of January 1, 1937.

2. That the Director of Finance be and he is hereby authorized to pay said sum of Seven Thousand Five Hundred (\$7,500.00) Dollars to Carl L. V. Exselsen to apply upon amount to become due and payable to him upon the consummation of the refunding issue of January 1, 1937, and to take from Mr. Exselsen a note for that amount to June 30, 1937.

was introduced and read.

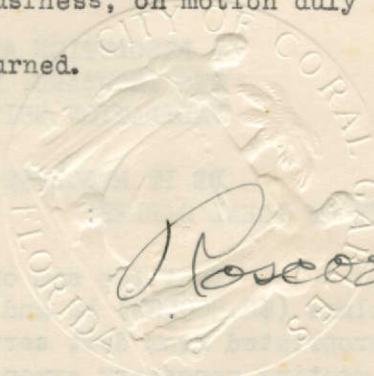
Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
Garris
Rinehart
and
Mayor Brunstetter
Absent - Commissioner McGarry

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

ATTEST:

C. N. Shaw
CITY CLERK
C. N. Shaw



APPROVED:

Roscoe Brunstetter

MAYOR
Roscoe Brunstetter

MINUTES OF MEETING OF CITY COMMISSION
ON APRIL 20, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:08 o'clock P.M. on Tuesday, April 20, 1937.

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

The minutes of the meeting of April 6 and 15, 1937 were read and approved.

Mrs. Tuckerman appeared in regard to street paving in Sunrise Point, requesting that the City assume a portion of the cost of paving streets in that subdivision. It was brought out that during the previous fiscal year the City had agreed to pay half the cost of such paving, but not to exceed \$1000 for the City's share. During the previous fiscal year \$700 of such paving was done, upon which the City paid \$350.00. The matter was referred to the City Manager, for investigation and recommendation.

Mr. John Sullivan and Mr. J. C. Popham appeared to request the City to require testing machine inspection of automobiles, offering to put in the necessary equipment at the Coral Gables Motor Company to handle the inspection, provided that the Coral Gables Motor Company be appointed as the official testing agency for the City. The matter was referred to the City Manager for investigation and report.

Dr. T. L. Fitzgibbons appeared on behalf of the Coral Gables Junior Chamber of Commerce, requesting the City's cooperation in that body's desire and effort to establish a diamond ball field on the City Park in Block 44, Douglas Section. On motion by Commissioner Rinehart, the City Manager was directed to meet with the Junior Chamber of Commerce to determine how the City can help in the movement, with instructions to give the movement any cooperation within his power.

RESOLUTION NO. 1672

APPROVING A PROPOSED SUPPLEMENTAL LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY PROVIDING FOR THE SUBSTITUTION IN THAT CERTAIN MUNICIPAL STREET LIGHTING AGREEMENT BETWEEN THE CITY AND SAID COMPANY DATED THE 14TH DAY OF AUGUST, 1928, OF NEW STREET LIGHTING RATE SCHEDULES FOR THE STREET LIGHTING RATE SCHEDULES NOW A PART OF SAID AGREEMENT AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH SUCH SUBSTITUTION SHALL BE MADE, AND PROVIDING FOR THE CANCELLATION AND TERMINATION OF THAT CERTAIN SUPPLEMENTARY STREET LIGHTING AGREEMENT BETWEEN THE CITY AND SAID COMPANY DATED JUNE 1, 1934, AND THAT CERTAIN SUPPLEMENTAL LETTER AGREEMENT BETWEEN THE CITY AND SAID COMPANY DATED JANUARY 19, 1937, AND

FURTHER PROVIDING FOR THE REARRANGMENT OF THE CITY'S STREET LIGHTING SERVICE BY REDUCING THE CANDLEPOWER OF ONE HUNDRED TWENTY (120) STREET LIGHTS AND RESTORING TO SERVICE SIXTY-FIVE (65) STREET LIGHTS, AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH SAID STREET LIGHTS SHALL BE REDUCED IN CANDLEPOWER AND RESTORED TO SERVICE; 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 AND 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 Supplemental Letter Agreement approved in Section 1 hereof and hereinafter set forth in form as follows:

March 25, 1937

City of Coral Gables
Coral Gables, Florida

Gentlemen:

This relates to that certain Municipal Street Lighting Agreement between us dated the 14th day of August, 1928, and to all Supplementary and Supplemental Agreements thereto, including that certain Supplementary Street Lighting Agreement dated the 1st day of June, 1934, and that certain Supplemental Letter Agreement dated January 19, 1937.

In view of the fact that we have made effective in the City of Coral Gables the attached new Street Lighting Rate Schedules, numbered S-1, S-2A and S-3A, we hereby agree, at your request, that as of the day of _____, 1937, the said new Street Lighting Rate Schedules shall be made a part of the said Municipal Street Lighting Agreement and substituted for the three Street Lighting Rate Schedules now a part of the said Municipal Street Lighting Agreement in the following manner:

Attached Schedule No. S-1 for Schedule 1,
Attached Schedule No. S-2A for Schedule 3,
Attached Schedule No. S-3A for Schedule 2.

It is understood and agreed that the said three substituted rate schedules shall be applicable to (a) all of the now existing street lighting installations or street lights in service at their existing candlepowers in the City of Coral Gables, including those street lights restored to service under the said Supplementary Street Lighting Agreement dated the 1st day of June, 1934, and including those street lights installed, restored to service, and increased in candlepower in accordance with the said Supplemental Letter Agreement dated January 19, 1937, all of which street lights shall be and are hereby continued in service at their existing candlepowers under the said Municipal Street Lighting Agreement and (b) any future street lights which may be installed in the City of Coral Gables.

It is understood and agreed that as of the _____ day of _____, 1937, the said Supplementary Street Lighting Agreement between us dated June 1, 1934, and the said Supplemental Letter Agreement between us, dated January 19, 1937, shall be cancelled and terminated.

In order to rearrange your street lighting service and to provide for the installation of additional street lights under the above substituted rate schedules without increasing your present net annual lighting bill under the above substituted rate schedules, we hereby agree, as of the _____ day of _____, 1937, to reduce the candlepower of 120 street lights, the location of which shall be designated by your City Manager in writing, said 120 street lights being more particularly described as to number, present candlepower, reduced candlepower, type, ownership and burning schedule on a schedule attached hereto, marked Exhibit "A" and made a part hereof, and thereafter we will serve the said 120 street lights under the said Municipal Street Lighting Agreement and said substituted rate schedules at their reduced candlepower, and further, we hereby agree as of the _____ day of _____, 1937, to restore to operation and thereafter serve under the said Municipal Street Lighting Agreement and said substituted rate schedules, 65 street lights, the location of which shall be designated by your City Manager in writing, a more particular description of said 65 street lights to be restored to service as to number, candlepower, type, ownership and burning schedule, is shown on Exhibit "B" attached hereto and made a part hereof.

It is understood and agreed that after the rearrangement of the street lighting system as hereinabove provided, there will be in operation 1177 street lights under the said Municipal Street Lighting Agreement for which 1177 street lights we will bill you and you will be required to pay us in accordance with the said Municipal Street Lighting Agreement and the said substituted rate schedules hereinabove made a part of the said Municipal Street Lighting Agreement, a more particular description of the said 1177 street lights as to number, candlepower, type, ownership and burning schedule is shown on Exhibit "C" attached hereto and made a part hereof.

It is further understood and agreed that, except as expressly provided herein, the said Municipal Street Lighting Agreement and Supplementary and Supplemental Agreements thereto not cancelled and terminated herein, 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.

Very truly yours,

FLORIDA POWER & LIGHT COMPANY

By _____
Vice President and General Manager

We agree to the foregoing.

CITY OF CORAL GABLES

By _____
City Manager

ATTEST:

City Clerk

Approved as to form this _____
day of _____, 1937

Attorney for City of Coral
Gables, Florida

Dated: _____ 1937

FLORIDA POWER & LIGHT COMPANY
Rate Schedule Number S-1
 Electric Service
 INCANDESCENT STREET LIGHTING
 WOOD POLE BRACKET TYPE FIXTURE
 Overhead System - Dusk to Dawn Service - Company Ownership

APPLICATION OF SCHEDULE:

Applicable to service for lighting of streets, avenues, alleys, parks and public places other than public buildings when Consumer contracts for the use of incandescent metallic filament lamps in overhead wood pole bracket type fixtures of a style satisfactory to and owned by Company, installed on poles of Company's distribution lines.

CHARACTER OF SERVICE:

Single phase, alternating current, approximately 60 cycles. Service will be furnished from Company's existing series or multiple street lighting system, as the case may be. Additional lamps will be supplies from either series or multiple street lighting system at Company's option.

Service includes installation, energy, maintenance, lamp renewals and patrol.

LIMITATION OF SERVICE:

Limited to the exclusive use of Consumer and shall not be resold or shared with others.

ANNUAL RATE PER LAMP:

<u>Series Lamps</u>			<u>Multiple Lamps</u>		
<u>Nominal Candle-</u> <u>power of Lamp</u>	<u>Dusk to Dawn</u> <u>Service</u>		<u>Nominal Wattage</u> <u>of Lamp</u>	<u>Dusk to Dawn</u> <u>Service</u>	
	<u>Net</u>	<u>Gross</u>		<u>Net</u>	<u>Gross</u>
60	\$16.30	\$18.11	50	\$16.30	\$18.11
80	17.40	19.33	60	17.40	19.33
100	18.50	20.56	75	18.90	21.00
250	27.00	30.00	100	21.60	24.00
400	34.50	38.33	150	26.90	29.89
600	44.90	49.89	200	32.20	35.78
1000	66.20	73.56	300	42.80	47.56
			500	64.00	71.11

NOMINAL RATING:

For the purpose of billing under this rate schedule, the Nominal Candlepower of series lamps is to be taken as the manufacturer's rating in lumens divided by 10, and the Nominal Wattage of multiple lamps is to be taken as the manufacturer's rating in watts.

PAYMENT:

Bills for one-twelfth of the Annual Rate will be rendered each month of each year of the Contract Term and are due and payable upon presentation. The difference between the above stated net and gross amounts is a discount offered for prompt payment. The net amounts apply for fifteen days from date of bill, after which date, if the bill is not paid, the gross amounts become effective.

TAXES AND COMMODITY COSTS:

There may be added to all bills rendered for electric service in accordance with this schedule such bills' proportionate share of any license fee, tax and assessment, imposed by any governmental or taxing authority, other than those or above those in effect on January 1, 1934, directly or indirectly upon Company, on or based on, property, or commodities purchased, or revenues or receipts, or payrolls, or production, distribution, sale or purchase of electricity or kilowatt-hours, or any other unit of charge, or on, or based on, any other basis. The Annual Rate in this schedule is based in part upon the general level of commodity

and labor costs obtaining on January 1, 1934, and upon those commodity and labor costs paid by Company for the year 1933, and shall be subject to changes to compensate Company for increased costs of commodities and labor and substantial changes in the value or purchasing power of moneys from that obtaining on January 1, 1934. Amounts added to bills under this clause shall not be reduced by any discount or adjustment.

TERM OF SERVICE:

Not less than ten years.

FLORIDA POWER & LIGHT COMPANY

Rate Schedule Number S-2A

Electric Service

INCANDESCENT STREET LIGHTING

WHITE WAY OR ORNAMENTAL TYPE FIXTURE

Underground System - Dusk to Dawn Service - Company Ownership

APPLICATION OF SCHEDULE:

Applicable to service for lighting of streets, avenues, alleys, parks and public places other than public buildings when Consumer contracts for the use of incandescent metallic filament lamps in white way or ornamental type fixtures of a style satisfactory to and owned by Company, fed by underground conductors.

CHARACTER OF SERVICE:

Single phase, alternating current, approximately 60 cycles. Service will be furnished from Company's existing series or multiple street lighting system, as the case may be. Additional lamps will be supplied from either series or multiple street lighting system at Company's option.

Service includes installation, energy, maintenance, lamp renewals and patrol.

LIMITATION OF SERVICE:

Limited to the exclusive use of Consumer and shall not be resold or shared with others.

ANNUAL RATE PER LAMP:

<u>Series Lamps</u>			<u>Multiple Lamps</u>		
<u>Nominal Candle-power of Lamp</u>	<u>Dusk to Dawn Service</u>		<u>Nominal Wattage of Lamp</u>	<u>Dusk to Dawn Service</u>	
	<u>Net</u>	<u>Gross</u>		<u>Net</u>	<u>Gross</u>
100	\$24.60	\$27.33	75	\$25.50	\$28.33
250	43.40	48.22	100	37.00	41.11
400	50.90	56.56	150	43.30	48.11
600	61.30	68.11	200	48.60	54.00
1000	82.60	91.78	300	59.20	65.78
			500	80.40	89.33

NOMINAL RATING:

For the purpose of billing under this rate schedule, the Nominal Candle-power of series lamps is to be taken as the manufacturer's rating in lumens divided by 10, and the Nominal Wattage of multiple lamps is to be taken as the manufacturer's rating in watts.

PAYMENT:

Bills for one-twelfth of the Annual Rate will be rendered each month of each year of the Contract Term and are due and payable upon presentation.

The difference between the above stated net and gross amounts is a discount offered for prompt payment. The net amounts apply for fifteen days from date of bill, after which date, if the bill is not paid, the gross amounts become effective.

TAXES AND COMMODITY COSTS:

There may be added to all bills rendered for electric service in accordance with this schedule such bills' proportionate share of any license fee, tax and assessment, imposed by any governmental or taxing authority, other than those or above those in effect on January 1, 1934, directly or indirectly upon Company, on or based on, property, or commodities purchased, or revenues or receipts, or payrolls, or production, distribution, sale or purchase of electricity or kilowatt-hours, or any other unit of charge, or on, or based on, any other basis. The Annual Rate in this schedule is based in part upon the general level of commodity and labor costs obtaining on January 1, 1934, and upon those commodity and labor costs paid by Company for the year 1933, and shall be subject to changes to compensate Company for increased costs of commodities and labor and substantial changes in the value or purchasing power of money from that obtaining on January 1, 1934. Amounts added to bills under this clause shall not be reduced by any discount or adjustment.

TERM OF SERVICE:

Not less than ten years.

FLORIDA POWER & LIGHT COMPANY

Rate Schedule Number S-3A

Electric Service

INCANDESCENT STREET LIGHTING

WHITE WAY OR ORNAMENTAL TYPE FIXTURE

Overhead System - Dusk to Dawn Service - Company Ownership

APPLICATION OF SCHEDULE:

Applicable to service for lighting of streets, avenues, alleys, parks and public places other than public buildings when Consumer contracts for the use of incandescent metallic filament lamps of equivalent Nominal Candle-power, in white way or ornamental type fixtures of a style satisfactory to and owned by Company, fed by overhead conductors.

CHARACTER OF SERVICE:

Single phase, alternating current, approximately 60 cycles. Service will be furnished from Company's existing series of multiple street lighting system, as the case may be. Additional lamps will be supplied from either series or multiple street lighting system at Company's option.

Service includes installation, energy, maintenance, lamp renewals and patrol.

LIMITATION OF SERVICE:

Limited to the exclusive use of Consumer and shall not be resold or shared with others.

ANNUAL RATE PER LAMP:

<u>Series Lamps</u>			<u>Multiple Lamps</u>		
<u>Nominal Candle-power of Lamp</u>	<u>Dusk to Dawn Service</u>		<u>Nominal Wattage of Lamp</u>	<u>Dusk to Dawn Service</u>	
	<u>Net</u>	<u>Gross</u>		<u>Net</u>	<u>Gross</u>
100	\$24.60	\$27.33	150	\$37.30	\$41.44
250	37.40	41.56	200	42.60	47.33
400	44.90	49.89	300	53.20	59.11
600	55.30	61.44	500	74.40	82.67
1000	76.60	85.11			

NOMINAL RATING:

For the purpose of billing under this rate schedule, the Nominal Candlepower of series lamps is to be taken as the manufacturer's rating in lumens divided by 10, and the Nominal Wattage of multiple lamps is to be taken as the manufacturer's rating in watts.

PAYMENT:

Bills for one-twelfth of the Annual Rate will be rendered each month of each year of the Contract Term and are due and payable upon presentation. The difference between the above stated net and gross amounts is a discount offered for prompt payment. The net amounts apply for fifteen days from date of bill, after which date, if the bill is not paid, the gross amounts become effective.

TAXES AND COMMODITY COSTS:

There may be added to all bills rendered for electric service in accordance with this schedule such bills' proportionate share of any license fee, tax and assessment, imposed by any governmental or taxing authority, other than those or above those in effect on January 1, 1934, directly or indirectly upon Company, on or based on, property, or commodities purchased, or revenues or receipts, or payrolls, or production, distribution, sale or purchase of electricity or kilowatt-hours, or any other unit of charge, or on, or based on, any other basis. The Annual Rate in this schedule is based in part upon the general level of commodity and labor costs obtaining on January 1, 1934, and upon those commodity and labor costs paid by Company for the year 1933, and shall be subject to changes to compensate Company for increased costs of commodities and labor and substantial changes in the value or purchasing power of money from that obtaining on January 1, 1934. Amounts added to bills under this clause shall not be reduced by any discount or adjustment.

TERM OF SERVICE:

Not less than ten years.

EXHIBIT "A"

Street Lights to be reduced in Candlepower as provided in this Letter Agreement

<u>No.</u>	<u>Present Candlepower</u>	<u>To be Reduced to Candlepower</u>	<u>Type</u>	<u>Ownership</u>	<u>Burning Schedule</u>
1	600	250	WWOH	Company	ANA
9	400	250	WWOH	Company	ANA
36	600	400	WWOH	Company	ANA
<u>74</u>	250	100	WWUG	Company	ANA
120					

EXHIBIT "B"

Street Lights to be restored to operation under the Street Lighting Agreement as Provided in this Letter Agreement

<u>No.</u>	<u>Candlepower</u>	<u>Type</u>	<u>Ownership</u>	<u>Burning Schedule</u>
2	250	WWOH	Company	ANA
7	400	WWOH	Company	ANA
<u>56</u>	100	WWUG	Company	ANA
65				

EXHIBIT "C"

Street lights in operation under the Street Lighting Agreement dated August 14, 1928 after the rearrangement as provided in this Letter Agreement to be paid for by the City in accordance with said agreement.

<u>Number</u>	<u>Candlepower</u>	<u>Type</u>	<u>Ownership</u>	<u>Burning Schedule</u>
207	100	OHB	Company	ANA
33	250	OHB	Company	ANA
3	150 Watt	OHB	Company	ANA
109	100	WVOH	Company	ANA
52	250	WVOH	Company	ANA
161	400	WVOH	Company	ANA
608	100	WWUG	Company	ANA
<u>4</u>	75 Watt	WWUG	Company	ANA
1177				

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. 1673

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS FROM THE CONTINGENT FUND FOR THE PURPOSE OF REGISTRATION, POLL TAX AND ELECTION ADVERTISEMENTS.

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

That the sum of Two Hundred Fifty (\$250) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of certain display advertisement of the requirements for registration, payment of poll taxes and other qualifications and conditions in connection with the general election of June 8, 1937; and the City Manager and the City Clerk be and they are hereby directed to place such advertisement in the Miami Riviera.

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
Rinehart

and
Mayor Brunstetter

A communication was received from the Coral Gables Chamber of Commerce, requesting the improvement and replacement of street signs throughout the City. The Clerk was instructed to reply that the matter is in the hands of the City Manager and the Planning Board for study and recommendation, and that all possible within the City's financial ability will be done.

A communication from the United States Constitution Sesquicentennial Commission requesting that the City set up a committee to handle the local celebration was referred to Coral Gables Post No. 98, The American Legion, with a request that the Post form the Committee and take charge of the celebration arrangements.

RESOLUTION NO. 1674

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE DIRECTOR OF FINANCE TO INVEST CERTAIN OF THE FUNDS OF THE EMPLOYEES COMPENSATION RESERVE IN THE PURCHASE OF LOTS 100 to 104, INCLUSIVE, BLOCK 50, COUNTRY CLUB SECTION NO. 4.

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 directed to invest the sum of \$5,750 of the moneys in the Employees Compensation Reserve in the purchase as an investment for that Reserve of Lots 100 to 104, both inclusive, Block 50, Country Club Section No. 4, upon condition that in so doing a deed, without additional cost, can be secured to Lots 105 and 106, Block 50, Country Club Section No. 4 for the use of the Capital Fund of the City as a site for the Storm Sewer Pumping Station.-

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. 1675

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED FIFTY DOLLARS FOR THE PURPOSE OF ACQUIRING TITLE TO TRACT 2, BLOCK 44, DOUGLAS SECTION.

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

That the sum of \$150 be and the same is hereby appropriated from the Contingent Fund for the purpose of acquiring title to Tract 2, Block 44, Douglas Section; and the Director of Finance be and he is hereby authorized to proceed

with the purchase of delinquent taxes on said tract for the purpose of taking tax deed thereto.

was introduced and read.

Motion for adoption 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. 1676

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO PAY OUTSTANDING STATE, COUNTY AND SPECIAL DISTRICT TAXES ON CITY OWNED LANDS IN BLOCKS 31, 37, 38 AND 43, DOUGLAS SECTION.

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 investigate the possibility of adjustment and compromise of the outstanding delinquent taxes on Lots 13 to 24, inclusive, Block 31; Lots 1 to 12, inclusive, Block 37, the East 50 ft. of Lots 11 and 12, Block 38; and Lots 6 to 12, inclusive, Block 43, Douglas Section which were assumed by the City at the time of purchase of said property, and to pay and satisfy said delinquent State, County and Special District taxes upon the best terms and conditions obtainable in his judgment.

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
McGarry
Rinehart
and
Mayor Brunstetter

RESOLUTION NO. 1677

A RESOLUTION EXPRESSING APPROVAL OF THE PROPOSED PAN-AMERICAN PEACE EXPOSITION AND MERCHANDISING MART TO BE LOCATED ON AN ISLAND IN BISCAYNE BAY.

WHEREAS, It is proposed to have a Pan-American Peace Exposition and Merchandising Mart located upon an island to be constructed in Biscayne Bay, in Miami, Dade County, Florida; and

WHEREAS, It is also proposed that the money to be spent in constructing said island shall also inure to the furtherance and benefit of the deepening and enlarging of the Miami harbor which is greatly needed; and

WHEREAS, The holding of said Pan-American Peace Exposition and merchandising Mart in Miami will be of inestimable value to Dade County, and the whole state of Florida; and

WHEREAS, It is proposed that a resolution be introduced in the national congress for the purpose of securing a four and one-half million dollar grant from the government for the expense of improving said harbor, building said island, and building the necessary causeway or viaduct to connect the island with the mainland, and other utilities necessary; and

WHEREAS, The government has made similar grants to numerous fairs and expositions throughout the United States;

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

That the said Commissioners do hereby indorse and approve the project of holding said Pan American Peace Exposition and Merchandising Mart on an island to be constructed in Biscayne Bay, and that said Commissioners do further recommend to the Congress of the United States that a grant of four and one-half million dollars be made for said purpose.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1678

A RESOLUTION APPROPRIATING THE SUM OF SEVEN HUNDRED FIFTEEN DOLLARS FOR THE CITY'S EXPENSE IN REPAIRS TO THE CITY HALL BY FLORIDA WORKS PROGRESS ADMINISTRATION.

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

That the sum of Seven Hundred Fifteen (\$715) Dollars be and the same is hereby appropriated and transferred from the contingent fund for the purpose of defraying the City's expense in the proposed repairs to the City Hall by the forces of the Florida Works Progress Administration, and the City Manager be and he is hereby authorized to negotiate for and proceed with such work.

was introduced and read.

Motion for adoption 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. 1679

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS FOR THE EXPENSES OF A. B. CURRY TO NEW YORK AND PITTSBURGH TO INVESTIGATE INCINERATOR CONSTRUCTION.

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

That the sum of Three Hundred (\$300) Dollars be and the same is hereby appropriated from the Garbage Permit Funds for the purpose of paying expenses of A. B. Curry to New York and Pittsburgh to investigate the possibilities of arranging for the construction of an incinerator and garbage disposal plant.

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. 1680

A RESOLUTION OPPOSING SENATE BILL NO. 322 PLACING ALL GAS AND ELECTRIC CORPORATIONS UNDER THE CONTROL AND SUPERVISION OF THE STATE RAILROAD COMMISSION; AUTHORIZING AND DIRECTING THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES TO SEND CERTIFIED COPIES OF THIS RESOLUTION TO THE GOVERNOR OF THE STATE OF FLORIDA, AND THE VARIOUS SENATORS AND REPRESENTATIVES OF THE STATE OF FLORIDA NAMED THEREIN.

WHEREAS, It has come to the attention of the City Commission of the City of Coral Gables, Florida, that the Honorable Wallace Tervin of the Thirty-sixth District of the State of Florida has introduced in the Senate of the said State a bill designated as "Senate Bill No. 322" which would place all gas and electric corporations under the control and supervision of the State Railroad Commission; and

WHEREAS, It is the unanimous consensus of opinion of the City Commission of the City of Coral Gables, Florida, that if said bill became law the same would result in taking from the various cities of the State of Florida a right of local self government and would vest such right in Tallahassee; and

WHEREAS, It is the feeling of the City Commission that if this right of local self government remains in the cities and towns of Florida, that the same would be beneficial to the interests of the people and tax payers, and encourage efficient and economical local government;

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

1. That the City of Coral Gables, Florida, through its governing body, vigorously and unalterably opposes the passage of Senate Bill No. 322, placing all electric and gas corporations under the control of the State Railroad Commission, or any other bill of similar nature, which would take from the City of Coral Gables and other cities and towns of Florida a right of self government over local gas and electric utilities.

2. That the City Clerk of and on behalf of the City of Coral Gables, be authorized and instructed to forward certified copies of this Resolution to the Honorable Fred P. Cone, Governor of the State of Florida, Honorable Stuart P. Gillis, President of the Senate of the State of Florida, Honorable W. McL. Christie, Speaker of the House of Representatives of the State of Florida, Honorable Arthur Gomez, Chairman of the Senate Utilities Committee, Honorable Caspian Hale, Chairman of the House Utilities Committee, and to the Honorable Wallace Tervin of the Thirty-sixth District of the State of Florida.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1681

A RESOLUTION EXPRESSING DISAPPROVAL OF THE PROPOSAL TO LIMIT TO FIFTEEN MILLS ALL GOVERNMENTAL AD VALOREM LEVIES FOR OPERATING PURPOSES.

WHEREAS, There has been proposed in the Legislature of the State of Florida a Constitutional Amendment limiting to fifteen mills the levy of ad valorem taxes for all purposes, including State, County, City and other taxing authorities; and

WHEREAS, No workable source of substitute revenue has as yet been proposed or devised, and it is unthinkable that municipalities could function satisfactorily, if at all, when restricted to a portion of the proposed limited millage for operating purposes; and

WHEREAS, Any disruption or reduction of necessary municipal activity would unquestionably react sharply and detrimentally upon the recovering desirability and value of Florida realty, the new construction, and the influx of new population which is now in progress;

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

1. That the Commission hereby expresses its disapproval of the proposed Constitutional Amendment limiting to fifteen mills ad valorem levies for operating purposes of all governmental agencies of the State of Florida, unless and until practical sources of replacement revenue can be discovered and made available to assure the citizens of the cities and towns that there will be no resulting disruption of the necessary services and safeguards of local government.

2. That the Commission, on behalf of the citizens and property owners of The City of Coral Gables, urgently appeals to the Governor, the President and members of the Senate, the Speaker and the members of the House of Representatives of the State of Florida to suspend further consideration of the proposed ad valorem tax limitation pending thorough investigation of its possible results and the formulation of a plan of supplying to the municipalities necessary operating funds to replace those which would be lost to them by such proposed limitation.

3. That the City Clerk be and he is hereby instructed to forward a certified copy of this Resolution to the Governor, the President of the Senate and the Speaker of the House of Representatives of the State of Florida, and to the Senator and Representatives from Dade County.

was introduced and read.

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

The resolution was adopted by unanimous vote.

RESOLUTION NO. 1682

A RESOLUTION AUTHORIZING THE ISSUANCE OF CERTAIN DUPLICATE TAX SALE CERTIFICATES TO GLEN W. HADLEY.

WHEREAS, an affidavit of loss, personal bond and application for duplicate of Tax Sale Certificate No. 5388 for 1933 City taxes on Lots 20 and 21, Block 15, Crafts Section has been filed with the Tax Collector by L.D. Breckenridge as agent for Glen W. Hadley, the purchaser of said certificate, and such affidavit, bond and application has been joined in and executed jointly by L. D. Breckenridge, personally, and the Commission of the City of Coral Gables has examined such joint affidavit, bond and application, and deems it sufficient,

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 directed to accept the above described affidavit, bond and application, and to issue to Glen W. Hadley a duplicate of Tax Sale Certificate No. 5388, dated July 2, 1934, for City taxes for the year 1933 on Lots 20 and 21, Block 15, Crafts Section, in the amount of \$135.60.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner

McGarry. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1683

A RESOLUTION REQUESTING FLORIDA WORKS PROGRESS ADMINISTRATION TO COMMENCE IMPROVEMENTS TO CITY HALL; AND ASSUMING RESPONSIBILITY FOR THE COMPLETION OF THE PROJECT.

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

That the Florida Works Progress Administration be and it is hereby requested to commence the improvements to the Coral Gables City Hall covered by Project 13-4-G-179-13-2645; and the Commission of the City of Coral Gables assumes responsibility for such portion of such project as it may be impossible, for any reason, for the Florida Works Progress Administration to complete, and responsibility for the completion of such work to an extent which will prevent the building from being left in an unsightly condition.

was introduced and read.

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

The resolution was adopted by unanimous vote.

AN ORDINANCE QUALIFYING THE SPECIAL
FREEHOLDER REGISTRATION FOR THE ELECTION
OF JANUARY 25, 1937 AS GENERAL REGISTRATION;
AND AUTHORIZING THE INCLUSION OF SUCH
REGISTRATION WITH THE GENERAL REGISTRATIONS
OF THE CITY.

was read by title on first reading.

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" - Commissioners Avery
Garris
McGarry
Rinehart
and
Mayor Brunstetter

Thereupon the ordinance was read again in full.

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

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

Thereupon Mayor Brunstetter declared the ordinance adopted and approved, and ordered its publication as No. 277.

AN ORDINANCE AMENDING SECTION 3 OF
ORDINANCE NO. 160, ADOPTED BY THE
COMMISSION OF THE CITY OF CORAL
GABLES MARCH 26, 1931, ENTITLED:
"AN ORDINANCE AMENDING ORDINANCE NO. 59
OF THE CITY OF CORAL GABLES, ENTITLED:
'AN ORDINANCE PROVIDING FOR THE REGIS-
TRATION OF ELECTORS AND THE CONDUCT
OF MUNICIPAL ELECTIONS.

was introduced and read by title.

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 adopted by the following roll call:

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

Thereupon the Ordinance was read again in full.

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

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

Thereupon Mayor Brunstetter declared the ordinance adopted and approved, and ordered its publication as No. 278.

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

"Yes" - Commissioners Garris
 McGarry
 Rinehart
 and
 Mayor Brunstetter
 Absent - Commissioner Avery.

Thereupon the ordinance was read again in full. Motion for adoption of the ordinance by Commissioner Garris; seconded by Commissioner Rinehart. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Garris
 McGarry
 Rinehart
 and
 Mayor Brunstetter
 Absent - Commissioner Avery

Thereupon Mayor Brunstetter declared the ordinance adopted and approved, and ordered its publication as No. 279.

AN ORDINANCE GRANTING CERTAIN EXCEPTIONS TO ORDINANCE NO. 271, ADOPTED BY THE CITY OF CORAL GABLES ON FEBRUARY 16, 1937, ENTITLED: "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, ETC.", KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

was introduced and read by title 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 McGarry. The motion was adopted by the following roll call:

"Yes" - Commissioners Garris
 McGarry
 Rinehart
 and
 Mayor Brunstetter
 Absent - Commissioner Avery

Thereupon, 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 Garris
 McGarry
 Rinehart
 and
 Mayor Brunstetter
 Absent - Commissioner Avery

Thereupon Mayor Brunstetter declared the ordinance adopted and approved and ordered its publication as No. 280.

RESOLUTION NO. 1685

A RESOLUTION APPROPRIATING THE SUM OF FOUR HUNDRED DOLLARS FROM THE CONTINGENT FUND TO THE APPROPRIATION FOR AUDITING EXPENSE.

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

That the sum of Four Hundred (\$400) Dollars be and it is hereby appropriated and transferred from the Contingent Fund to the appropriation for auditing expense, and the City Manager and the Director of Finance be and they are hereby authorized to pay such sum of \$400 to Robert Pentland, Jr., City Auditor, as additional compensation for the audit of delinquent taxes conducted during the year 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" - Commissioners Garris
 McGarry
 Rinehart
 and
 Mayor Brunstetter
 Absent - Commissioner Avery

RESOLUTION NO. 1686

A RESOLUTION ACCEPTING AND APPROVING AN AMENDED PLAT OF BLOCK 98, BISCAYNE BAY SECTION PART 1.

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

That that certain "amended plat of Block 98 of Coral Gables Biscayne Bay Section Part 1, Part "A", bearing the signatures of Ruth E. Paxson and J. Lamar Paxson as of the date of April 26, 1937, be and the same is hereby accepted and approved; and the Tax Assessor of The City of Coral Gables, Florida is hereby authorized and instructed to assess the property shown thereon in accordance with said amended plat.

was introduced and read.

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

The resolution was adopted by unanimous vote.

RESOLUTION NO. 1687

A RESOLUTION COMMENDING THE EFFORTS OF THE SOUTH FLORIDA CRIPPLED CHILDREN'S ASSOCIATION TO ESTABLISH A CRIPPLED CHILDREN'S HOME; EXPRESSING THE HOPE THAT THE ASSOCIATION MAY FIND IT POSSIBLE TO LOCATE SUCH HOME IN CORAL GABLES; AND AUTHORIZING THE MAYOR TO COOPERATE WITH THE ASSOCIATION TO THAT END.

WHEREAS, The South Florida Crippled Children's Association, an organization of public spirited men giving freely of their time and effort without thought of personal gain or credit, through its constant and intensive effort, has built up an organization which is daily rendering to the crippled children of South Florida medical and surgical, and in some cases, financial assistance; and,

WHEREAS, The association has received pledges of large sums of money for the purpose of erecting a crippled children's hospital, contingent upon the Association's ability to secure land and a site for such hospital; and

WHEREAS, It seems possible that the Association can secure a donation of a tract of land in The City of Coral Gables adequate and suitable as a site for a crippled children's hospital, and the Commission of The City of Coral Gables, Florida, feels that the existence of such a hospital in the Miami area is most desirable, and is particularly desirous of having the hospital located in The City of Coral Gables;

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

1. That this Commission highly commends the efforts of the South Florida Crippled Children's Association to establish a crippled children's hospital or home;

2. That the Commission is desirous and hopeful that the hospital or home may be located within the limits of The City of Coral Gables, Florida, and pledges its cooperation toward that end;

3. That the Mayor of, and on behalf of, The City of Coral Gables be and he is hereby authorized to confer with and cooperate with the South Florida Crippled Children's Association in the above described effort.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1688

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED DOLLARS TO DEFRAY THE EXPENSES OF THE MAYOR TO NEW YORK CITY.

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

That the sum of Two Hundred (\$200) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of defraying the expense of Mayor Brunstetter on a trip to New York City in the interests of the proposed construction of a Crippled Children's Hospital in The City of 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" - Commissioners Garris
 McGarry
 Rinehart
 and
 Mayor Brunstetter
 Absent - Commissioner Avery

RESOLUTION NO. 1689

A RESOLUTION AUTHORIZING THE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATES TO THE MURRAY MOTOR COMPANY.

WHEREAS, An affidavit of loss of certain tax sale certificates, a bond to indemnify against the reappearance of said lost tax sale certificates and an application for the issuance of duplicate certificates in lieu thereof, have been filed by the Murray Motor Company with the City Clerk, and has been examined by the Commission and found sufficient;

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 accept the affidavit, bond and application from the Murray Motor Company covering Tax Sale Certificates on Lot 9, Block 153, Country Club Section #6, and to issue to said Murray Motor Company duplicates of certificates #4210 and #4614, for delinquent taxes of the years 1928 and 1929, respectively, in the amount of \$45.80 and \$36.00, respectively.

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 Garris
McGarry
Rinehart
- and
Mayor Brunstetter
- Absent - Commissioner Avery

RESOLUTION NO. 1690

A RESOLUTION EXPRESSING THE SORROW OF THE COMMISSION OF THE CITY OF CORAL GABLES AT THE DEATH OF PHINEAS E. PAIST.

WHEREAS, Phineas E. Paist departed this life on Monday, May 2, 1937; and

WHEREAS, From the inspection of The City of Coral Gables, not only as a City but as a subdivision before the creation of a city, Mr. Paist was closely identified with every movement for the creation and preservation of the ideals which have made of the City of Coral Gables a place of uniform and distinctive beauty, to such an extent that it might be said that The City of Coral Gables is a product of the artistic and creative mind of Phineas E. Paist; and

WHEREAS, Mr. Paist gave unstintingly of his time for many years in the continuous and arduous task of examining plans for all structures in The City of Coral Gables to assure that the proposed buildings would conform to the City's ideals of design, carrying on in such work even during the last few months of his life, in which he was constantly under medical and hospital care; and,

WHEREAS, In addition to earning the admiration and respect of all who knew him through his works and accomplishments, Phineas E. Paist gained the affection of everyone through his honorable and gentle nature;

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

1. That this Commission hereby expresses, on behalf of its members, the officers and employees of The City of Coral Gables, and the people of the City of Coral Gables, its profound sorrow at the loss of a beloved fellow worker and fellow citizen, and extends to the family of Phineas E. Paist its heartfelt sympathy in their bereavement.

2. That the City Clerk be and he is hereby directed to forward copies of this resolution to the members of the immediate family of Phineas E. Paist, and to his associates in the firm of Paist and Steward.

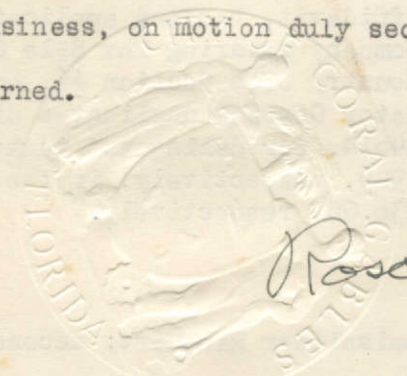
was introduced and read.

On motion duly seconded and unanimously carried, the resolution was adopted.

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 MEETING OF CITY COMMISSION
ON MAY 10, 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 Monday, May 10, 1937.

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

RESOLUTION NO. 1691

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 Garris. SSeconded by Commissioner Rinehart.

The resolution was adopted by the following roll call:

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

RESOLUTION NO. 1692

A RESOLUTION APPROPRIATING THE SUM OF FIFTEEN THOUSAND DOLLARS TO THE UNIVERSITY OF MIAMI, INC. FROM GENERAL REVENUES OF THE CITY OF CORAL GABLES FOR THE YEAR 1937-38, AND AUTHORIZING THE PAYMENT OF SAID SUM TO THE UNIVERSITY OF MIAMI, INC.

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

That the sum of Fifteen Thousand (\$15,000) Dollars be and the same is hereby appropriated to the University of Miami, Inc. from the revenues of The City of Coral Gables for the fiscal year 1937-38; and the City Manager and the Director of Finance be and they are hereby authorized and instructed to advance said sum of Fifteen Thousand (\$15,000) Dollars to the University of Miami, Inc., entering said advance upon the records of the City of Coral Gables as a deferred charge against the tax and other general revenues, and the appropriations for the fiscal year 1937-38.

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
McGarry
Rinehart

and

Mayor Brunstetter

"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 MEETING OF THE COMMISSION
ON MAY 18, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock P.M. on May 18, 1937.

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

The minutes of the meetings of May 4 and 10, 1937 were read and approved.

Mr. J. M. Spalding, representing Robert H. Cook, Inc., appeared to request a special adjustment of taxes on certain lots in Country Club Section #5, and filed a written communication in support of his appeal. It was moved, seconded and unanimously carried that no exceptions be allowed to the adjustment schedule at present, but that in the case under review the applicant be advised to appear before the Board of Equalization to determine whether any adjustment could be made in the valuation of the lots.

Mr. W. L. Gray, Jr. appeared in behalf of the Country Club of Coral Gables, and presented the Club's appeal for a modification of the existing contracts for leasing of the Country Club building and the tennis courts, and for the contract for privileges at the Golf Course and Venetian Pool. Motion by Commissioner McGarry that the Country Club submit its data and proposition in writing to the Commission, that the Commission then check the figures and facts involved and determine whether any modification of the agreements and contracts proves advisable; seconded by Commissioner Garris and unanimously carried.

RESOLUTION NO. 1693

A RESOLUTION APPOINTING CLERKS, INSPECTORS AND ALTERNATES FOR THE ELECTION OF JUNE 8, 1937.

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

That the following be and they are hereby appointed to serve as officials of the election to be held on June 8, 1937, in the capacities set opposite their names:

- | | |
|------------------------|-----------|
| Walter E. Schaefer | Clerk |
| Lewis H. Fogle | Inspector |
| Capt. John A. Cook | Inspector |
| H. C. Johanson | Inspector |
| W. N. Embert | Inspector |
| R. J. Beaton | Inspector |
| Gordon Bird Jones | Inspector |
| George W. Mugford, Sr. | Inspector |
| H. R. Anderson | Inspector |
| Harris M. Van Horn | Inspector |
| John Lewis | Inspector |
| James B. Moore | Inspector |
| Nan C. Warde | Alternate |
| Mary E. MacDonald | Alternate |
| Melanie Rosborough | Alternate |

was introduced and read.

Motion for adoption by Commissioner McGarry; seconded by Commissioner Garris. The resolution was adopted by unanimous vote.

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED BY THE CITY OF CORAL GABLES FEBRUARY 16, 1937, ENTITLED: "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, ETC.," KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

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

Section 1. That Section 18 of Ordinance No. 271 of The City of Coral Gables, adopted February 16, 1937, entitled "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, ETC.", known as the "Zoning Ordinance" of The City of Coral Gables, be and it is hereby amended by the addition thereto of a paragraph to read as follows:

"For the purposes of this ordinance, the method of determining the cubic foot content of existing or proposed buildings and structures or additions and enlargements thereto shall be to multiply the outside horizontal dimensions of the building or structure, and to multiply the product thereof by the mean height from the finished grade line, as defined herein, to the roof, and this method shall be applied separately to each part or portion of the building or structure having a different roof level from other parts or portions thereof. One-half of the cubic foot content, so determined, shall be allowed for screened and roofed porches and for garages attached to and made a part of the main building or structure. Detached garages and garage apartments, patios and porte cocheres shall not be taken into account in calculating the minimum cubic foot content, as required by this ordinance!"

Section 2. That Paragraph 2 of subsection (c) of Section 15 of Ordinance No. 271, be and it is hereby amended to read as follows:

Inside lots shall have side yards of a total width of 20% of the width of the lot measured across the building set-back line, and in no case less than five feet on either side between the side line of the lot and any part of the structure; provided, however, that porte cocheres, which for the purpose of this ordinance is defined as being supporting columns and a roof attached to the main building for the purpose of providing a covered driveway, may be located at a distance from the side line of the lot not less than 6% of the lot measured across the building set-back line; and provided further, that detached garages, the rear of which are located five feet from the rear lot line,"

Section 3. That the "Use" map attached to and by reference made a part of Ordinance No. 271 be and it is hereby amended to provide that lots in Section "B" abutting on Le Jeune Road from Coral Way northward to the City Limits be R-2 areas instead of R-1; provided, however, that Duplex Dwellings to be erected in the above area shall be so designed as to give the external appearance of a single family dwelling; and provided further that such duplex dwellings be located only upon the lots immediately

adjacent to Le Jeune Road, or upon combinations of two lots, one of which is immediately adjacent to Le Jeune Road.

Section 4. That the building content and area map attached to and by reference made a part of Ordinance No. 271 be and the same is hereby amended to provide that the lots in Section "B" abutting on Le Jeune Road, and the lots immediately adjacent thereto and to the west thereof when used in conjunction therewith, be subject to a CFD $7\frac{1}{2}$ instead of a CF5 and CF8 requirement.

Section 5. That any section, subsection, sentence, clause or phrase of Ordinance No. 271 or amendments thereto which may be in conflict with the terms of this amendment be and they are hereby repealed.

Section 6. That this ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

was introduced and read by title 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 Rinehart. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
Garris
McGarry
Rinehart

and

Mayor Brunstetter

Thereupon the ordinance was read again in full. Motion for adoption of the ordinance by Commissioner Avery; seconded by Commissioner Rinehart. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
Garris
McGarry
Rinehart

and

Mayor Brunstetter

Thereupon Mayor Brunstetter declared the ordinance adopted and approved, and ordered its publication as No. 281.

AN ORDINANCE GRANTING A CERTAIN EXCEPTION TO THE REQUIREMENTS OF ORDINANCE NO. 271 ADOPTED BY THE CITY OF CORAL GABLES ON FEBRUARY 16, 1937, ENTITLED: "AN ORDINANCE TO REGULATE AND RESTRICT THE ERECTION, RECONSTRUCTION, ALTERATION, LOCATION AND USE OF BUILDINGS, STRUCTURES, WATER AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES, ETC.", KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

was introduced and read by title 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 McGarry. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
Garris
McGarry
Rinehart

and

Mayor Brunstetter

Thereupon the ordinance was 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" - Commissioners Avery
Garris
McGarry
Rinehart

and

Mayor Brunstetter

Thereupon Mayor Brunstetter declared the ordinance adopted and approved and ordered its publication as No. 282.

RESOLUTION NO. 1694

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE A CERTAIN BOND AND FILE COLLATERAL THEREFOR.

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

That the City Manager and the City Clerk of and on behalf of The City of Coral Gables be and they are hereby authorized and instructed to execute a bond for costs in the appeal to the United States District Court of Appeals from the United States Circuit Court judgment in the case of Noel vs. City of Coral Gables, and to file with the American Surety Company of New York a Cashier's Check in the amount of \$250 as collateral for such bond.

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. 1695

A RESOLUTION RECOGNIZING THE CANDIDATES FOR CITY OFFICES IN THE ELECTION OF JUNE 8, 1937, AND ORDERING THEIR NAMES PLACED UPON THE OFFICIAL BALLOT FOR THAT ELECTION.

WHEREAS, There have been filed with the City Clerk petitions nominating the following as candidates in the general city election to be held on June 8, 1937;

For Commissioner: Jonathan A. Bliss; Joseph Ryan Byerly; Elias B. Dunn; Duncan Held; Paul D. McGarry; Charles F. Nauman; P. J. O'Shaughnessy; W. Keith Phillips.

For Mayor: Elias B. Dunn; Duncan Held; Paul D. McGarry; Hollis Rinehart, Jr.

and the above named nominees have filed with the City Clerk their acceptances of such nominations; and

WHEREAS, The petitions and acceptances

have been examined by the City Clerk and have been found to be adequate and in compliance with the requirements of the City Charter;

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

That the nominees named above be and they are hereby declared to be candidates for the offices indicated by their names in the election of June 8, 1937, and the City Clerk be and he is hereby authorized and instructed to place the above names upon the official ballot of that election.

was introduced and read.

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

The resolution was adopted by unanimous vote.

RESOLUTION NO. 1696

REQUESTING AND AUTHORIZING FLORIDA POWER & LIGHT COMPANY TO INSTALL NINE (9) ADDITIONAL 100 CANDLEPOWER OVERHEAD BRACKET TYPE STREET LIGHTS AND THREE (3) ADDITIONAL 75 WATT OVERHEAD BRACKET TYPE STREET LIGHTS IN THE CITY OF CORAL GABLES, FLORIDA, SAID TWELVE (12) STREET LIGHTS TO BE INSTALLED AND THEREAFTER SERVED AND PAID FOR BY THE CITY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN STREET LIGHTING AGREEMENT DATED THE 14TH DAY OF AUGUST, 1928, NOW IN EFFECT BETWEEN THE CITY OF CORAL GABLES, FLORIDA, AND SAID COMPANY, AND SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO; AUTHORIZING AND DIRECTING THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES, FLORIDA, TO DELIVER A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDA POWER & LIGHT COMPANY AS WRITTEN NOTICE TO INSTALL SAID ADDITIONAL STREET LIGHTS UNDER THE SAID STREET LIGHTING AGREEMENT, AND SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO.

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

1. That the City of Coral Gables, Florida, hereby requests and authorizes Florida Power & Light Company to install and thereafter serve the following street lights to be paid for by the City, in accordance with the terms and conditions of that certain Street Lighting Agreement dated the 14th day of August, 1928, now in effect between said City and said Company:

- 1 - 100 CP OHB Street Light, Ave. Branca
West of LeJeune Road
- 1 - 100 CP OHB Street Light, Hardee Road
at Riviera Drive
- 2 - 75 Watt OHB Street Lights, Sunset
Road at Coco Plum Plaza
- 1 - 75 Watt OHB Street Light, Riviera Drive
West of Le Jeune Road
- 1 - 100 CP OHB Street Light, Ave. Cardagna
West of Le Jeune Road

- 3 - 100 CP OHB Street Lights, Bird Road West
of University Drive
- 1 - 100 CP OHB Street Light, Le Jeune Road at
Ave. Aragon
- 1 - 100 CP OHB Street Light, Red Road and
S. Greenway Drive
- 1 - 100 CP OHB Street Light, Douglas Road and
Sidonia Avenue

2. That the City Clerk of and on behalf of the City of Coral Gables, Florida, be and he is hereby authorized and directed to deliver a certified copy of this resolution to Florida Power & Light Company as written notice to install the said twelve (12) Overhead Bracket Type street lights under the said Street Lighting Agreement.

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. 1697

A RESOLUTION OFFERING THE COOPERATION OF THE CITY AND THE CITY MANAGER IN THE PROPOSAL TO COMPLETE THE CORAL GABLES WATERWAY SYSTEM.

WHEREAS, The Coral Gables Waterway system, including canals, basins, lakes, lagoons, etc., as originally laid out and shown on plats of record in The City of Coral Gables have never been completed to their dimensions as to width or depth;

WHEREAS, It would be very beneficial to The City of Coral Gables that this Waterway system be completed as planned; that such completion would facilitate the discharge of flood waters from and thru the City of Coral Gables; that the completion of such Waterway system would greatly increase the value of property adjacent and abutting thereon, thereby increasing the assessed value of taxable property in The City of Coral Gables; that the construction of such Waterway System would produce waterfront property, thereby providing yacht owners with potential homesites;

WHEREAS, It has been brought to the attention of the Commission of the City of Coral Gables that plans are under consideration for the completion of certain parts of this waterway system to the original planned dimensions;

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

1. That it is the sense of this Commission that they cooperate in securing the early completion of the Coral Gables Waterway System by encouraging and assisting in every way possible consistent with the best interests of The City of Coral Gables.

2. That the City Manager of the City of Coral Gables be instructed to confer with the Dade County Commission, Utility Companies and all others who may be concerned in the

development and completion of these canals and waterways with respect to all bridges and utility lines of every nature whatsoever which may be effected by this development, and secure their cooperation in expending this work.

3. That the City Manager be further instructed to take any action which in his opinion will aid in the early completion of this work; PROVIDED, that he is not authorized hereby to incur any direct expense on the part of the City of Coral Gables in connection therewith.

was introduced and read.

Motion for adoption by Commissioner Garris; 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:

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

APPROVED:

Roscoe Brunstetter
MAYOR
Roscoe Brunstetter



MINUTES OF MEETING OF THE CITY COMMISSION
ON MAY 26, 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 five o'clock P.M. on May 26, 1937.

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

RESOLUTION NO. 1698

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 dispensed with; 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
and
Mayor Brunstetter

RESOLUTION NO. 1699

A RESOLUTION TO REQUEST THE SECRETARY OF THE INTERIOR OF THE FEDERAL GOVERNMENT TO MAKE A GEOLOGICAL SURVEY FOR THE PURPOSE OF AIDING COMMUNITIES OF SOUTH-EAST FLORIDA IN ESTABLISHING SAFE AND DEPENDABLE SOURCES OF WATER SUPPLY; TO AUTHORIZE THE CITY CLERK TO FURNISH THE DATA THAT IS NEEDED IN CONNECTION WITH SUCH SURVEY AND TO COOPERATE WITH THE GOVERNMENT IN THE INITIATION AND PROSECUTION OF THE SURVEY.

WHEREAS, An adequate, safe and dependable water supply is necessary to the health and welfare of every community; and

WHEREAS, The Federal Government has recognized the importance of such water supply to every citizen of the nation by establishing in the Department of Interior the Geological Survey to aid and assist the various communities of the nation in locating safe and dependable sources of water supply, being mindful of the fact that diseases which arise out of inadequate and polluted water may

become a menace to all people of the United States; and

WHEREAS, A geological survey is needed to enable the various communities of Southeast Florida to safeguard and protect water supply for residents and winter visitors; and

WHEREAS, The Federal Government has a staff of experts equipped for such an important undertaking;

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

Section 1. That the City Clerk herewith make application to the Secretary of the Interior of the Government to make a geological survey of the Southeast Florida area extending from West Palm Beach and the South shore of Lake Okeechobee to serve all communities southward for the purpose of enabling these communities in making plans for supplying the rapidly increasing population and winter visitors with adequate and wholesome water supply.

Section 2. That the City Clerk is hereby authorized to forward a certified copy of this resolution to Honorable Harold L. Ickes, Secretary of the Interior of the Federal Government.

Section 3. That the City Clerk is hereby further authorized to furnish such data as is needed in connection with the request for such survey and to assist the Government in every possible way in the rendering of this service to the City of Coral Gables and the neighboring communities.

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:

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

APPROVED:

Roscoe Brunstetter
MAYOR
Roscoe Brunstetter

MINUTES OF MEETING OF CITY COMMISSION
ON JUNE 1, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at 4:30 o'clock P.M. on Tuesday, June 1, 1937.

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

The minutes of the meetings of May 18 and 26, 1937 were read and approved.

RESOLUTION NO. 1700

A RESOLUTION AUTHORIZING THE CLOSING OF THE ESCROW BETWEEN THE CITY OF CORAL GABLES, CORAL GABLES WOMAN'S CLUB AND CORAL GABLES FIRST NATIONAL BANK, UNDER DATE OF FEBRUARY 1, 1936.

WHEREAS, The Community House and Library erected on Block Fifteen (15) of Douglas Section of The City of Coral Gables, Florida, was heretofore completed so far as the Works Progress Administration is concerned and delivery of said building and premises has been made to the City; and

WHEREAS, The Coral Gables Woman's Club has fully performed its agreement with said City for the acquiring title to said property on the conditions set forth in the deed thereof now in escrow with the Coral Gables First National Bank, and has in fact gone beyond the terms of said agreement in having made certain additional improvements at the Club's own expense which were necessary for the full completion of the building; and

WHEREAS, The original escrow agreement called for an Architect's certificate of Phineas E. Paist, now deceased, and which certificate is now deemed to be unnecessary;

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

That said Bank be and it is hereby authorized and instructed, regardless of the provisions of paragraph 1 of the escrow letter of February 1, 1936, calling for a certificate of completion of Phineas E. Paist, Architect, to deliver the deed described in the said escrow letter to Coral Gables Woman's Club, because the City is fully advised of the compliance with the conditions of the said escrow, excepting only the certificate of the architect.

Be it further resolved that possession and control of the said premises, as heretofore delivered to said Club pursuant to said agreement, is hereby approved and confirmed and the City Manager and the City Clerk be and they are hereby authorized to take the necessary and proper steps to carry this Resolution into effect.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner McGarry. The resolution was adopted by unanimous vote.

City Manager Williams reported to the Commission that he was designating and appointing John Skinner, Harold D. Steward, and George H. Spohn as Supervising

Architects as provided by Ordinance No. 271. On motion duly seconded and unanimously carried, the Commission confirmed the appointment of the above gentlemen by the City Manager.

City Manager Williams reported that he had designated and appointed A. Harvey Baxter as Structural Engineer, as provided by Ordinance No. 271. On motion duly seconded and unanimously carried, the Commission confirmed the appointment of Mr. Baxter.

AN ORDINANCE GRANTING CERTAIN EXCEPTIONS TO THE REQUIREMENT OF ORDINANCE NO. 271 ADOPTED BY THE COMMISSION OF THE CITY OF CORAL GABLES ON FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

was introduced and read by title 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 McGarry. The motion was adopted by the following roll call:

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

Thereupon the ordinance was read again in full. Motion for adoption of the ordinance by Commissioner Avery; seconded by Commissioner McGarry. The ordinance was adopted by the following roll call:

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

Thereupon Mayor Brunstetter declared the ordinance adopted and approved and ordered its publication as No. 283.

After discussion of the recent replat of Florida Year Round Club properties in Country Club Section #4, and the erroneous change in Mariola Court by this plat, the Clerk was instructed to advise the Tax Assessor that unless a corrected plat was filed by the Florida Year Round Clubs, Inc., the property was to be assessed on the basis of the old plat.

There being insufficient time to attend to remaining business, the meeting was adjourned until 5:30 o'clock P.M. on Wednesday, June 2, 1937.

APPROVED:

ATTEST:

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

Roscoe Brunstetter
MAYOR
Roscoe Brunstetter

6/1/37

MINUTES OF ADJOURNED MEETING OF THE
COMMISSION OF THE CITY OF
CORAL GABLES
ON JUNE 2, 1937

Pursuant to adjournment at the meeting of June 1, 1937, the Commission of The City of Coral Gables convened in adjourned session at the City Hall at 5:30 o'clock P.M. on Wednesday, June 2, 1937.

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

AN ORDINANCE AMENDING ORDINANCE NO. 269 BY PROVIDING THAT HOMESTEADS WILL NOT BE TAXABLE FOR REFUNDING BONDS AND TAX PARTICIPATION CERTIFICATES TO BE ISSUED IN SATISFACTION OF THREE CERTAIN JUDGMENTS RECOVERED IN TORT ACTION AND REPRESENTING AN INDEBTEDNESS OF TWENTY THOUSAND, SIX HUNDRED TWENTY-SEVEN DOLLARS AND FORTY-FOUR CENTS (\$20, 627.44)

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 adopted by the following roll call:

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

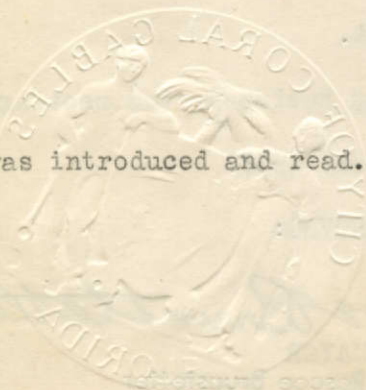
Thereupon the ordinance was read again in full. Motion for adoption of the ordinance by Commissioner Garris; seconded by Commissioner McGarry. The ordinance was adopted by the following roll call:

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

Thereupon Mayor Brunstetter declared the ordinance adopted and approved, and ordered its publication as No. 284.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF TEMPORARY REFUNDING BONDS AND TAX PARTICIPATION CERTIFICATES AND DIRECTING THE CONSUMMATION OF THE PLAN OF REFUNDING.

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" - Commissioners Avery
Garris
McGarry
Rinehart
and
Mayor Brunstetter,

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" - Commissionera Avery
Garris
McGarry
Rinehart
and
Mayor Brunstetter

Thereupon Mayor Brunstetter declared the ordinance adopted and approved and ordered its publication as No. 285.

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 MEETING OF THE COMMISSION OF
THE CITY OF CORAL GABLES
ON JUNE 10, 1937.

Pursuant to requirement of Charter, the Commission of The City of Coral Gables convened at 6:00 o'clock P.M. on Thursday, June 10, 1937, for the purpose of canvassing the returns and declaring the results of the General Election held on June 8, 1937.

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

The minutes of the meeting of June 1 and of the adjourned meeting of June 2, were read and approved.

The Clerk then tendered to the Commission the report and certificate of the Inspectors and Clerk of the General Election on June 8, 1937, as follows:

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 8TH, 1937, IN ACCORDANCE WITH THE PROVISIONS OF LAW AND THE CHARTER OF THE CITY OF CORAL GABLES, DO HEREBY CERTIFY THAT 1135 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:

JONATHAN A. BLISS	629
JOSEPH RYAN BYERLY	51
ELIAS B. DUNN	158
DUNCAN HELD	93
PAUL D. McGARRY	800
CHARLES F. NAUMAN	81
P. J. D'SHAUGHNESSY	728
W. KEITH PHILLIPS	654
John E. Norman	1

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:

JONATHAN A. BLISS	4
JOSEPH RYAN BYERLY	2
ELIAS B. DUNN	59
DUNCAN HELD	19
PAUL D. McGARRY	533
CHARLES F. NAUMAN	1

P. J. O'SHAUGHNESSY 32
 W. KEITH PHILLIPS 18
 HOLLIS RINEHART, JR. 447

WE DO FURTHER CERTIFY THAT 2 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 EIGHTH DAY OF JUNE, A.D. 1937.

(signed) Lewis H. Fogle
 Inspector
James B. Moore
 Inspector
George Mugford
 Inspector
W. N. Embert
 Inspector
Nan C. Warde
 Inspector
H. C. Johanson
 Inspector
H. M. Van Horn
 Inspector
Gordon Jones
 Inspector
H. R. Anderson
 Inspector
Melanie R. Rosborough
 Inspector
R. J. Beaton
 Inspector
John A. Cook
 Inspector
John Lewis
 Inspector
Mary E. MacDonald
 Inspector
Walter E. Schaefer
 Clerk



RESOLUTION NO. 1701

A RESOLUTION DECLARING THE RESULTS OF THE GENERAL ELECTION OF JUNE 8, 1937.

WHEREAS, There has been filed with the Commission of The City of Coral Gables, a certificate of the Inspectors and Clerk of the General Election held on June 8, 1937, 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 Commission declares that the election was fairly and legally held; that the report of the Inspectors and Clerk is hereby accepted and approved, and the following are found to have been duly and legally elected at said election:

For Commissioner for a period of four (4) years:

Messrs. Paul D. McGarry and P.J. O'Shaughnessy

For Commissioner for a period of two (2) years:

Mr. W. Keith Phillips

For Mayor for a period of two (2) years:

Mr. Paul D. McGarry

and

BE IT FURTHER RESOLVED that the certificate of the Clerk and Inspectors of said election be filed with the papers of the Commission of The City of Coral Gables.

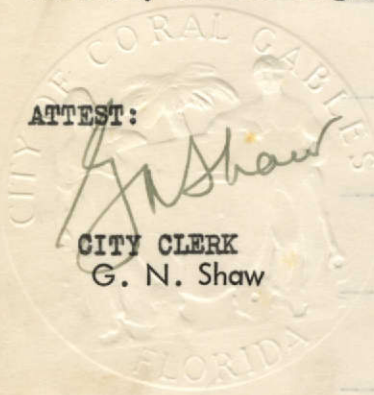
was introduced and read.

Motion for adoption by Commissioner 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:



CITY CLERK
G. N. Shaw

APPROVED:

MAYOR

MINUTES OF MEETING OF THE COMMISSION OF
THE CITY OF CORAL GABLES
ON JUNE 11, 1937

Pursuant to requirement of Charter, the Commission of The City of Coral Gables convened at the City Hall at twelve o'clock, noon, on Friday, June 11, 1937 for the purpose of inducting into office the Mayor and Commissioners elected at the General Election of June 8.

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

Mayor Brunstetter announced the purpose of the meeting and requested Father Thomas J. Comber to ask for divine blessing upon the gathering and upon the efforts of the New Commission. Following the invocation by Father Comber, Retiring-Mayor Brunstetter administered the oathe of office to Mayor-elect Paul D. McGarry, and from Commissioners-elect P. J. O'Shaughnessy and W. Keith Phillips. Mayor Brunstetter then surrendered the chair and the gavel to Mayor McGarry.

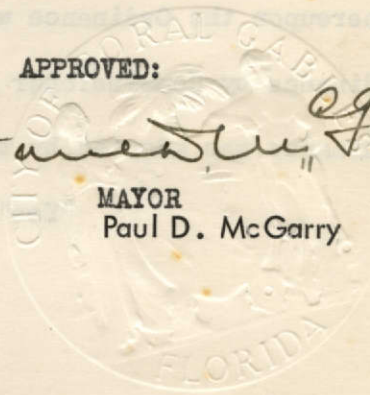
Following addresses of welcome to the newly elected Commissioners and of farewell to the retiring Commissioners, and replies thereto, the meeting was adjourned.

ATTEST:

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

APPROVED:

Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE COMMISSION
ON JUNE 15, 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, June 15, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart, present.

Minutes of the meetings of June 10 and 11, 1937 were read and approved.

AN ORDINANCE GRANTING AN EXCEPTION TO THE REQUIREMENTS OF ORDINANCE NO. 271 ADOPTED BY THE COMMISSION OF THE CITY OF CORAL GABLES ON FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

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 O'Shaughnessy. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon the Ordinance was read again in full. Motion for adoption of the ordinance by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The ordinance was adopted by the following roll call;

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Mayor McGarry then declared the ordinance adopted and approved and ordered its publication as No. 286.

AN ORDINANCE AMENDING ORDINANCE NO. 285, BEING AN ORDINANCE AUTHORIZING THE ISSUANCE OF TEMPORARY REFUNDING BONDS AND TAX PARTICIPATION CERTIFICATES AND DIRECTING THE CONSUMMATION OF THE PLAN OF REFUNDING.

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 Phillips. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon the ordinance was read again in full. Motion by Commissioner Rinehart that the ordinance be adopted; seconded by Commissioner Phillips. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 287.

RESOLUTION NO. 1702

A RESOLUTION AUTHORIZING CERTAIN STREET IMPROVEMENTS IN COUNTRY CLUB SECTION #4.

WHEREAS, The City Commission has previously obligated itself to construct a portion of the streets in and around Block 57, Country Club Section #2; and,

WHEREAS, The A. J. Daino Construction Company has deposited with the City Three Thousand, Four Hundred (\$3,400) Dollars to cover the cost of said paving, Two Thousand (\$2,000) Dollars of said deposit to be retained by the City as payment for that portion of said paving assumed by the A. J. Daino Construction Company, the remaining One Thousand, Four Hundred (\$1,400) Dollars of said deposit to be reimbursed and repaid to the A. J. Daino Construction Company by allowance on City taxes on property owned by A. J. Daino or A. J. Daino Construction Company;

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 and instructed to proceed with the paving of the streets in the resubdivision of Block 57, Country Club Section Part 4, at a cost not to exceed \$3,400;

That Two Thousand (\$2,000) Dollars of the cost of said paving be charged against the deposit made by the A. J. Daino Construction Company, and that the remainder of the cost be charged against general funds of the City or any funds on hand applicable to the construction or maintenance of the streets.

That the Tax Collector be and he is hereby authorized to issue tax receipts to A. J. Daino or the A. J. Daino Construction Company upon properties owned by him or said Company in an amount equal to the funds deposited by the A. J. Daino Construction Company over and above the \$2,000 paving costs assumed by said Company.

That the said paving shall be undertaken as a general operation of the City, and that no assessment shall be

levied against the abutting property for any part of the cost thereof.

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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1703

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONSTRUCT A FILL AT THE CORAL GABLES WATERWAY ON UNIVERSITY CONCOURSE TO REPLACE THE BRIDGE AT SAIDPOINT.

WHEREAS; The Bridge across the Coral Gables waterway at the University Concourse is in a dangerous condition, and must be either replaced or closed; and,

WHEREAS, The City is without funds with which to undertake the construction of a new bridge at this point, and deems it advisable to remove the present structure and replace it with a fill and suitable culverts to permit the flow of water;

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 and instructed to remove the bridge at University Concourse and the Coral Gables Waterway and replace said bridge with six foot culverts and a paved fill, at a cost not to exceed \$2,000, said cost to be charged against the road and bridge funds.

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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1704

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A FILL ACROSS THE CORAL GABLES WATERWAY AT BLUE ROAD.

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

That the City Manager be and he is hereby authorized to construct a fill at Blue Road at the Coral Gables Waterway, with suitable culverts to maintain the circulation of water, at a cost not to exceed \$350.00, said cost to be charged against the road and bridge funds.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 D'Shaughnessy
 Phillips
 Rinehart
 and
 Mayor McGarry

RESOLUTION NO. 1705

A RESOLUTION AUTHORIZING THE CONSTRUCTION
 OF A BRIDGE AT GRANADA BOULEVARD AND
 THE CORAL GABLES WATERWAY.

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

That the City Manager be and he is hereby
 authorized to proceed with the construction of a
 bridge at the Coral Gables Waterway and Granada
 Boulevard, using for the construction thereof such
 materials as can be salvaged from the bridge to
 be dismantled at the Coral Gables Waterway and
 University Concourse, at a cost not to exceed
 Eight Hundred Fifty (\$850) Dollars, such costs
 to be charged against the road and bridge funds.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner
 O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 and
 Mayor McGarry

RESOLUTION NO. 1706

A RESOLUTION AUTHORIZING THE CONSTRUCTION
 OF DRAINAGE DITCHES AT PONCE DE LEON
 BOULEVARD AND ALHAMBRA CIRCLE AND AT
 PONCE DE LEON BOULEVARD AND AVENUE MADEIRA.

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

That the City Manager be and he is hereby
 authorized to proceed with the construction of
 drainage ditches at the side of the intersection of
 Ponce de Leon Boulevard and Alhambra Circle, and
 at Ponce de Leon Boulevard and Avenue Madeira, at a
 cost not to exceed One Thousand Fifty (\$1,050) Dollars,
 said sum to be charged against the road and bridge
 funds.

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
 O'Shaughnessy
 Phillips
 Rinehart
 and
 Mayor McGarry

RESOLUTION NO. 1707

A RESOLUTION AUTHORIZING THE PURCHASE OF CEMENT FOR THE W. P. A. SIDEWALK PROJECT.

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

That the sum of Five Hundred (\$500) Dollars be and it is hereby appropriated from the Contingent Fund for the purpose of purchasing cement required for the continuance of the W.P.A. sidewalks repair project.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1708

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS FOR THE PURCHASE OF COCONUT PALMS.

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

That the sum of Three Hundred (\$300) Dollars be and the same is hereby appropriated from the Contingent Fund to the appropriation for parks and parkways, for the purpose of purchasing five hundred coconut palms in accordance with arrangements therefor made by the City Manager.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1709

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED DOLLARS FOR DECORATIONS FOR THE CITY HALL.

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

That the sum of One Hundred (\$100) Dollars be and the same is hereby appropriated from the Contingent Fund to appropriation for the City Hall for the purpose of purchasing flags and banners for the decoration of the City Hall during conventions and on the occasion of anniversaries and celebrations.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1710

A RESOLUTION APPROPRIATING THE SUM OF SEVEN HUNDRED EIGHT DOLLARS AND FIFTY CENTS FROM DEBT SERVICE FUNDS FOR THE PAYMENT OF DEBT REFUNDING EXPENSES.

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

That the sum of Seven Hundred Eight Dollars and Fifty Cents (\$708.50) be and the same is hereby appropriated from debt service moneys on hand, for the purpose of paying amounts now due to Central Hanover Bank & Trust Company of New York for services in connection with the refunding 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" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1711

A RESOLUTION AUTHORIZING THE EXEMPTION AND CANCELLATION OF TAXES ON CERTAIN PROPERTY OWNED BY THE EXMOOR SCHOOL.

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

That the Tax Assessor be and he is hereby authorized to mark as exempt upon his assessment roll vacant land owned by the Exmoor School immediately west of and adjoining the south of Exmoor School building.

That the Tax Collector be and he is hereby authorized and instructed to cancel City taxes upon said lot for years subsequent to the year in which the title and use of such lot was acquired by the Exmoor School.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1712

A RESOLUTION AUTHORIZING THE CANCELLATION
OF 1936 TAXES ON THE BUILDING OCCUPIED BY
THE CURTIS AEROCAR COMPANY

WHEREAS, The City Commission entered into an agreement with the Curtis Aerocar Company for the cancellation and exemption of taxes on the building occupied by them, as an inducement to said Company to locate its plant and headquarters in Coral Gables, said agreement expiring with the tax year 1935; and

WHEREAS, The City Commission agreed with said Company that it would extend the terms of said Agreement to apply to the year 1936, contingent upon the continued location and operation of the plant of said Company in The City of Coral Gables through and including the month of June, 1937; and

WHEREAS, The conditions of said extended agreement have been met and executed by the Curtis Aerocar Company;

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 the 1936 City taxes against Lots 13 to 24, both inclusive, Block 9, Crafts Section, being the building occupied by the Curtis Aerocar Company.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Avery; The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1713

A RESOLUTION CONFIRMING AND CONTINUING
THE APPOINTMENT OF E. M. WILLIAMS A S
CITY MANAGER.

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

That the appointment of E. M. Williams as City Manager of The City of Coral Gables be and it is hereby continued and confirmed.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1714

A RESOLUTION CONTINUING AND CONFIRMING THE APPOINTMENT OF G. N. SHAW AS CITY CLERK.

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

That the appointment of G. N. Shaw as City Clerk of The City of Coral Gables be and it is hereby continued and confirmed.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1715

A RESOLUTION DESIGNATING AND APPOINTING MARTIN F. AVERY AS VICE-MAYOR OF THE CITY OF CORAL GABLES.

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

That Martin F. Avery be and he is hereby designated and appointed as vice-mayor of The City of Coral Gables, Florida.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. 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:
Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE COMMISSION OF
THE CITY OF CORAL GABLES
ON JUNE 28, 1937

Pursuant to call of special meeting by Mayor McGarry, and unanimous 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 Monday, June 28, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1716

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
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1717

APPROVING A PROPOSED LETTER AGREEMENT AMENDING A CERTAIN LETTER AGREEMENT NOW IN EFFECT BETWEEN THE CITY AND FLORIDA POWER & LIGHT COMPANY DATED JANUARY 13, 1937, PERTAINING TO THE COMPROMISE AND SETTLEMENT OF ALL OUTSTANDING INDEBTEDNESS OWED BY THE CITY TO FLORIDA POWER & LIGHT COMPANY AS OF JANUARY 1, 1937, AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH SAID LETTER AGREEMENT SHALL BE AMENDED; AUTHORIZING AND DIRECTING THE MAYOR 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 Letter Agreement amending

a certain Letter Agreement, dated January 13, 1937, now in effect between the City and Florida Power & Light Company, pertaining to 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:

, 1937

City of Coral Gables
Coral Gables, Florida.

Gentlemen:

This relates to that certain Letter Agreement now in effect between us dated January 13, 1937, setting out the terms and conditions relative to the settlement and liquidation of the \$355,263.45 of indebtedness which you owe to us as of January 1, 1937.

In view of your representations to us that through no fault of yours the Supreme Court of the State of Florida has not handed down its opinion relative to the Bonds and Tax Participation Certificates which you contemplate issuing under your Debt Settlement Plan and Agreement, dated December 24, 1936, and your Ordinance No. 269, we hereby agree, at your request, that the first and second paragraphs on page 2 of the said Letter Agreement shall be amended to read as follows:

"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 a period of time ending thirty (30) days after the Supreme Court of the State of Florida, has handed down its final decision in that certain case styled 'The City of Coral Gables, a municipal corporation of Dade County, Florida, Appellant, vs. State of Florida, et al., Appellees', which pertains to the validation of Bonds and Tax Participation Certificates which the City proposes to issue under its Ordinance No. 269, but in no event shall the terms and provisions of this paragraph be extended beyond January 1, 1938".

"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 a period of time ending thirty (30) days after the Supreme Court of Florida has handed down its final decision in the above mentioned case concerning the validation of your 'Refunding Bonds' and 'Tax Participation Certificates' under said plan, or on or before January 1, 1938, whichever date shall be the earlier, and if 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 the terms and 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 did exist, if this Letter Agreement had never been executed."

It is understood and agreed that, except as expressly provided herein, the said Letter Agreement dated January 13, 1937, 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 _____
Vice President and General
Manager

We agree to the foregoing.

CITY OF CORAL GABLES

By _____
Mayor

Attest:

Approved and to Form and
Correctness this day of , 1937.

City Clerk

Attorney for City of Coral Gables,
Florida

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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1718

A RESOLUTION RATIFYING AND CONFIRMING THE ACT OF THE MAYOR AND CITY COMMISSIONERS IN EXECUTING AN AGREEMENT DATED DECEMBER 24, 1936 BETWEEN THE CITY OF CORAL GABLES AND ITS CREDITORS.

WHEREAS, The Mayor and Commissioners of The City of Coral Gables executed as of the 24th day of

December, 1936 a certain agreement between the City and its creditors, calling for the exchange of the existing indebtedness for bonds and Tax Participation Certificates of the issue of January 1, 1937; and,

WHEREAS, The execution of said Agreement was authorized unanimously by the Commission of The City of Coral Gables, but was not formally acted upon and made a part of the record; and,

WHEREAS, This Commission approves of the act of the former City Commission in executing said contract, and is proceeding with the plan of refunding agreed to therein;

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

That the Commission hereby ratifies, approves, and confirms the act of the Mayor and City Commissioners in executing that certain Memorandum of Agreement between the City of Coral Gables and its creditors, dated December 24, 1936, in words and figures as follows, to-wit:

MEMORANDUM OF AGREEMENT

THIS AGREEMENT made and entered into as of the 24th day of December, A. D. 1936 by and between THE CITY OF CORAL GABLES, a municipal corporation created and existing under the laws of the State of Florida, hereinafter sometimes called the "City", and the several persons, firms and corporations being the holders and/or owners of bonded and other indebtedness of The City of Coral Gables incurred prior to November 6, 1934, whose names are subscribed to this agreement, hereinafter referred to as the "Creditors";

W I T N E S S E T H:

WHEREAS, the City has heretofore issued its bonds and obligations dated, bearing interest, and originally issued in approximately the following amounts, to-wit:

Amount of Original Issue	Title of Issue	Dated	Interest Rate
\$ 550,000	Permanent Improvement	Dec. 1, 1925	5 $\frac{1}{2}$ %
450,000	Permanent Improvement	Apr. 1, 1926	5 $\frac{1}{2}$ %
1,787,000	Improvement	July 1, 1926	6%
4,532,000	Municipal Improvement	Jan. 1, 1927	6%
157,000	Refunding	June 1, 1928	6%
873,000	Refunding	June 15, 1928	6%
157,000	Refunding	June 1, 1929	6%
195,000	Revenue	July 1, 1929	6%
96,000	Refunding	Jan. 1, 1930	6%
150,000	Refunding	July 1, 1930	6%

of which indebtedness there is now issued and outstanding a bonded indebtedness in the principal sum of approximately \$7,977,000 upon which unpaid interest accrued to January 1, 1937 will amount to approximately \$2,707,902; and

WHEREAS, prior to November 6, 1934 The City of Coral Gables duly incurred and now has outstanding other valid municipal indebtedness in the approximate principal amount of \$412,000 upon which unpaid interest accrued to January 1, 1937 will amount to approximately \$134,318; 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

WHEREAS, it is in the interests of the City and its Creditors that such indebtedness be readjusted and refunded; and, whereas; the City deems it advisable and necessary to readjust and refund said entire indebtedness and interest accruing thereon by issuing in exchange therefor: (a) Refunding Bonds in an amount equal to fifty (50%) per cent of all unpaid principal indebtedness incurred prior to November 6, 1934, not to exceed, however, the total sum of Four Million Two Hundred Thousand (\$4,200,000) Dollars, and (b) Tax Participation Certificates in settlement of the difference between said total outstanding indebtedness, including unpaid interest accrued to January 1, 1937, and the principal amount of Refunding Bonds to be so issued, all in the manner and under the terms and conditions set forth in detail in the "Plan for Readjustment and Refunding of Principal and Interest of Outstanding Bonded and Floating Indebtedness of The City of Coral Gables, Florida", attached hereto and by express reference made a part hereof; and

WHEREAS, all of 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 same time and in the same manner as other taxes levied by the City; and

WHEREAS, a considerable number of such Creditors are willing to have the indebtedness owing them readjusted and refunded on the basis and under the terms and conditions set forth in said attached Plan;

NOW, THEREFORE, in consideration of the premises and of the undertaking and performance of the covenants herein contained, and other good and valuable considerations, the parties to this Agreement hereby covenant and agree with each other as follows, to-wit:

FIRST: Both The City of Coral Gables and the Creditors covenant and agree that the "Plan for Readjustment and Refunding of the Principal and Interest of the Outstanding Bonded and Floating Indebtedness of The City of Coral Gables, Florida", attached hereto and by express reference made a part hereof, is hereby accepted, adopted and approved and shall be taken to be a part of this Agreement with the same effect as if each and every statement and provision thereof had been embodied herein, and that said Plan and this Agreement shall be read as one and the same instrument. The City of Coral Gables Ordinance No. 269 authorizing said Plan for Readjustment and Refunding is also by express reference made a part hereof and each and every party signatory hereto expressly covenants and agrees to be bound by each and all of the terms thereof.

SECOND: The City covenants and agrees to issue Refunding Bonds in an amount equal to fifty (50%) per cent of all unpaid principal indebtedness incurred prior to November 6, 1934,

not to exceed, however, the total sum of Four Million Two Hundred Thousand (\$4,200,000) Dollars, and further covenants and agrees that it will issue Tax Participation Certificates in satisfaction of that portion of its entire debts constituting the difference between the aggregate indebtedness of the City to be readjusted and refunded under this Refunding Plan, including unpaid interest thereon to January 1, 1937, and the principal amount of all Refunding Bonds, and agrees to issue and deliver one Tax Participation Certificate 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 provided to be issued hereunder.

The Refunding Bonds and Tax Participation Certificates to be issued hereunder shall be duly and regularly validated, at the expense of the City and prior to the delivery thereof, by final judgment of the Circuit Court affirmed by a decision of the Supreme Court of Florida. The Refunding Bonds shall be direct, general and unlimited obligations of the City payable out of unlimited ad valorem taxes upon all the real and personal property of the City subject to taxation, including homesteads. The Tax Participation Certificates, however, shall not constitute either directly or indirectly, or be construed to be, and indebtedness of the City, but shall merely evidence the right of the holder to participate yearly on a pro rata basis in all funds hereunder provided to be paid into the Tax Participation Certificate Fund.

THIRD: The City hereby designates the Central Hanover Bank & Trust Co., 60 Broadway, New York City, as Depository for all bonds, coupons and other creditor indebtedness not deposited under the terms of the Deposit Agreement with the Bondholders' Protective Committee composed of Edwin H. Barker, Prentiss de V. Ross and Sanders Shanks, Jr. When and if the City shall certify to said Central Hanover Bank & Trust Co., as Depository, that the holders of ninety (90%) per cent of all unpaid principal indebtedness of the City incurred prior to November 6, 1934 have executed this document or counterparts thereof and/or related documents, each Creditor, signatory hereto, upon written request and at the expense of the City, covenants and agrees to promptly deposit all his or its bonds, coupons, obligations, notes, judgments, contracts or other evidences of indebtedness under the terms hereof with the Central Hanover Bank & Trust Co., as Depository, and to accompany said bonds or obligations with written authority directing said Depository upon the affirmance by the Supreme Court of Florida of the judgment of the Circuit Court in the Refunding Bond validation proceeding herein provided for, to promptly surrender and deliver, or cause to be surrendered and delivered, to the City or an agent designated by the City, for cancellation, the bonds and coupons thereto appertaining, and/or other notes, judgments, contracts or other evidences of indebtedness so deposited as aforesaid, in exchange for Refunding Bonds and Tax Participation Certificates respectively due each signatory Creditor under the terms hereof, all in accordance with the terms and provisions and subject to the conditions precedent set forth in this Agreement, and the City agrees to issue and deliver to the Depository for the account of each Creditor the amount of such Refunding Bonds and Tax Participation Certificates for delivery contemporaneously with aforesaid surrender of securities and in exchange therefor and in consideration thereof.

Any Creditor, signatory hereto, may, if he so elects, deposit his bonds, obligations, notes, judgments, contracts

or other evidences of indebtedness with the Depository prior to the date of the written request by the City for the deposit thereof provided for in the preceding paragraph.

All bonds and obligations shall be deposited in negotiable form accompanied by all unpaid coupons, whether or not matured, and with all assignments or other instruments as may be required by the City. The Depository, on request of the City, may admit to deposit bonds and obligations without coupons, or coupons without bonds and obligations, or in such other way as the City Commission of the City of Coral Gables may by resolution determine and direct. Creditors of the City, other than the holders of bonds and coupons, shall deposit the evidence or evidences of such indebtedness with proper instruments authorizing release, cancellation or assignment thereof to the City or in such other manner as the City Commission of The City of Coral Gables may by resolution determine and direct. For each such deposit a Certificate of Deposit executed by or on behalf of the Depository shall be issued to the depositor. Neither the issuance of any Certificate of Deposit nor the acceptance by any depositor or any transferee thereof shall constitute any representation by the Depository or by or on behalf of the City as to the title of the depositor to the bonds and obligations or coupons described in the Certificate of Deposit. Said Certificate of Deposit shall be in such form as may be approved by the Commission of The City of Coral Gables. Each Certificate of Deposit shall show the date of the bonds and obligations described therein, the issue or issues of which it or they are a part, and what coupons were deposited with the bonds, as well as sufficient data to fully identify all other obligations, notes, contracts or evidences of indebtedness deposited with the Depository.

It is understood that a period of time, the extent of which cannot be foreseen at the time of the execution of of this Agreement, must elapse before the necessary validation proceedings can be completed, the other conditions mentioned in this instrument satisfied, and before the Refunding Bonds and Tax Participation Certificates can be authorized, executed and exchanged. If, however, said period shall extend beyond June 30, 1937, any depositing Creditor may, without cost, withdraw the bonds, coupons and other evidences of indebtedness which he may have deposited with the Depository under the terms hereof, and as to said withdrawing Creditor this Agreement shall thereupon become null and void, and of no further effect.

FOURTH: The City covenants and agrees, before issuing any Refunding Bonds and/or Tax Participation Certificates hereunder, to enact such Ordinances, and pass such Resolutions as may be legally required to make the covenants of the City herein contained a part of the contract of said City with the holders of Refunding Bonds and Tax Participation Certificates provided to be issued hereunder. All Ordinances, Resolutions and other acts or proceedings of the City Commission, or of any officer of the City, required by the terms of this Agreement; the proceedings incident to calling of a special election of the Freeholders of The City of Coral Gables to approve and authorize, or disapprove, the provisions of the Plan for Readjustment and Refunding; the proceedings to issue and validate the Refunding Bonds and/or Tax Participation Certificates herein provided for; the form, validity and effect of said Refunding Bonds and/or Tax Participation Certificates, and of the provisions for the Obligatory Minimum Tax Levies for Debt Service specifically provided for in Section Four and Section Five of the Plan for Readjustment and Refunding shall be subject to the approval of Thomson, Wood & Hoffman, of New York City, New York, or other competent municipal counsel. The City further agrees to furnish a legal opinion of said Thomson, Wood & Hoffman,

or other competent municipal counsel, approving the legality of said Refunding Bonds and Tax Participation Certificates provided to be issued hereunder.

FIFTH: The City covenants that the payment of the Refunding Bonds and the interest thereon shall not be hampered, delayed or voided by either Constitutional or Statutory enactments heretofore or hereafter adopted and that, so far as the same can or may relate to said Refunding Bonds, the remedies existent when the bonds and other indebtedness now outstanding were issued or incurred shall not be rendered less efficacious. The City further covenants that it will neither adopt nor put into effect any scheme or device of administrative procedure, whether directly designed or intended or not, which in operation will have the effect of hindering or delaying or unduly burdening holders of the Refunding Bonds hereafter to be issued in the realization of their right to payment of either interest or principal of said Refunding Bonds.

SIXTH: Each of the Creditors, signatory hereto, agrees that he or it will not, pending the execution and performance of this Agreement: (a) sell, pledge or otherwise dispose of any of the bonds, coupons or other evidences of indebtedness covered by the provisions of this Agreement, except on such terms as the transferee or pledgee thereof will be bound by all the terms and conditions referred to herein, and that in the event of any such sale, pledge or other disposition, he or it will give written notice thereof to the City Clerk of The City of Coral Gables: (b) institute any action, suit or proceeding at law or in equity against The City of Coral Gables in relation to or based upon any deposit hereunder without the written consent of the Mayor or City Clerk of the City and that any pending litigation on behalf of any signatory hereto against The City of Coral Gables shall remain in statu quo and be continued by appropriate stipulations during the life of this Agreement.

Each and every Creditor, signatory hereto, further agrees to do and perform, or cause to be done and performed, each and every act, deed and thing whatsoever which the City or its attorneys shall deem necessary and proper to fully carry out the objects and intent of this Agreement.

It is specifically agreed that no estimate, statement, explanation or suggestion made or contained in any oral or written explanation or in any circular or letter which may be issued in connection herewith is intended or is to be taken as a representation or warranty or as a condition of assent under the Plan and this Agreement and no defect or error therein shall release any assent hereto.

SEVENTH: This agreement shall become operative when proper signatures or consents thereto have been executed upon this document or counterparts thereof, and/or related documents, by "Creditors" having, in the opinion of the City Commission of The City of Coral Gables, a sufficient portion of all unpaid principal indebtedness of the City incurred prior to November 6, 1934 (but in no event less than 90% thereof) to insure that the City will be able to perform the covenants in the Refunding Bonds and to make the Plan for Readjustment and Refunding incorporated herein feasible and practicable.

EIGHTH: The City expressly agrees that no creditor joining in this Agreement shall subject or obligate himself or itself to any cash or other assessment or contribution whatsoever in connection with this Agreement, it being

understood and agreed that all expenses incurred hereunder shall be paid by the City.

NINTH: All parties hereto agree to be bound by the terms of any amendment to this Agreement agreed to by the City and by two-thirds in amount of all claims of the Creditors signatory hereto; provided, however, that no such amendment shall change the Obligatory Minimum Tax Levies, the Sinking Fund provisions or the basis of readjustment and exchange as provided for in the attached Plan.

TENTH: This Agreement shall be governed by the laws of the State of Florida irrespective of where any party may execute it or where this Agreement is to be performed in whole or in part (except that in the case or the interpretation of this agreement by a Court of another State than Florida, the laws of the State of Florida as applicable to this Agreement are to be adopted as fully as is permitted by the law of the State of the Court so interpreting).

ELEVENTH: This Agreement shall respectively bind and inure to the benefit of all parties hereto, their heirs, legal representatives, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in counterpart originals and affixed their respective seals hereto as of the date first above written.

THE CITY OF CORAL GABLES
By: Roscoe Brunstetter,
Mayor

Roscoe Brunstetter
Paul D. McGarry
Martin F. Avery
M. B. Garris
Hollis Rinehart, Jr.

Members of City Commission

(CITY SEAL)

Attest: G. N. SHAW,
City Clerk & Director of Finance.

Creditor (SEAL)

Street

City State

DESCRIPTION OF DEPOSITED BONDS OR OTHER INDEBTEDNESS

Principal Amount Date Numbers Coupons Appurtenant

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
Rinehart
and
Mayor McGarry

Not voting - Commissioners O'Shaughnessy
Phillips

RESOLUTION NO. 1719

A RESOLUTION AGREEING TO AN AMENDMENT
EXTENDING THE TERMS OF THE MEMORANDUM
OF AGREEMENT DATED DECEMBER 24, 1936
BETWEEN THE CITY AND ITS CREDITORS.

WHEREAS, For causes beyond the control of The
City of Coral Gables the City has been prevented from
completing its Refunding Plan, authorized under
Ordinance No. 269, within the June 30, 1937 time limit
originally fixed in the Memorandum of Agreement of
December 24, 1936 between the City and the several
creditors of the City signatory thereto; and

WHEREAS, Paragraph Ninth of said Memorandum of
Agreement reads as follows:

"NINTH: All parties hereto agree to be bound by
the terms of any amendment to this Agreement
agreed to by the City and by two-thirds in amount
of all claims of the Creditors signatory hereto;
provided, however, that no such amendment shall
change the Obligatory Minimum Tax Levies, the
Sinking Fund provisions or the basis of readjust-
ment and exchange as provided for in the attached
Plan."

and

WHEREAS, An amendment to said contract extending
the term of said contract for a period ending thirty (30)
days after the final decision of the Florida Supreme Court
in the Coral Gables Validation proceedings is permissible
under the terms of said paragraph Ninth of said Agreement;

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

That the City of Coral Gables hereby consents,
joins in and agrees to an amendment to the said Memorandum
of Agreement of December 24, 1936, extending the term of
said agreement for a period ending Thirty (30) days after
the final decision of the Florida Supreme Court in the
Coral Gables Validation proceeding now pending in said Court.

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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1720

A RESOLUTION AUTHORIZING DIRECT
REMITTANCES OF INTEREST ACCRUING JULY 1, 1937
TO CERTAIN CREDITORS.

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 make payment
of interest accruing July 1, 1937 under Refunding
Ordinance No. 269 by direct remittance by City Check to
the following creditors in the amounts shown opposite
their name:

<u>Bondholder</u>	<u>2½% Interest</u> <u>1/1/37 - 7/1/37</u>
Edwin H. Barker, Prentiss de V. Ross and Sanders Shanks, as the Bond- holders Protective Committee	\$25,168.75
Joseph A. Becu	31.25
Ethel J. Biggs	31.25
Brandon & Company	856.25
Edson L. Cannon	50.00
Emerson C. Cook	1,237.50
W. P. Chrysler, B.C. Foy & D.R. McLain, Trustees	793.75
C.H. Bancroft, Receiver, City National Bank of Miami	781.25
Cross & Company	131.25
Edward H. Dahly	18.75
Estate of Grace A. Dalzell	6.25
Davies, John M.	31.25
Charles H. Davis	31.25
Detroit Trust Company, Trustees for Charles D. Aaron & Josephine C. Aaron	93.75
Detroit Trust Company, Trustees for Lelia H. Canfield	93.75
Everett Dominick	62.50
George Dominick, Jr.	62.50
F. I. DuPont & Company	337.50
Dows Estates, Inc.	25.00
P. G. Dusenbury	25.00
Rhayleine Dyckman	12.50
Fort Plain National Bank	18.75
Alex R. Grosback, Receiver for Guardian Detroit Union Group	281.25
Arthur Gwynne	43.75
Bender & Company (J.S. Johnson)	312.50
R. W. Johnson	312.50
Max Kade	31.25
Norman G. Keiser	12.50
Morris Kurtzon	18.75
John G. Lamoree	93.75
C. J. Lawrence & Sons	168.75
H. P. McIntosh, Jr., Trustee for the Estate of H.P. McIntosh, Sr.	18.75
E. F. Montgomery	312.50
Robert H. Montgomery	406.25
Joseph L. Moore	6.25
Charles S. Mott	1,468.75
Jessie Munger, Executrix	312.50
Marguerite S. Neal	1,137.50
Edward Olds Roe	625.00
Ransom Fidelity Company	625.00

·Mrs. Gladys Olds Anderson	325.00
·Peninsula Securities, Inc.	250.00
·Emma R. Piatt	6.25
·Alonzo Potter	6.25
·Nellie D. Pringle	12.50
·Arthur F. Smith	6.25
·R. Z. Smith	6.25
·Thomas F. Kenney	62.50
·Robert N. Tuller	31.25
·Thomas W. Warner	375.00
·Rufus Wiles	6.25
·Thomas Yawkey	231.25

was introduced and read.

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

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

There being insufficient time to consider other business before the meeting, on motion duly seconded and unanimously carried, the meeting was adjourned until three o'clock P.M. on Wednesday, June, 30, 1937.

ATTEST:

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

APPROVED:

Paul D. McGarry

MAYOR
Paul D. Mc Garry

1957.00
1958.00
1959.00
1960.00
1961.00
1962.00
1963.00
1964.00
1965.00
1966.00
1967.00
1968.00
1969.00
1970.00
1971.00
1972.00
1973.00
1974.00
1975.00
1976.00
1977.00
1978.00
1979.00
1980.00

Mrs. Gladys Olive Anderson
Peninsula Securities, Inc.
John E. Platt
Alonso Potter
Walter D. Pyralis
Arthur R. Smith
E. J. Smith
James R. Tamm
Robert H. Tiller
Thomas F. Turner
Lafayette Wilson
Thomas Yackey

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner Minchew.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery,
C. Cunningham,
Phillips,
Minchew.

and
Lester McGarity

There being no further business, the meeting was adjourned until three o'clock P.M. on Wednesday, June 30, 1971.



ATTEN:
[Signature]
CHIEF CLERK
G. M. Shaw

MINUTES OF MEETING OF CITY COMMISSION
ON JUNE 30, 1937

Pursuant to adjournment at the meeting of June 28, 1937, the Commission of The City of Coral Gables convened in special session at the City Hall at three o'clock P.M. on Wednesday, June 30, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1721

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 Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1722

A RESOLUTION AUTHORIZING DIRECT REMITTANCES OF INTEREST ACCRUING JULY 1, 1937 TO CERTAIN CREDITORS.

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 make payment of interest accruing July 1, 1937 under Refunding Ordinance No. 269 by direct remittance by city check to the following creditors in the amounts shown opposite their name:

J. E. Canning	\$62.50
Rensellaer Valve Co.	16.47
Florida Power & Light Co.	1,690.45
Aura Bland	62.50
Coral Gables, Inc.	93.75

P. C. Gorman	418.75
Kuhn-Morgan & Co.	62.50
Dr. E. C. Lunsford	62.50
Louise B. Lunsford	62.50
Clyde C. Pierce Corp.	218.75
Geo. U. Robson	43.75
Geo. U. Robson, Agent	50.00
Geo. U. Robson, Agent	31.25
Smith, Kenney & Co.	156.25
Henry Zoller, Jr.	18.75
A. K. Hawkins	300.00
C.W. Crews	156.25
C. H. Murphy	125.00
C. V. McClurg	125.00
William D. Williams	125.00
C. B. Smith	31.25
Mrs. E. R. McMurray	18.75
Charles Hull Ewing	125.00
Paul W. McKee	62.50
W. B. Rogers	450.00
Wolking, Rogers & McKee, Inc.	762.50
Baynard Bros. Realty & Ins. Company	131.25
F. I. Kithcart	18.75
Wolking, Rogers & McKee, Inc.	68.75
Joseph A. Schantz	531.25
Dr. L. W. Blake	62.50
Baynard Bros. Realty & Ins. Company	6.25
C. W. Broeman	31.25
Charles A. Krickl	50.00
Jacob Mayers	250.00
Dr. E.P. Porter	18.75
Slovenic-Croatian Union of U.S.A.	62.50
Gamewell Company	67.24
Est. of E.J. Daly	31.25
B. J. Van Ingen	437.50

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1723

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED DOLLARS FOR CERTAIN ADVERTISING.

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

That the sum of Two Hundred (\$200) Dollars be and the same is hereby appropriated from the Contingent Fund to the appropriation for miscellaneous publicity, for the purpose of placing advertisement in the Miami Herald, the Miami Daily News, the Miami Beach Tribune and the Miami Riviera, in connection with the Knights Templar Convention, and the City Manager be and he is hereby authorized to negotiate for suitable advertisement at a cost not to exceed this appropriation.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1724

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES TO EXECUTE A CERTAIN AGREEMENT BETWEEN THE CITY AND CORAL GABLES DEVELOPMENT COMPANY FOR THE SALE OF THE CITY'S TAX AND/OR VALID SPECIAL ASSESSMENT DELINQUENT ASSETS.

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

That pursuant to authority vested in this Commission under the Laws of the State of Florida and particularly Chapter 17517, Acts of Florida, 1935, the Mayor and the City Clerk of and on behalf of The City of Coral Gables be and they are hereby authorized and instructed to execute a certain agreement between The City of Coral Gables and Coral Gables Development Company, in words and figures as follows, to-wit:

MEMORANDUM OF AGREEMENT

THIS AGREEMENT made and entered into this 30th day of June, A.D. 1937 by and between THE CITY OF CORAL GABLES, a Municipal Corporation created and existing under the laws of the State of Florida, hereinafter sometimes called the "City" and CORAL GABLES DEVELOPMENT COMPANY, a Florida Corporation, hereinafter sometimes referred to as the "Purchaser",

W I T N E S S E T H:

WHEREAS, the City owns and desires to secure a purchaser for all the Tax Certificates, Delinquent Tax Liens and Claims, Tax Titles and other assets hereinafter more particularly described; and

WHEREAS, the properties against which said delinquent taxes have been levied are in most instances also subject to delinquent State, County, and Drainage District taxes and therefore subject to the imminent jeopardy incident to forced liquidation by foreclosure of said delinquent State, County, Drainage and other District taxes; and

WHEREAS, the Purchaser is willing to buy said assets for the considerations and on the terms and conditions hereinafter prescribed; and is further desirous of assisting in the stimulation of activity in the City by making available a program permitting of equitable readjustments and/or funding of tax delinquencies; and

WHEREAS, the City is desirous of actively cooperating in any proper program likely to reduce tax delinquencies, assist in the protection of rights of property owners, and encourage the prompt payment of current and future taxes and otherwise contribute to the growth of the City;

NOW, THEREFORE, in consideration of the premises, the mutual covenants hereinafter contained, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the parties hereto covenant and agree as follows, to-wit:

FIRST: The City of Coral Gables hereby agrees to sell to the Purchaser all its right, title and interest in and to the following described Tax Certificates, Liens for Taxes, Tax Titles and other properties owned by it as of the date of this contract, to-wit:

(a) All such taxes and/or valid special assessments on properties in the City of Coral Gables delinquent as of the date of this contract, including all general taxes presently back assessed or which may hereafter be back assessed for the calendar years prior to 1936;

(b) Tax liens on properties in The City of Coral Gables which are evidenced: (1) by final decree of foreclosure in suits against the several properties to subject them to the payment of the City tax liens for the year 1934 and prior thereto; and (2) by the tax sale certificates and/or unpaid or omitted taxes owned and held by the City evidencing taxes for the year 1935 and prior years, which tax liens, the City is advised, are concurrent and of equal dignity with the tax liens for unpaid State and County taxes and outstanding tax sale certificates for State and County taxes against said properties and with special and drainage district or other delinquent taxes;

(c) Tax Titles to properties (including the Mahi Shrine Golf Course and Club House tracts, approximating 55 acres, more or less) which titles have been or may, at the earliest legally allowable date, hereafter be acquired by foreclosure of tax liens for the tax year 1935 and prior years, which said tax titles are and will be subject to the lien of unpaid State and County general taxes and outstanding State and County Tax Sale Certificates against said properties, and the lien of special drainage, and other district delinquent taxes and other unpaid tax liens of record;

(d) All its right, title and interest under the terms and provisions of a certain Contract between The City of Coral Gables Properties, Inc., dated May 14, 1929 and that certain Assignment from Coral Gables, Inc. to The City of Coral Gables therein referred to, which said Assignment is also dated May 14, 1929, which said Contract and Assignment are attached hereto marked "Exhibit B" and by express reference made a part hereof,

all of which Tax Certificates, Liens for Taxes, Tax Titles and other properties owned by the City are more particularly described in the "Schedule of Escrow Properties and Papers" (hereby referred to and by express reference made a part hereof) which is attached to the "Supplemental Agreement and Terms of Escrow" referred to in Section SECOND hereof, and are to be liquidated under the provisions of this Contract and the Escrow Agreement hereto attached.

SECOND: The City agrees to promptly deliver and deposit in escrow, under the terms and provisions set forth in the "Supplemental Agreement and Terms of Escrow" (a copy of which, marked "Exhibit A", is attached hereto and by express reference made a part hereof), and particularly paragraph 9th thereof, all the Tax Certificates, Evidences of Tax Liens, Tax Titles and other properties (sometimes herein referred to as the "Escrowed Assets") more particularly described in the "Schedule of Escrow Properties and Papers" attached to said "Exhibit A", together with appropriate authorizations, assignments, deeds and/or other legal instruments of transfer and conveyance necessary to enable the Escrow Agent, upon the happening of the several events and conditions specifically provided for in said "Supplemental Agreement and Terms of Escrow" to make immediate delivery of all or any part thereof without further act on the part of the City.

The City further agrees to execute and deliver, upon request of the Purchaser, any and all further authorizations, assignments, conveyances, deeds, documents, papers, consents, etc. incident or necessary to the carrying out of the terms, provisions and intent of this Agreement.

..... is hereby designated and appointed by the parties hereto to function as Escrow Agent under the terms of this Agreement; provided, however, that said Escrow Agent may be removed and another substituted upon joint written direction of the City and the Purchaser.

THIRD: The Purchaser hereby agrees to buy from The City of Coral Gables all its right, title and interest in and to the assets and properties described in the "Schedule of Escrow Properties and Papers" referred to in Section SECOND hereof, and agrees to pay and/or deliver therefor the following considerations:

(a) \$75,000 in cash payable contemporaneously with the execution and delivery of this contract:

(b) An additional \$75,000 in cash payable promptly when the Debt Refunding Plan set forth in City Ordinance No. 269 (or any amendment or amendments thereto) shall have been declared operative by the City and the actual exchange of new Refunding Bonds and Tax Participation Certificates (or other refunding securities) for at least 90% in amount of the indebtedness to be refunded has been actually consummated;

(c) Additional cash payments in the aggregate amount of \$425,000 payable on or before the following dates and in the following installments, to-wit:

\$50,000 on or before July 1st, 1938
 50,000 on or before July 1st, 1939
 55,000 on or before July 1st, 1940
 55,000 on or before July 1st, 1941
 55,000 on or before July 1st, 1942
 55,000 on or before July 1st, 1943
 55,000 on or before July 1st, 1944
 50,000 on or before July 1st, 1945

Promptly upon the consummation of said City Debt Refunding Plan (Ordinance No. 269 and amendments) in the manner provided for in sub-paragraph (b) above, the Purchaser further agrees to deposit in a separate escrow the full amount of the considerations set forth and described in this sub-paragraph (c), with unconditional authority in the Escrow Agent to release to the City, on the dates and in the amounts as provided for in this sub-paragraph (c), the payments therein specified. Appropriate terms shall be incorporated in said escrow authorizing the City to direct the Escrow Agent to invest any such escrowed monies in bonds or other obligations of The City of Coral Gables, with authority, in the case of presently outstanding bonds or other indebtedness of the City, to do all things necessary to convert the same into Refunding Bonds, Tax Participation Certificates or other securities provided for under Refunding Ordinance 269, or any amendment thereto or substitute therefor; and further authorizing either the Purchaser or the City: (a) in the discretion of either party to direct the Escrow Agent from time to time to release from escrow and pay or deliver to the City, as partial prepayments, all or any part or portion of the cash or its equivalent in bonds or other indebtedness of the City (on the basis of the cash price paid therefor) so deposited in escrow; (b) to direct the Escrow Agent to unconditionally release and return to the Purchaser, as they mature, coupons or other evidences of accumulated interest on bonds or other indebtedness and/or payments on Tax Participation Certificates which may accrue on or in connection with any unreleased assets which may come into the possession of the Escrow Agent under the terms and provisions hereof.

If, however, said City Debt Refunding Plan with any amendments thereto, shall, for any reason, not be consummated in the manner above provided before September 30, 1937, or any later agreed-upon date, either party hereto may thereupon, for a period of thirty days, by written notice to the other, elect to forthwith terminate this Agreement; provided, however, that in the event of such termination the City shall, in the same manner as that provided in paragraph (9th) of the attached "Supplemental Agreement and Terms of Escrow", promptly cause to be unconditionally assigned and delivered to the Purchaser any undelivered portion of that proportionate amount of escrowed assets (as defined in paragraph SECOND hereof) which bears the same ratio to the total

principal amount of said escrowed assets as the initial \$75,000 cash payment made by the Purchaser at the time of the execution and delivery of this contract bears to the fixed sum of \$575,000.

FOURTH: The City hereby gives and grants to the Purchaser the right to make partial prepayments on any of the installments provided for in sub-paragraphs (b) and (c) of THIRD above at any time prior to the due date of the several installment payments therein provided for, and to the pro rata extent of such partial prepayments, the Purchaser shall be entitled to all the rights and privileges accorded it in connection with installment payments in full under all the terms and provisions of this Agreement and the "Supplemental Agreement and Terms of Escrow" referred to in Section SECOND hereof.

FIFTH: As to all lots in TheCity of CoralGables north of Sunset Road which either the Purchaser or any of its nominees or subsidiaries may hereafter acquire or otherwise control either under option contracts or other agreements entered into with the respective owners of said lots, the Purchaser agrees to underwrite and guarantee, in a manner satisfactory to the City: (a) the payment, on or before November 1, 1937, of all delinquent City, State, County, Drainage and other taxes which may have been levied for the calendar year 1936; (b) the yearly payment, as they become due and before they become delinquent, of all City, State, County and drainage and other taxes which may be levied on said lots for the calendar years 1937, 1938, 1939 and 1940.

SIXTH: The Purchaser and the City expressly agree to authorize, empower and direct the Escrow Agent provided for in Section SECOND, when and as requested in writing by the City, to unconditionally release and deliver to the City for park and recreational development; (a) all or any part of the "Escrowed Assets" which affect and/or relate to the lots or parcels of vacant property described in "Exhibit X" attached hereto and by express reference made a part hereof; (b) such further "Escrowed Assets" as affect and/or relate to additional plots of vacant property, suitable for park and recreational development, which may hereafter be designated in writing by the City and the Purchaser.

SEVENTH: During the respective periods of redemption allowed under the laws of the State of Florida, both parties hereto expressly consent to and authorize the redemption of any lots or parcels of property from those tax liens escrowed hereunder which may still be subject to redemption, upon cash payment of the full amount of taxes for the tax years 1934 and subsequent, plus interest and penalties, plus the additional sum arrived at by applying against the 1936 assessed valuations of the lots or parcels affected the millages (on a 100% assessed value base) for all of the delinquent years prior to the tax year 1934, plus interest, penalties, costs, attorneys fees and other charges which are or may be collectible under the laws of the State of Florida applicable thereto; provided, however, that unless otherwise agreed in writing the redemption of such properties will be permitted only by those persons entitled under the laws of the State of Florida to so redeem from such tax liens the lots and parcels so affected. By express agreement, any cash sums so realized shall be released and paid to the City upon proof that a sum equal thereto has been credited on account on the next maturing purchase price installment due from the Purchaser. In the event the full purchase price herein provided for shall have been paid and delivered to the City, said cash payments shall be released to the Purchaser.

Unless otherwise adjusted by the Purchaser through separate agreements entered into between the Purchaser and the respective owners and holders of lots, pursuant to the provisions of Sections (5th), (6th) and (7th) of the "Supplemental Agreement and Terms of Escrow", the City expressly covenants and obligates itself, at the request and expense of the Purchaser, to foreclose, through attorneys designated by the Purchaser, all tax liens described in the Schedule attached to "Exhibit A" at the earliest legally allowable date and to promptly deposit in escrow, with proper instruments of transfer and/or conveyance, such titles as may be acquired thereby, subject to all the terms and provisions of this Agreement. In the event any tax foreclosure, or substituted mortgage foreclosure, shall result in the sale to a third party for cash, the cash sums so realized shall be released in the same manner as that provided for in the preceding paragraph in the case of owner redemption.s

The City further covenants that as to any delinquent taxessor Tax Certificates, heretofore or hereafter declared to have been illegally or irregularly imposed or issued, it will, upon written request of the Purchaser, at its own expense, take any and all steps within its legal powers to cure the defect in such delinquent taxes and tax certificates, including the reassessment and relevy of the taxes upon which such illegal delinquent taxes and tax certificates may be predicated, and to promptly assign and deposit in escrow the rectified and readjusted tax liens so acquired to replace any liens, tax certificates or other titles to properties described in the Schedule attached to "Exhibit A" which may for any reason prove to be so defective and legally subject to objection, whereupon the documents evidencing said defective tax certificates and tax liens shall be released from escrow and cancelled.

EIGHTH: Upon assignment and delivery to it of the "Escrowed Assets" as herein defined, the Purchaser shall, to the extent permitted by law, be entitled to be subrogated to all of the rights, equities and priorities of the City in connection therewith and shall have the same rights and remedies in respect to the endorsement of such liens and claims as may be vested in The City of Coral Gables.

All deeds and assignments executed by the City pursuant to the terms of this contract shall be subject to all valid zoning, building and police regulations, now or hereafter established by ordinance of the City, pertaining to the use, occupation and enjoyment of real estate within The City of Coral Gables, and such deeds and assignments may be made subject to such other limitations and restrictions as may be agreed upon by the City and the Purchaser for the purpose of continuing and improving the development of the City as a high-class residential district. Nothing herein contained shall be construed to obligate the City to provide utility, street or parkway extensions unless capital expenditures incident thereto are provided by the Purchaser, it being expressly understood, however, that the City, at its own expense, will at all times provide customary City maintenance and service.

NINTH: The Purchaser expressly agrees to generally list for sale with each and every member of the Coral Gables Real Estate Board each and every lot or parcel of land which may in any way, from time to time, become available for sale through the provisions of this Agreement or through the operation of any and all contracts or agreements that may be entered into by the Purchaser with owners or otherwise in connection with any of the properties described in the "Schedule of Escrow Properties and Papers". The Purchaser expressly agrees that the price at which said lots, parcels, etc. shall be so listed shall be the same prices as those fixed by the Purchaser for sales made by itself or through its own organization or agents. It is further understood and agreed that said listings shall also include any improvements, such as houses, stores, etc., which may hereafter be built on any of the lots referred to in said "Schedule of Escrow Properties". Commissions for sales of any of the above mentioned properties which may be consummated for the Purchaser by any member of the Coral Gables Real Estate Board shall be the same as those now recognized by the Coral Gables Real Estate Board as applicable to sales of similar properties.

TENTH: By express agreement, any dispute between the City and the Purchaser with respect to the interpretation of this contract shall be settled by arbitration. Each party shall appoint one arbitrator and if the arbitrators are unable to agree, an umpire shall be appointed by them in the usual manner. Both parties hereto agree to abide by the decision of the arbitrators, or of any arbitrator and the umpire, and each party hereby waives its right to take legal measures, except to enforce the award.

ELEVENTH: This agreement may be modified, amended, or enlarged in any particular by mutual written agreement of the parties hereto attached as a supplement. It is specifically agreed by the parties hereto that all the terms covenants, stipulations and agreements contained herein or in any supplement or amendment hereto shall be binding upon and inure to the benefit of each of the parties hereto and its respective successors and assigns.

TWELFTH: This contract shall be governed by the laws of the State of Florida irrespective of where any party may have executed it or where this contract is to be performed in whole or in part; except that in case of the interpretation of this contract by a court of another State than Florida, the laws of the State of Florida, as applicable to this contract, are to be adopted as fully as is permitted by the law of the State of the Court so interpreting.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their respective corporate names by their respective corporate officers thereunto duly authorized and their respective corporate seals to be hereunto affixed and attested, and this instrument to be signed, sealed and delivered in the presence of witnesses as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Signed, sealed and delivered in the presence of:

THE CITY OF CORAL GABLES

BY _____ Mayor

ATTEST: _____ City Clerk

CORAL GABLES DEVELOPMENT COMPANY

BY: _____ President

ATTEST: _____ Secretary

STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

I HEREBY CERTIFY, That on this 30th day of June, A.D. 1937, before me personally appeared PAUL D. McGARRY and G. N. SHAW, Mayor and City 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 instruments 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.

Notary Public, State of Florida at large.
My Commission expires:

STATE OF FLORIDA)
) SS
COUNTY OF DADE)

I HEREBY CERTIFY, that on this _____ day of _____ A.D. 1937, before me personally appeared _____ and _____ President and Secretary, respectively, of the Coral Gables Development Company, a 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 _____ in the County of _____ of _____ and State of _____ the day and year last aforesaid.

Notary Public
My commission expires:

"EXHIBIT A"

ESCROW AGREEMENT

SUPPLEMENTAL AGREEMENT AND TERMS OF ESCROW agreed upon and entered into as of the day of June, A.D. 1937, by and between THE CITY OF CORAL GABLES, a Municipal Corporation created and existing under the laws of the State of Florida, hereinafter designated as the "City"; Coral Gables Development Company, a Florida Corporation, hereinafter designated as the "Purchaser", and hereinafter designated as the "Escrow Agent" or "Escrowee",

W I T N E S S E T H:

WHEREAS, the City and the Purchaser have executed and delivered a certain "Memorandum of Agreement", dated as of the 30th day of June, 1937, a copy of which marked "Exhibit One" is attached hereto and by express reference made a part hereof; and

WHEREAS, this Agreement, primarily designated to set forth in detail the terms and provisions of the escrow therein provided for, constitutes a part of and is supplemental to said "Memorandum of Agreement";

NOW, THEREFORE, in consideration of the premises, the sum of Ten (\$10.00) Dollars each to the other in handpaid and other good and valuable considerations, the following Agreement and Escrow is entered into between the parties hereto as follows, to-wit:

(1st) The City of Coral Gables, pursuant to due resolution of its City Commission, herewith delivers to (Escrow Agent.....) to be held in escrow hereunder, the various Tax Certificates, Evidences of Tax Liens, Tax Titles and other properties (sometimes hereinafter referred to as the "Escrowed Assets"), together with the necessary authorizations, assignments, deeds, legal instruments of transfer and conveyance, and other documents and papers pertaining thereto, all of which assets and papers are listed in detail in the "Schedule of Escrow Properties and Papers" (attached hereto and by express reference made a part hereof), to be delivered, returned and/or otherwise disposed of in accordance with the specific escrow directions and instructions herein contained.

(2nd) The Escrow Agent is hereby instructed that both the City and the Purchaser, during the respective periods of redemption allowed under the Laws of the State of Florida, have expressly consented to and authorized the redemption of any lots or parcels of property from those Tax Liens deposited in escrow which may still be subject to redemption, upon cash payment of the full amount of taxes for the tax years 1934 and subsequent, plus interest and penalties, plus the additional sum arrived at by applying against the 1936 assessed valuations of the lots or parcels affected the millages (on a 100% assessed value base) for all of the delinquent years prior to the tax year 1934, plus interest, penalties, costs, attorneys fees and other charges which are or may be collectible under the Laws of the State of Florida applicable thereto; provided, however, that unless otherwise agreed in writing, the redemption of such properties will be permitted only by those persons entitled under the Laws of the State of Florida to so redeem from such tax liens the lots and parcels so affected. The Escrow Agent is expressly authorized and directed to release and pay to the City any cash sums so realized upon proof that a sum equal thereto has been credited on account on the next maturing purchase price installment due from the Purchaser. In the event the full purchase price herein provided for shall have been paid and delivered to the City, said cash payments shall be released to the Purchaser.

(3rd) In the event that the City is called upon by the Purchaser to foreclose any tax liens deposited hereunder in escrow, the Escrow Agent is hereby authorized, directed and empowered to permit the use of any escrowed assets or papers necessary for the proper prosecution of said foreclosure or other action and upon the consummation of said foreclosure, the Escrow Agent

is hereby instructed to accept the tax titles resulting therefrom with proper deeds of conveyance in lieu and substitution for the tax liens so foreclosed. In the event any tax foreclosure, or substituted mortgage foreclosure, shall result in the sale to a third party for cash, the cash sums so realized shall be released in the same manner as that provided for in paragraph 2nd of this Escrow Agreement in the case of owner redemptions.

(4th) In the event the City is requested by the Purchaser to take any and all steps within its legal powers to cure defects in delinquent taxes and tax certificates which have been illegally and irregularly imposed or issued, the Escrow Agent is hereby instructed to accept the rectified and re-adjusted tax liens so acquired in substitution for any liens, tax certificates or other titles to properties described in the Schedule attached hereto which may for any reason so prove to be defective and legally subject to objection. Upon receipt thereof, the documents originally deposited evidencing said defective tax certificates, tax liens, etc. shall, upon written request of either party hereto, be released from Escrow and cancelled.

(5th) The Escrow Agent is further instructed that during the period of the escrow, the City expressly authorizes the Purchaser, or its nominees or agents, at their own expense, to negotiate with parties owning or having an interest in the properties subject to the tax liens listed in the "Schedule of Escrow Properties and Papers" for the purpose of securing readjustment or settlement agreements providing for tax payments in installments upon such terms as may be approved in writing by the Purchaser. Upon delivery to the Escrow Agent of any such agreements, the terms of payment of any tax liens, originally deposited in escrow, which constitute the subject matter of said agreements, shall by express agreement of the City and the Purchaser be deemed to have been amended and readjusted in accordance with the terms thereof.

(6th) The Escrow Agent is further instructed that in those cases (a) where cash payment of the 1936 City Taxes is provided for, and (b) where the Purchaser agrees to accept first mortgage notes in cancellation and substitution for State, County, Drainage and other tax liens which have, in any manner, been acquired and/or paid for by the Purchaser and which liens are of equal dignity with escrowed City Tax Certificates and tax liens against the same lots or parcels, the City expressly authorizes the acceptance by the Escrow Agent of first mortgage notes co-ordinate with the first mortgage notes so accepted by the Purchaser, in an amount equal to the adjusted City tax certificates and tax liens, in cancellations and substitution for the corresponding City Tax certificates and tax liens escrowed hereunder; provided, however; (1st) that said co-ordinate notes and the first mortgages securing the same are negotiated and procured without expense to the City; (2nd) that said City taxes shall not be adjusted for a sum less than the full amount of taxes for the tax years 1934 and subsequent, plus interest and penalties, plus the additional sum arrived at by applying against the 1936 assessed valuations of the lots or parcels affected the millages (on a 100% assessed value base) for all of the delinquent years prior to the tax year 1934, plus interest and penalties at the statutory rates on the adjusted principal so calculated; and (3rd) that the first mortgages securing said co-ordinate notes shall: (a) cover the identical lots affected, (b) be payable on or before not to exceed ten years after their date, (c) contain release provisions permitting the release of individual lots on a pro rata basis, (d) carry interest after the fifth year at a rate of five (5%) per cent per annum, (e) be payable solely out of the mortgaged property or the proceeds therefrom, and (f) contain provisions for default permitting acceleration of payment of all unpaid principal and foreclosure, at the request of either the City or the Purchaser, in the event of failure to pay yearly current taxes levied during the life of said mortgages, when and as said taxes become due and before they shall become delinquent. When and as the Purchaser or its nominees shall endorse in blank without recourse the co-ordinate first mortgage note or notes so accepted in lieu of the corresponding escrowed City tax certificates and liens and deliver same to the Escrow Agent, said Escrow Agent is hereby expressly authorized, empowered and directed to permit the substitution of said co-ordinate first mortgage note in place of such specific delinquent City tax certificates or liens escrowed hereunder as are merged or included in said co-ordinate first mortgage note, and to unconditionally release said specific delinquent Tax Certificates and Liens from escrow for immediate cancellation. In each such case the Escrow Agent is further instructed that the remaining co-ordinate first mortgage note or notes, evidencing

other Tax Certificates and tax liens caused to be cancelled by the Purchaser, together with the mortgage or mortgages securing the same, shall be retained by the Purchaser. In the event of a foreclosure, at the request of either the City or the Purchaser, of the mortgages provided to be accepted under the terms of Sections (6th) and (7th) hereof, the Escrow Agent is specifically authorized to permit the use of notes or other papers necessary to the proper prosecution of said foreclosures.

(7th) The Escrow Agent is further instructed that in those cases where cash payment of the 1936 City Taxes is provided for and where parties owning or having an interest in the properties subject to said delinquent City tax certificates and liens escrowed hereunder have themselves paid and liquidated State, County, Drainage and all other liens of equal dignity against lots or parcels which still remain subject to specific delinquent City tax certificates and liens escrowed hereunder that the City and the Purchaser in like manner agree to and authorize the acceptance of first mortgage notes in an amount equal to the City tax certificates and liens escrowed hereunder, as adjusted, in cancellation and substitution for the corresponding specific escrowed City tax certificates and liens alone and when said first mortgage notes are endorsed in blank without recourse and delivered to the Escrow Agent, said Escrow Agent is hereby expressly authorized, empowered and directed to permit the substitution of said first mortgage notes, together with the mortgages securing the same, in place of such specific delinquent City tax certificates and tax liens, escrowed hereunder, as are merged or included in said first mortgage notes, and to unconditionally release said specific delinquent tax certificates and liens from escrow for immediate cancellation. The mortgages herein provided for shall contain the same provisions as those set forth in section (6th) hereof.

(8th) By express agreement between the Purchaser and the City, the Escrow Agent is hereby specifically authorized, empowered and directed, when and as requested in writing by the City, to unconditionally release and deliver to the City for park and recreational development: (a) all or any part of the "Escrowed Assets" which affect and/or relate to the lots and parcels of vacant property described in "Exhibit X" attached hereto and by express reference made a part hereof; (b) such further "Escrowed Assets" as affect and/or relate to additional plots of vacant property suitable for park and recreational development which may hereafter be jointly designated in writing by the City and the Purchaser.

(9th) When and as the Purchaser shall pay and/or deliver, or cause to be paid and/or delivered, to the City the whole or any part of each respective installment payment as provided for in sub-paragraphs (a), (b) and (c) of Section THIRD of "Exhibit One", the Escrow Agent is hereby specifically authorized, empowered and directed to unconditionally release from escrow and deliver to the Purchaser, when and as from time to time requested, mortgages, installment contracts, tax liens in process of foreclosure, Tax Titles or other Escrowed Assets resulting from the foreclosure, enforcement or conversion of Tax Certificates into any form whatsoever permitted under the terms of this Escrow or "Exhibit One" attached hereto, in an aggregate principal amount which shall bear the same ratio to the total principal amount of said assets originally provided to be deposited in escrow as the indicated cash equivalent amount of each such whole or partial installment payment bears to the aggregate purchase price of \$575,000; provided, however, that until such time as the entire principal amount of such "Escrowed Assets" (including substituted items) affecting or relating to properties in The City of Coral Gables south of Bird Road have been released or been designated for withdrawal from escrow, not less than one-half of the principal face amount of the "Escrowed Assets" from time to time subject to release shall be selected by the Purchaser from escrow items affecting or relating to properties in The City of Coral Gables south of Bird Road and the remaining percentage of the principal face amount so subject to release shall be selected by the Purchaser from escrow items affecting or relating to properties north of Bird Road. It is further specifically agreed that as releases are made, the Purchaser shall be required to take down at the same time all of said "Escrowed Assets" affecting a given lot.

(10th) The Escrow Agent is further instructed that, for the sole purpose of simplifying the calculation and determination of the principal amount of tax certificates, Evidences of Tax Liens, Tax Titles and/or other "Escrowed Assets" provided to be released under the terms of paragraph (9th) above, the City and

the Purchaser have expressly agreed and so instruct the Escrow Agent, that any first mortgage notes, adjusted tax liens, tax titles resulting from foreclosure of Tax Certificates, or any other assets substituted under any provision of this agreement or any amendment hereto in place of any of the escrowed assets more particularly listed and described in the "Schedule of Escrow Properties and Papers" shall arbitrarily be deemed and treated as having that "principal face value" which in said Schedule is set opposite the originally escrowed items for which they were respectively substituted.

(11th) The City expressly agrees to execute and deliver, upon request of the Purchaser or the Escrow Agent, in addition to those listed in the "Schedule of Escrow Properties and Papers", any and all further authorizations, assignments, conveyances, deeds, documents, papers, consents, etc. incident or necessary to the carrying out of the terms, provisions and intent of this "Supplemental Agreement and Terms of Escrow".

(12th) The Escrow Agent hereby accepts the assets and documents described in detail in the "Schedule of Escrow Properties and Papers" and agrees to hold and keep said assets and papers in accordance with the terms and conditions hereof for the uses and purposes herein set forth, and to deliver or redeliver, or otherwise dispose of, the same upon the happening of the various events and conditions hereinabove set forth at length.

(13th) The Escrow Agent shall not be responsible in any manner whatsoever for the recitals of facts herein contained; but such recitals shall be taken as statements made by the other parties hereto alone and no title or right to any beneficial interest shall be deemed to have been acquired from or through said Escrow Agent.

(14th) The Escrow Agent shall not be responsible in any manner whatsoever for the validity or insufficiency of this agreement or of the assets or papers herein deposited, or for any of the agreements or other papers herein referred to and made a part hereof.

(15th) The Escrow Agent is hereby authorized, empowered and directed to comply with the foregoing instructions and is relieved from all liability in so doing notwithstanding any demand or notice to the contrary by any party hereto, any party beneficially interested or otherwise; and it shall not be personally liable for any act that it may do or omit to do hereunder, as Escrow Agent, while acting in good faith and in the exercise of its own best judgment and any act done or omitted by it pursuant to the advice of its own attorneys shall be conclusive evidence of such good faith.

(16th) The reasonable fees and those of the necessary agents and attorneys of the Escrow Agent, and all costs, expenses and attorneys fees incurred in connection with the carrying out of the terms of this Supplemental Agreement and "Exhibit One" attached hereto or in any manner incurred in connection with any future litigation affecting the "Escrowed Assets" shall be paid by the Purchaser, unless otherwise indicated and provided.

(17th) By express agreement, any dispute between the City and the Purchaser with respect to the interpretation of this contract shall be settled by arbitration. Each party shall appoint one arbitrator and if the arbitrators are unable to agree, an umpire shall be appointed by them in the usual manner. The Escrow Agent is hereby expressly authorized, empowered and directed to act in accordance with the decision and direction of the arbitrators or of any arbitrator and the umpire.

(18th) It is agreed between the parties hereto that all the terms, stipulations and agreements herein contained shall be binding upon all parties hereto and each and every of its or their successors and assigns as the case may be.

(19th) If, for any reason, the Purchaser shall default in the performance of any of the covenants set forth in section "THIRD" of "Exhibit One" and said default shall continue for a period of thirty (30) days after written notice thereof, the City is hereby given the express right to elect to terminate this Agreement and Escrow. It may also be terminated at any time by mutual agreement of all parties hereto other than the Escrow Agent. In either such case, the Escrow Agent is specifically authorized and empowered, unless otherwise directed, to return the various assets, substituted assets,

papers and other documents to the party for whose account they are then held. This agreement may also be modified, amended or enlarged, in any particular, by mutual written agreement of the parties hereto except the Escrow Agent. Further, the Escrow Agent may be removed and another substituted upon the joint written direction of all parties hereto except the Escrow Agent.

IN WITNESS WHEREOF, the undersigned corporations, including the Escrow Agent, have caused this instrument to be executed in their respective corporate names by their respective corporate officers thereunto duly authorized, and their respective corporate seals to be hereunto affixed and attested, and this instrument to be signed, sealed and delivered in the presence of witnesses, all as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

THE CITY OF CORAL GABLES

By _____
Mayor

ATTEST _____
City Clerk

Signed, sealed and delivered
in the presence of:

CORAL GABLES DEVELOPMENT COMPANY

By _____
President

ATTEST _____
Secretary

We hereby accept the deposits in escrow as above set forth and agree to be governed by the terms, conditions and instructions therein set forth.

Signed, sealed and delivered
in the presence of:

(Escrow Agent)

By _____
Vice President

ATTEST _____
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
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

RESOLUTION NO. 1725

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE A CERTAIN AGREEMENT WITH CARL L. V. EXSELSEN WHEN IT SHALL BE APPROVED AS TO FORM AND SUBSTANCE BY THE CITY ATTORNEY.

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

That the Mayor and the City Clerk be and they hereby are authorized and instructed to execute the following agreement between The City of Coral Gables and Carl L. V. Exselsen, when said agreement

has been approved as to form and substance by the City Attorney.

THIS AGREEMENT made and entered into, in duplicate originals, this 30th day of June, A.D. 1937, by and between THE CITY OF CORAL GABLES, a Municipal Corporation created and existing under the laws of the State of Florida, hereinafter sometimes referred to as the "City", and CARL L. V. EXSELSEN, hereinafter sometimes referred to as "Exselsen";

W I T N E S S E T H:

WHEREAS, the said Exselsen for the past eleven months has, at the request of the City, continuously devoted his time and services to evolving and negotiating for the City a debt readjustment and refunding program within the limits of the City's capacity to pay, which would prove acceptable not only to the City Commission but also the greater portion of its bond and other creditors; and

WHEREAS, a contract has been negotiated under date of February 3rd, 1937, between the City and Edwin H. Barker, Prentiss de V. Ross, and Sanders Shanks, Jr. (constituting a Bondholders' Protective Committee, organized and existing under Deposit Agreement dated January 22, 1931, as amended), in substance approving the terms and provisions of Debt Refunding Ordinance No 269 enacted by the City Commission on December 23, 1936; and

WHEREAS, another contract dated as of December 24, 1936 has been entered into with the greater portion of the remaining bond and other creditors of the City who had withdrawn their bonds from, or refused to deposit their bonds and claims with the said "Barker Committee", also approving the terms and provisions of said Ordinance No. 269; and

WHEREAS, the City, contingent upon the consummation of a refunding program approved and put into effect by the City Commission, has agreed to pay said Exselsen, as part of his compensation, a fee of \$40,000, said obligation to constitute a direct, general and unlimited obligation of the City payable out of general City funds derived from any source; and

WHEREAS, the City in the initial stages of the negotiations with its creditors (conducted subsequent to August 3, 1936), had agreed to make available and deliver to them all its delinquent tax assets covering any and all claims representing delinquent taxes and/or special assessments and/or tax certificates, tax deeds or other assets derived therefrom, and the City was advised that said assets were to be subject to a charge of Forty Thousand Dollars to be paid to Exselsen as a further part of his compensation for services rendered or to be rendered in connection with the consummation of a refunding program approved and put into effect by the City Commission; and

WHEREAS, through the efforts of Exselsen in later negotiations, the signatory creditors have agreed to permit the City to retain the delinquent assets (valued in excess of \$500,000) above described and have further expressly agreed "to waive any and all claims they might have to 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" and the City, as one of the considerations for said agreement and waiver has entered into the express covenant set forth in the Eighth paragraph of the Creditor Agreement of December 24, 1936 which provides as follows:

"The City expressly agrees that no creditor joining in this agreement shall subject or obligate himself or itself to any cash or other assessment or contribution whatsoever in connection with this agreement, it being understood and agreed that all expenses incurred hereunder shall be paid by the City"; and

WHEREAS, at the time the retention of said delinquent assets by the City was so arranged, it was expressly understood and agreed by the City that said delinquent assets so retained by it should be and become subject to the same \$40,000 charge thereon which would have been made available by the

Creditors to Exselsen as part of his fee had the said delinquent assets been delivered to them; and

WHEREAS, said Exselsen has been called upon to perform a large amount of services outside the scope of his original employment which was not anticipated or contemplated by either of the parties hereto; and

WHEREAS, both of the parties hereto are desirous of setting forth and/or merging into one final contract all previous writings and oral understandings between the parties concerning the amount of compensation and expenses to be paid said Exselsen for services already performed and to be performed in connection with the consummation of a debt refunding program acceptable to the City Commission, as well as the time when, and the terms under which, said compensation and expenses should become due and payable; and

WHEREAS, the said Exselsen, in view of the current heavy commitments of the City, has agreed to defer the payment of Thirty Thousand Dollars of the aggregate fees herein agreed to be paid to him, on the terms and in the manner hereinafter provided;

NOW, THEREFORE, in consideration of the premises, the mutual covenants of the parties hereto and other good and valuable considerations, the following agreement is entered into by and between the parties hereto as follows, to-wit:

FIRST: Expressly contingent upon the consummation of the provisions of the "Barker Committee" Contract of February 3, 1937 and the Creditor Contract of December 24, 1936 above referred to, or the consummation of any amendment to the Plan of Readjustment and Refunding therein referred to, or any substitute therefor approved by the Commission of The City of Coral Gables within one year from the date hereof, the City agrees to pay said Exselsen: (a) Forty Thousand Dollars which shall constitute a direct, general and unlimited obligation of the City payable out of general City funds derived from any source; (b) an additional Forty Thousand Dollars payable solely out of the net cash proceeds realized subsequent to June 29th, 1937 from "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", being the group of assets referred to in Section 12 Of Ordinance No. 269; (c) reasonable and necessary expenses, to be accounted for and approved by the City Commission, in a sum not to exceed an aggregate of Twelve Thousand Dollars.

SECOND: The fees and expenses provided for in paragraph FIRST above shall be liquidated as follows:- a payment on account of fees in the sum of Fifty Thousand Dollars, minus the Seventy-five Hundred Dollar cash advance made on or about April 15, 1937, plus any expenses up to \$12,000 remaining unpaid after the cancellation of two notes of Exselsen dated December 1st, 1936 and January 30, 1937 respectively, shall become due and payable in cash, when, as and if:

(1st) The terms and provisions of the "Barker Committee" Contract of February 3, 1937 have been consummated by the physical exchange of new Refunding Bonds and Tax Participation Certificates, or other refunding securities, for the indebtedness represented by said Committee; and

(2nd) The terms and provisions of the Creditor Contract of December 24, 1936 have become operative under the terms of paragraph Seventh thereof which reads as follows:- "SEVENTH: This agreement shall become operative when proper signatures or consents thereto have been executed upon this document or counter parts thereof, and/or related documents, by "Creditors" having, in the opinion of the City Commission of The City of Coral Gables, a sufficient portion of all unpaid principal indebtedness of the City incurred prior to November 6, 1934 (but in no event less than 90% thereof) to insure that the City will be able to perform the covenants in the Refunding Bonds and to make the Plan for Readjustment and refunding incorporated herein feasible and practicable" - and the terms

thereof have been consummated by the actual exchange of the new Refunding Bonds and Tax Participation Certificates, or other refunding securities or considerations, for the indebtedness of the Creditors signatory thereto.

Also contingent upon the happening of the conditions precedent set forth in (1st) and (2nd) above, the remaining Thirty Thousand Dollars of the obligation for fees provided for in paragraph FIRST above shall become due and payable as follows:

- (a) Fifteen Thousand Dollars on or before March 2, 1938
- (b) Fifteen Thousand Dollars on or before January 2, 1939,

said payments to be evidenced by notes of The City of Coral Gables dated as of July 1st, 1937 (or such later date as may be mutually agreed upon), and bearing interest at the rate of 2½% per annum payable semi-annually. When and after \$75,000 in cash has been realized subsequent to June 29, 1937 from the liquidation of the delinquent assets described in Section 12 of Ordinance No. 269, the City further agrees to apply monthly, in reduction of the abovescribed notes, twenty (20%) per cent of all funds thereafter realized from the liquidation of the above mentioned delinquent assets.

THIRD: In the absence of express written contract to the contrary, it is further understood and agreed that no additional charge is to be made by Exselsen to the City for any additional services heretofore rendered or to be rendered, or for further expenses incurred, particular mention being made of services: (a) rendered in the validation proceedings; (b) rendered in connection with any agreement which he has or may assist in negotiating and consummating for the liquidation of the "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" described in Section 12 of Ordinance No. 269; (c) to be rendered by said Exselsen in a persistent and conscientious effort to negotiate special adjustments with those creditors who may not have consented to the Refunding Plan at the time the same is declared operative, it being understood that each of such special adjustments is to be dealt with specially by the City Commission after the same have been negotiated to a point where the greatest savings can be effected and the most favorable terms to the City developed.

FOURTH: The said Exselsen hereby accepts, ratifies and confirms the terms and provisions herein set forth and agrees to make available to the City Commission, on reasonable notice, details as to any and all matters relating to his said employment.

IN WITNESS WHEREOF, the City, pursuant to due authority, has caused this agreement to be executed in duplicate originals by its Mayor, attested by its City Clerk and Director of Finance, and its seal to be hereunto affixed, and the said Exselsen has also affixed his name and seal, all as of the date first above written.

THE CITY OF CORAL GABLES

BY _____ Mayor

ATTEST _____
City Clerk & Director of Finance

(SEAL)
(Carl L. V. Exselsen)

APPROVED:

Commissioners of The City of Coral Gables

APPROVED AS TO SUBSTANCE AND FORM:

City Attorney

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
Phillips
Rinehart
and Mayor McGarry

Commissioner O'Shaughnessy not voting.

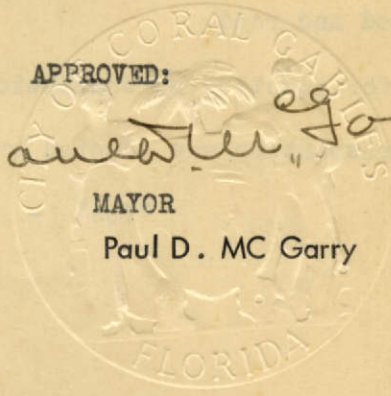
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

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

APPROVED:

Paul D. McGarry
MAYOR
Paul D. MC Garry



MINUTES OF MEETING OF THE COMMISSION
ON JULY 6, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at four o'clock p.m. on Tuesday, July 6, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meetings of June 15, 28 and 30, 1937 were read and approved.

RESOLUTION NO. 1726

A RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN TAXES ON PROPERTIES OF THE UNIVERSITY OF MIAMI, INC.

WHEREAS, Certain properties of the University of Miami, Inc. were included and assessed in the 1936 tax roll due to insufficient information in the Assessor's office as to the ownership of said properties by the University of Miami, Inc.; and,

WHEREAS, The Assessor has now been furnished with the necessary information and it appears that the property was properly subject to exemption for the year 1936;

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 cancel 1936 taxes on all properties owned and used by the University of Miami as of January 1, 1936, upon proper exemption data being furnished to the office of the Tax Assessor.

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
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

A communication from Charles B. Selden soliciting appointment as City Auditor was presented to the Commission, and upon motion duly seconded was deferred until a later date.

RESOLUTION NO. 1727

A RESOLUTION MAKING TEMPORARY APPROPRIATIONS FOR THE EXPENSES OF THE CITY FOR THE MONTH OF JULY, 1937.

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

That the sum of Twenty-five Thousand

(\$25,000) Dollars be and the same is hereby appropriated to defray the costs of operation of the City's departments and offices during the month of July, 1937, or until the adoption of the regular appropriation ordinance for the year 1937-38.

That any expenditures under this temporary appropriation is to be charged against the regular appropriation for the year 1937-38, when adopted.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

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:

Paul D. McGarry
MAYOR
Paul D. McGarry



(25.000) Dollars to and the same is hereby appropriated to defray the costs of operation of the City's departments and offices during the month of July, 1937, or until the adoption of the regular appropriation ordinance for the year 1937-38.

That any appropriation under this paragraph is to be charged against the regular appropriation for the year 1937-38, when adopted.

and introduced and read.

Motion for adoption by Commissioner Richards: seconded by Commissioner

Phillips. The resolution was adopted by the following roll call:

Yes - Commissioners Avery
O'Spinnaker
Phillips
Richards

Absent -

There being no further business, on motion duly seconded and

THERE BEING NO QUORUM PRESENT,

NO MEETING WAS HELD ON TUESDAY, JULY 20, 1937



ATTEST:
[Signature]
CITY CLERK
G. M. Scott

MINUTES OF MEETING OF CITY COMMISSION
ON JULY 27, 1937

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at seven o'clock P.M. on Tuesday, July 27, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1728

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 notice 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 Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1729

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 to execute, on behalf of the City of Coral Gables, Florida, a certain agreement between The City of Coral Gables, Florida and The City of Coral Gables, Florida, Bondholders Protective Committee, in words and figures as follows, to-wit:

THIS AGREEMENT made the 28th day of July, 1937, between the CITY OF CORAL GABLES, FLORIDA (hereinafter called the "City"), and EDWIN H. BARKER, PRENTISS deV. 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 that certain Deposit Agreement dated January 22, 1931, as amended.

WHEREAS, the City and the Committee have entered into an agreement dated the 3rd day of February, 1937, providing for the readjustment and refunding of the bonded and other indebtedness of the City; and

WHEREAS, said agreement requires that it shall expire on the first day of August, 1937, unless extended in writing by the parties thereto for a longer period,

NOW, THEREFORE, WITNESSETH:

That the aforesaid agreement of February 3, 1937 is hereby extended for a period ending thirty days after the final decision of the Florida Supreme Court in the Coral Gables validation proceeding now pending in said Court.

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

CITY OF CORAL GABLES, FLORIDA

ATTEST:

By _____
Mayor

City Clerk

Director of Finance

CITY OF CORAL GABLES, FLORIDA,
BONDHOLDERS' PROTECTIVE COMMITTEE

ATTEST:

BY _____
Chairman

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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1730

A RESOLUTION AUTHORIZING THE ISSUANCE
OF CERTAIN DUPLICATE TAX SALE CERTIFICATES
TO THE BANK OF BAY BISCAYNE.

WHEREAS, Carl Meeks, as Liquidating Agent for M. A. Smith for Liquidator of Bank of Bay Biscayne has filed an application for duplicate Tax Sale Certificates on certain properties, together with an affidavit of loss and bond to indemnify the City against claims upon the original tax certificates, together with certain certificates from the Clerk of the Circuit Court and others as to the record ownership of such certificates, and said application, affidavit and bond has been found to be satisfactory by the City Clerk;

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 issue to M. A. Smith as Liquidator of the Bank of Bay Biscayne duplicate tax sale certificates of the sale of July 5, 1927 for 1926 City of Coral Gables taxes numbered as follows: 53, 293, 308, 353, 456, 457, 601, 690, 702, 756, 885, 909, 912, 1019, 1021, 1112, 1132, 1463, 1495, 1706, 1745, 1774, and 1971.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:


- "Yes" - Commissioner Avery
- O'Shaughnessy
- Phillips
- Rinehart
- and
- Mayor McGarry

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:
Paul D. McGarry
 MAYOR
 Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON JULY 27, 1937

Pursuant to requirement of Charter, and duly published notices, the Commission of The City of Coral Gables convened as a Committee of the Whole at eight o'clock P.M. on Tuesday, July 27, 1937, for the purpose of hearing public comments upon the proposed appropriation ordinance for the year 1937-38.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

Mayor McGarry explained the purpose of the meeting and called upon the City Clerk to read a communication from the City Manager explaining the budget and the necessity for new and additional items.

Mr. D. A. Cray read a communication to the Commission criticising the proposed budget, which communication was signed by Fred H. Ralston, D.A. Cray, Robert W. Smith, Sam Weissel and Fred W. Schmitz as the Coral Gables Taxpayers Committee.

Mayor McGarry advised that the Committee would have the communication studied and comments upon it at the next meeting to be held on Wednesday, July 28.

There being no further business, the meeting was adjourned until eight o'clock P.M. on Wednesday, July 28.

ATTEST:

G. Shaw
CITY CLERK

APPROVED:

James M. Garry
MAYOR

MINUTES OF MEETING OF THE CITY COMMISSION
ON WEDNESDAY, JULY 28, 1937

Pursuant to adjournment at the meeting of July 27, 1937, and in accordance with duly published notices, the Commission of The City of Coral Gables convened as a Committee of the Whole at eight o'clock p.m. at the City Hall on Tuesday, July 28, 1937, for the purpose of hearing comments upon the proposed appropriation ordinance for the year 1937-38.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

Mayor McGarry called upon the City Clerk to read a reply to the communication from the Committee known as the Coral Gables Taxpayers Committee, which was done.

Mr. D. A. Cray, Mr. Fred H. Ralston, and others, addressed the Commission on the subject of the budget.

At 11:45 P.M., the Commission adjourned as a Committee of the Whole, and reconvened in special session to act upon the budget ordinance.

Mayor McGarry in the Chair and all Commissioners present.

AN ORDINANCE MAKING APPROPRIATIONS
FOR THE EXPENSES OF OPERATION OF THE
CITY OF CORAL GABLES AND ITS INCOME
PRODUCING PROPERTIES AND FOR PAYMENTS
UPON DEBT SERVICE FOR THE FISCAL YEAR
COMMENCING JULY 1, 1937.

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" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon the ordinance was read again in full.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

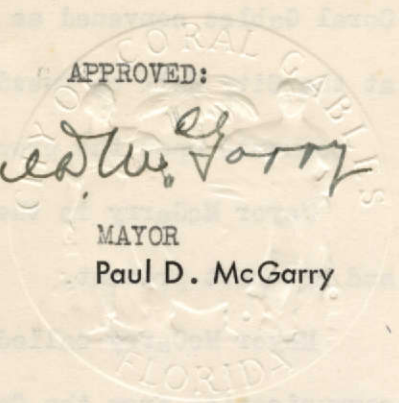
MINUTES OF MEETING OF THE CITY COMMISSION

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 288.

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:
Paul D. McGarry
MAYOR
Paul D. McGarry



[Faint, mostly illegible text from the reverse side of the page, including phrases like 'The following roll call:', 'The ordinance was adopted by the following roll call:', and 'The ordinance was read again in full.']

MINUTES OF MEETING OF CITY COMMISSION
ON AUGUST 3, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at 4:30 o'clock p.m. on Tuesday, August 3, 1937.

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

The reading of minutes of previous meetings was waived.

RESOLUTION NO. 1731

A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN DEBT SETTLEMENT EXPENSES.

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

That the sum of Six Hundred Fifty-four Dollars and Seventy Cents (\$654.70) be and the same is hereby appropriated from debt service funds for the purpose of paying the following accounts incurred for debt settlement expenses.

The Ballou Press	\$78.70
Hamilton Bank Note Engraving & Printing Company . . .	355.98
Edward V. Brokaw & Bros., Inc. . .	320.02

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
Rinehart
and
Mayor McGarry

Absent - Commissioners O'Shaughnessy
Phillips

RESOLUTION NO. 1732

A RESOLUTION AUTHORIZING THE MAYOR TO GUARANTEE THE PAYMENT OF A CERTAIN NOTE OF THE UNIVERSITY OF MIAMI, INC.

WHEREAS, An appropriation has been made to the University of Miami, Inc., but funds will not be available for payment upon that appropriation until after the commencement of tax collections in November; and,

WHEREAS, The University is in need of a portion of that appropriation at the present time and is able to secure the necessary money from other sources on the provision that the City guarantee the payment of the note; and,

WHEREAS, The Commission feels that it is of utmost importance that the University secure at this time money necessary to meet its obligations;

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 commitment upon the part of the City to reserve from its 1937 tax collections that proportionate amount of the daily receipts which the 1937-38 appropriation to the University of Miami, Inc. bears to the total appropriation for the year 1937-38 for purposes other than debt service, and to hold such reserved amounts for the purpose of repaying any loan up to the amount of Ten Thousand (\$10,000) Dollars which may be negotiated by the University of Miami, Inc.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Minehart. The resolution was adopted by unanimous vote of all Commissioners present.

RESOLUTION NO. 1733

A RESOLUTION AUTHORIZING THE ISSUANCE OF DUPLICATE TAX SALE CERTIFICATES AND PRESCRIBING THE PROCEDURE THEREIN.

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

That from this day forth, the Tax Collector be and he is hereby authorized to issue duplicates of Tax Sale Certificates for taxes of The City of Coral Gables upon being furnished a satisfactory affidavit of loss and of ownership, and a bond against any subsequent claim upon the original tax sale certificates, in the following form:

TO THE HONORABLE BOARD OF
CITY COMMISSIONERS
Coral Gables, Florida

Gentlemen:

I, _____ of the County of _____, State of _____, being the owner of Tax Sale Certificate No. _____ dated the _____ day of _____ 19____, in the sum of \$ _____, covering the following described property, to-wit:

hereby make application to your Honorable Body to issue a duplicate Tax Sale Certificate in lieu of the original described herein for the following reasons:

(1) That said Tax Sale Certificate was purchased by me _____, for which I paid the sum of \$ _____.

(2) That said Tax Sale Certificate, or any interest therein, has not been hypothecated, sold, assigned, transferred or delivered by me and I have received no consideration therefor.

(3) That said Tax Sale Certificate has been lost or destroyed and that I have made diligent search and am unable to locate said certificate.

(4) That if duplicate certificate is issued in lieu thereof and the original should at any time be located, the same will be surrendered to the Tax Collector of the City of Coral Gables for cancellation.

(5) That I, _____, as a further consideration, acknowledge myself held and firmly bound unto _____ Tax Collector of The City of Coral Gables, and his successors in office, in the sum of \$ _____, being double the amount of the face value of said Tax Certificate for payment whereof well and truly to be made, I bind myself, heirs, executors and administrators firmly by these presents should said Certificate be presented by any person whomsoever, assigned or otherwise, for payment or application for Tax Deed thereon.

I solemnly swear, or affirm, that the statements contained herein in support of my application for issuance of duplicate Tax Sale Certificate, are true and correct. So help me God.



WITNESSES: _____ (Seal)

Sworn to and subscribed before me this _____ day of _____ 19____.

Notary Public

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
Rinehart
and
Mayor McGarry

Absent - Commissioners O'Shaughnessy
Phillips

RESOLUTION NO. 1734

A RESOLUTION EXPRESSING THE APPROVAL OF THE COMMISSION OF THE CITY OF CORAL GABLES TO THE PROPOSAL TO ENLARGE AND IMPROVE MIAMI HARBOR AND PETITIONING THE PUBLIC WORKS ADMINISTRATION TO PROCEED WITH THE PROJECT.

Whereas, The City of Miami has applied to the Public Works Administration for a project covering the improvement of the Miami Harbor, the construction of an island and causeway in Biscayne Bay between S.E. 25th Road and Virginia Key, and the development of docks and warehouses upon said island; and,

WHEREAS, the proposed development of Miami Harbor is essential to the development of the State of Florida and to the increasing necessity of 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 commendation and approval of said project and does petition the Public Works Administration to give final approval to the project and commence its construction at the earliest possible date.

That the City Clerk be and he is hereby instructed to forward certified copies of this resolution to the Honorable J. Mark Wilcox, Honorable Claude Pepper, Honorable C. O. Andrews, Major General E. M. Markham, Chief of Engineers, Board of Engineers and to Colonel Horatio B. Hackett, Assistant Administrator, Public Works Administration.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Avery. The resolution was adopted by unanimous vote of all Commissioners present.

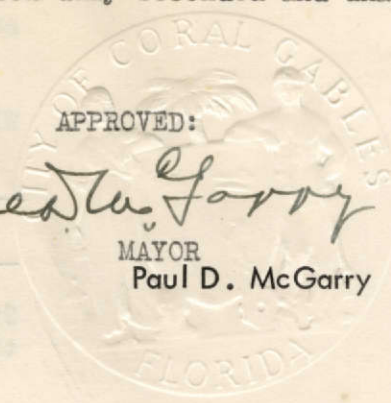
Therebeing no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

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

APPROVED:

Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 10, 1937

Pursuant to call of special meeting by Mayor McGarry, the Commission of the City of Coral Gables convened in special session at the City Hall at 4:30 o'clock P.M. on Tuesday, August 10, 1937. Mayor McGarry in the Chair; Commissioners Avery, Phillips and Rinehart present; Commissioner O'Shaughnessy absent from the City.

RESOLUTION NO. 1735

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 notice 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 Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
Phillips
Rinehart

and
Mayor McGarry

Absent - Commissioner O'Shaughnessy

RESOLUTION NO. 1736

A RESOLUTION AUTHORIZING ADJUSTMENT OF ASSESSMENT LIENS ON COCONUT GROVE DEVELOPMENT COMPANY'S TRACT #148.

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 in full settlement of the improvement assessment liens against Coconut Grove Development Company Tract #148 the sum of ten (10%) per cent of the total amount of improvement assessment liens and accrued interest thereon existing against said property.

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
Phillips
Rinehart
and
Mayor McGarry

Absent - Commissioner O'Shaughnessy

RESOLUTION NO. 1737

A RESOLUTION APPROPRIATING FOR THE
EXPENSES OF THE CITY ATTORNEY TO
NEW YORK.

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
Debt Service funds to defray the expenses of the
City Attorney to New York and Washington upon certain
matters in connection with the debt settlement.

was introduced and read.

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

"Yes" - Commissioners Avery
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1738

A RESOLUTION APPROPRIATING FOR THE
EXPENSES OF THE MAYOR, CITY CLERK
AND CLERK OF THE CIRCUIT COURT TO
NEW YORK TO SIGN BONDS.

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

That the sum of Seven Hundred (\$700.00)
Dollars be and the same is hereby appropriated from
debt service funds to defray the expenses of the Mayor,
the City Clerk and the Clerk of the Circuit Court to
New York City to sign the refunding bonds and tax
participation certificates of the issue of
January 1, 1937

was introduced and read.

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

"Yes" - Commissioners Avery
Phillips
Rinehart
and
Mayor McGarry

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:

Paul D. McGarry
MAYOR
Paul D. McGarry

8/10/37

MINUTES OF SPECIAL MEETING OF
THE CITY COMMISSION ON
SEPTEMBER 3, 1937

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at four o'clock P.M., Friday, September 3, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy and Rinehart present. Commissioner Phillips absent from the City.

RESOLUTION NO. 1739

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 O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Rinehart
and
Mayor McGarry

AN ORDINANCE AMENDING ORDINANCE NO. 285, BEING AN ORDINANCE AUTHORIZING THE ISSUANCE OF TEMPORARY REFUNDING BONDS AND TAX PARTICIPATION CERTIFICATES AND DIRECTING THE CONSUMMATION OF THE PLAN OF REFUNDING.

was introduced and read on first reading.

The Clerk was directed to bring the Ordinance up at the next meeting of the Commission for further action.

AN ORDINANCE AMENDING ORDINANCE NO. 269 ADOPTED DECEMBER 23, 1936, AND REPEALING ORDINANCE NO. 284 ADOPTED JUNE 2, 1937, FOR THE PURPOSE OF GIVING EFFECT TO THE DECISION OF THE SUPREME COURT OF FLORIDA IN THE CASE OF THE CITY OF CORAL GABLES VS. THE STATE OF FLORIDA RENDERED JULY 30, 1937.

was introduced and read on first reading.

The Clerk was directed to bring the Ordinance up for further action

at the next meeting of the Commission.

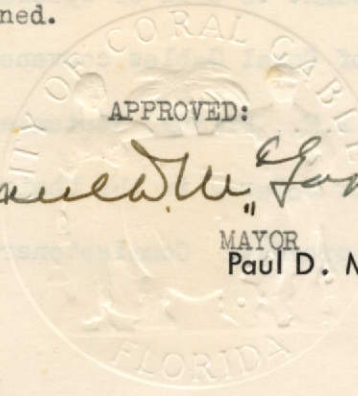
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

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

APPROVED:

Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF SPECIAL MEETING OF THE
CITY COMMISSION ON
SEPTEMBER 4, 1937

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at eleven o'clock A.M. on Saturday, September 4, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Rinehart present. Commissioner Phillips absent from the City.

RESOLUTION NO. 1740

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 O'Shaughnessy. The resolution was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Rinehart
- and
- Mayor McGarry

AN ORDINANCE AMENDING ORDINANCE NO. 285 BEING AN ORDINANCE AUTHORIZING THE ISSUANCE OF TEMPORARY REFUNDING BONDS AND TAX PARTICIPATION CERTIFICATES AND DIRECTING THE CONSUMMATION OF THE PLAN OF REFUNDING.

which had been first read at the meeting of September 3, 1937, was read again in full.

Motion for adoption of the ordinance by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The ordinance was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Rinehart
- and
- Mayor McGarry

Mayor McGarry then declared the ordinance adopted and approved, and ordered its publication as Ordinance No. 287.

WHEREAS, peremptory writs of mandamus requiring special levies against the City for the payment of final judgments entered upon past due bonds and coupons of the City have been issued in the following cases, to wit:

United States ex rel Leo K. Steiner v. City of Coral Gables,
U. S. District Court #2418-M-Civil in the amount of
\$11,894.50;

United States ex rel Leo K. Steiner v. City of Coral Gables,
U. S. District Court #2385-M-Civil in the amount of
\$14,879.51;

United States ex rel Fiduciary Counsel, Inc. v. City of Coral Gables,
U. S. District Court #2442-M-Civil in the amount of
\$130,878.21;

United States ex rel Augustus T. Ashton v. City of Coral Gables,
U. S. District Court #2441-M-Civil in the amount of
\$13,793.71;

United States ex rel W.J. Noel v. City of Coral Gables,
U. S. District Court #2375-M-Civil in the amount of
\$19,378.08;

State ex rel Rybert Mortgage & Securities Corporation v. City of
Coral Gables, Circuit Court, Dade County, No. 16751,
in the amount of \$24,802.73;

WHEREAS, alternative writs of mandamus seeking peremptory writs for the levy of special taxes to pay judgments have been issued in the following cases, to wit:

C. J. Root v. City of Coral Gables, U.S. District Court #2444-M-Civil
in the amount of \$34,756.66,

Henry A. Thies v. City of Coral Gables, U. S. District Court
#2397-M-Civil, in the amount of \$54,822.59.

WHEREAS, it will probably be an advantage to the City in the future handling of its bond refunding to appeal from the orders awarding peremptory writs in the above cases and in any other suits of a similar nature,

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

1. That the City Attorney be and he is, hereby, authorized and directed to appeal from all orders in any suits against the City awarding peremptory writs of mandamus for special tax levies and to take such other steps as may be necessary to perfect such appeals.

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AN ORDINANCE AMENDING ORDINANCE NO. 269 ADOPTED DECEMBER 23, 1936, AND REPEALING ORDINANCE NO. 284 ADOPTED JUNE 2, 1937 FOR THE PURPOSE OF GIVING EFFECT TO THE DECISION OF THE SUPREME COURT OF FLORIDA IN THE CASE OF THE CITY OF CORAL GABLES VS. THE STATE OF FLORIDA RENDERED JULY 30, 1937.

which had been first read at the meeting of September 3, 1937, was read again in full. Motion for adoption of the Ordinance by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The Ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Rinehart
and
Mayor McGarry

Mayor McGarry then declared the Ordinance adopted and approved, and ordered its publication as No. 289.

AN ORDINANCE AMENDING ORDINANCE NO. 76 OF THE CITY OF CORAL GABLES TO PROVIDE FOR THE LICENSING OF VENDORS, DISTRIBUTORS AND MANUFACTURERS OF ALCOHOLIC BEVERAGES AND REPEALING ORDINANCE NO. 265, ADOPTED OCTOBER 15, 1935.

was introduced and read.

The Clerk was directed to bring the Ordinance before the next meeting of the Commission for further action.

RESOLUTION NO. 1741

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO APPEAL FINAL JUDGMENTS FOR PEREMPTORY WRITS OF MANDAMUS HERETOFORE ENTERED OR WHICH MAY HEREAFTER BE ENTERED AGAINST THE CITY.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Avery. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1742

A RESOLUTION AUTHORIZING THE FILING OF A PETITION IN BANKRUPTCY IN BEHALF OF THE CITY OF CORAL GABLES UNDER THE RECENTLY ENACTED MUNICIPAL BANKRUPTCY LAW.

WHEREAS, The City of Coral Gables has been endeavoring for several years to complete and consummate a plan of readjustment and refunding of its bonded and other indebtedness incurred prior to November 6, 1934, and now has agreements for the exchange

of refunding securities with over 90 per cent in amount of its creditors for the purpose of consummating the Refunding Plan set forth in Ordinance No. 269 as amended by Ordinance No. 289, and

WHEREAS, it does not now appear possible to secure the voluntary agreement to said Refunding Plan of a large enough portion of its remaining creditors, who have not already agreed to said Refunding Plan, to insure that the City will be able to perform the covenants in the Refunding Bonds and to make the plan for readjustment and refunding incorporated therein feasible and practical, and

WHEREAS, it is essential to the welfare of the City and of its creditors that the entire Refunding Plan be effectuated so that the City can treat all of its creditors alike, and

WHEREAS, at the First Session of the 75th Congress of the United States, Chapter 657 (HR 5969) was enacted and was approved by the President of the United States on August 16, 1937, and said Chapter amended the Bankruptcy Law so as to authorize the composition of the indebtedness of municipalities and affords the City a procedure in bankruptcy in which "hold-out" creditors may be compelled to accept the said Refunding Plan as a plan of composition of the City's indebtedness,

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

1. That the exchange of its refunding securities, to be issued under Ordinance No. 269 as amended by Ordinance No. 289, with its creditors be consummated so as to leave available to the City the bankruptcy proceedings authorized by said Chapter 657 of the First Session of the 75th Congress; and that the City procure from the requisite number of its creditors acceptances in writing of the said Refunding Plan as a Plan of Composition to be submitted to the bankruptcy court under the provisions of the said Municipal Bankruptcy Law;

2. That the City Attorney, subject to the approval of the Mayor, be and he is hereby authorized and directed to prepare and file in the United States District Court for the Southern District of Florida, Miami Division, in behalf of the City, a petition in bankruptcy, under the aforesaid Act of Congress, stating that the City is insolvent and unable to meet its debts as they mature and that it desires to effect a plan for the composition of its debts, as soon as the requisite number of acceptances in writing of the said Refunding Plan (authorized by Ordinance No. 269 as amended by Ordinance No. 289) as a Plan of Composition to be submitted to the bankruptcy court can be secured, and the City Attorney is further authorized and directed to take any and all such other steps as may be necessary to institute and prosecute to confirmation in the said United States District Court, as a plan of composition of the indebtedness of the City, the Refunding Plan authorized by the said Ordinances.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

The City Clerk was instructed by unanimous action of the Commission to apply any monies accrued to the City from the sale of tax certificates to:

1. The cost of printing the Refunding Bonds and Tax Participation Certificates.
2. The fees of the Clerk of the Circuit Court in regard to the signing of those Bonds and Tax Participation Certificates.
3. The fees of the Central Hanover Bank & Trust Company as Depository.
4. The fees of Thomson, Wood & Hoffman, Attorneys, of New York, in connection with opinion on the refunding issue.
5. Fees of Morton B. Adams in connection with the validation case.
6. A portion of the fees of Carl L. V. Exselsen under his contract with the City, upon the basis of the ratio which the refunding bonds actually exchanged bear to the refunding bond issue, but not to exceed \$42,500.
7. Provision for the costs of filing and carrying on court procedure under the Municipal Bankruptcy Act.

RESOLUTION NO. 1743

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS FOR THE EXPENSES OF COMMISSIONERS O'SHAUGHNESSY AND RINEHART.

WHEREAS, It has become necessary to have Commissioners O'Shaughnessy and Rinehart return to the City to attend special meetings of the Commission of The City of Coral Gables, and these Commissioners have incurred considerable travel expense thereby;

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

That the sum of Two Hundred Fifty (\$250) Dollars be and the same is hereby appropriated from debt service funds for the purpose of paying expenses of Commissioners O'Shaughnessy and Rinehart to Coral Gables and return.

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
O'Shaughnessy
Rinehart
and
Mayor McGarry

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:

Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 21, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at four o'clock p.m. on Tuesday, September 21, 1937.

Mayor McGarry in the Chair; Commissioners Avery; O'Shaughnessy and Phillips present. Commissioner Rinehart absent from the City.

AN ORDINANCE AMENDING ORDINANCE NO. 271
ADOPTED BY THE COMMISSION OF THE CITY
OF CORAL GABLES ON FEBRUARY 16, 1937,
KNOWN AS THE "ZONING ORDINANCE", SO AS
TO PROVIDE FOR R-2 USES ON CERTAIN
PORTIONS OF LE JEUNE ROAD.

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 O'Shaughnessy. The motion was adopted by unanimous vote.

Thereupon the Ordinance was read again in full. Motion for adoption of the Ordinance by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The Ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

Thereupon Mayor McGarry declared the Ordinance adopted, and ordered its publication as No. 290.

AN ORDINANCE AMENDING ORDINANCE NO. 76 OF
THE CITY OF CORAL GABLES TO PROVIDE FOR
THE LICENSING OF VENDORS, DISTRIBUTORS
AND MANUFACTURERS OF ALCOHOLIC BEVERAGES;
REPEALING ORDINANCE NO. 254 ADOPTED OCTOBER
15, 1935; AND AMENDING ORDINANCES OR PARTS
OF ORDINANCES IN CONFLICT HEREWITH.

which had been first read at the meeting of September 4, 1937 was read again in full. Motion for adoption of the Ordinance by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The Ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

Mayor McGarry then declared the Ordinance adopted and approved, and ordered its publication as Number 291.

The Clerk was instructed to advise the Tax Assessor that the Commission would sit as an Equalization Board at eight o'clock p.m. on Monday, September 27, 1937, at the City Hall.

RESOLUTION NO. 1744

A RESOLUTION CANCELLING TAXES ON CERTAIN PROPERTY ACQUIRED BY THE DADE COUNTY SCHOOL BOARD.

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 any and all taxes due and payable to The City of Coral Gables on lots in Block 11, Section "L", upon being furnished with evidence that such lots have been acquired by the Dade County School Board for use in connection with the Coral Gables Elementary School.

was introduced and read.

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

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

RESOLUTION NO. 1745

A RESOLUTION AUTHORIZING AND FIXING THE AMOUNT OF FEES TO THE SUPERVISING ARCHITECTS, STRUCTURAL ENGINEER AND MEMBERS OF THE ZONING BOARD OF APPEALS.

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

1. That the fees to be paid to the Supervising Architects, the Structural Engineer, and the members of the Zoning Board of Appeals for services under the requirements of the Zoning Ordinance and Building Code of The City of Coral Gables be and they are hereby established as follows:

For each examination and approval or disapproval of a set of plans submitted to a Supervising Architect by the Building Inspector \$2.50

For each examination and approval or disapproval of a set of plans submitted to the Structural Engineer by the Building Inspector \$2.50

For each attendance of a meeting of the Zoning Board of Appeals by a member thereof \$2.50

2. That the Treasurer of The City of Coral Gables be and he is hereby authorized to pay the fees established in Section 1 hereof from the funds derived from the additional building permit fees required by Section 24 of Ordinance No. 271.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

RESOLUTION NO. 1746

A RESOLUTION APPROPRIATING THE SUM OF SEVENTY-FIVE DOLLARS FROM THE CONTINGENT FUND FOR THE PURPOSE OF PROVIDING A MEMORIAL TO THE LATE PHINNEAS E. PAIST.

WHEREAS, a Committee of the Coral Gables Post #98, The American Legion, has been endeavoring to secure the erection of a fitting memorial to the late Phinneas E. Paist, and has made arrangements for the erection of a bust of Mr. Paist and a memorial plaque to be placed in a niche at the City Hall; and

WHEREAS, a death mask of Mr. Paist can be secured for the sum of Seventy-five (\$75) Dollars, and such death mask is necessary to the preparation of the memorial bust;

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

That the sum of Seventy-five (\$75) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of purchasing the above mentioned death mask as the City's contribution to the memorial fund.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

RESOLUTION NO. 1747

A RESOLUTION PRESCRIBING THE NUMBERS AND DENOMINATIONS OF REFUNDING BONDS AND THE NUMBERING OF TAX PARTICIPATION CERTIFICATES.

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

Section 1. That Refunding Bonds, Issue of January 1, 1937, authorized to be issued by Ordinance No. 269, as amended by Ordinance No. 289, shall be numbered and issued in the following denominations:

Refunding Bonds reciting they are for the purpose of refunding valid subsisting bonded debt shall be numbered from D-1 to D-7977, inclusive, of the denomination of \$500. each.

Refunding Bonds reciting they are issued for the purpose of refunding valid subsisting indebtedness shall be numbered and of the following denominations:

<u>Numbers</u>	<u>Denomination</u>	<u>Numbers</u>	<u>Denomination</u>
D-8126 to D-8196 Inc.	\$500	D-8197	\$482.75
D-8198 to D-8317 "	500	D-8318	421.64
D-8319 to D-8320 "	500	D-8321	318.00
D-8322 to D-8341 "	500	D-8342	379.00
D-8343 to D-8347 "	500	D-8348	326.60
D-8349 to D-8359 "	500	D-8360	73.40
D-8361 to D-8373 "	500	D-8374	168.81

Section 2. That Refunding Bonds, Issue of

January 1, 1937, Second Series, shall be numbered and of the following denominations:

<u>Numbers</u>	<u>Denomination</u>	<u>Nos.</u>	<u>Denomination</u>
SB-1 to SB-149	Inc. \$500	SB-150	\$315.06
SB-151 to SB-165	" 500	SB-166	31.73
		SB-167	137.32
		SB-168	382.64

Section 3. That in order to provide for the issuance of any of the above bonds in denominations of less than Five Hundred Dollars (\$500) printed bonds in the denomination of Five Hundred Dollars (\$500) may be used provided that in such instances the words "Five Hundred Dollars" and figures "\$500" be stricken out and that there be substituted therefor the amount for which the bond is to be issued, and that in such instances there be written or stamped upon the face of such bonds a legend reading substantially as follows:

"By order of the City Commission the amount of this bond was reduced to \$ _____ prior to its issuance."

and that the amount of the bond be inserted in the blank provided therefor and that all interest coupons attached to such bonds shall be detached prior to the delivery of the bonds and the name of the registered holder inserted in the blank provided therefor upon the reverse side of such bonds.

Section 4. That Tax Participation Certificates, Issue of January 1, 1937, and Tax Participation Certificates, Issue of January 1, 1937, Second Series, be issued in conformity with the provisions of Ordinance No. 269, as amended by Ordinance No. 289, and be numbered and bear such identification letters as may be determined by the City Clerk.

Section 5. That this resolution constitutes 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 this, the date of its adoption.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

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:

Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF SPECIAL MEETING OF THE
CITY COMMISSION
ON
SEPTEMBER 27, 1937

Pursuant to call of special meeting by Mayor McGarry, and the unanimous consent of the Commissioners, the Commission of the City of Coral Gables convened in special session at the City Hall at 8:30 o'clock P.M., September 27, 1937.

Upon roll call, the following were found present:

Commissioners Avery
Phillips
O'Shaughnessy
Mayor McGarry
Absent - Commissioner Rinehart

RESOLUTION NO. 1748

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 O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
Phillips
O'Shaughnessy
and
Mayor McGarry

RESOLUTION NO. 1749

A RESOLUTION APPROPRIATING THE SUM OF EIGHT HUNDRED FIFTY (\$850) DOLLARS FOR A PUBLICITY BOOKLET.

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

That R. M. Munroe, the Publicity Director be and he is hereby authorized to re-write and bring up to date the "Sports" publicity pamphlet; and

That the sum of Eight Hundred Fifty (\$850) Dollars be and the same is hereby appropriated for said purpose.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner

Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips

and
Mayor McGarry

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

ATTEST:

CITY CLERK

BY *Florence Stith*
Florence Stith
DEPUTY

APPROVED:
Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION

ON OCTOBER 5, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:20 o'clock P.M. on Tuesday, October 5, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The Commission discussed several matters, but took no formal action upon them.

Thursday, October 7, at eight o'clock P.M. was set aside for a hearing on a proposal to dredge the Coral Gables Waterway to its platted width, and the City Manager and the City Clerk were instructed to advise those interested in the project of the time and place of the meeting.

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: *Paul D. McGarry*
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION

ON OCTOBER 7, 1937

The Commission of The City of Coral Gables convened in special session at the City Hall at five o'clock P.M., on Thursday, October 7, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1749A

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 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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

AN ORDINANCE REGULATING BOXING AND WRESTLING EXHIBITIONS IN THE CITY OF CORAL GABLES; REGULATING AND AUTHORIZING THE ISSUANCE AND GRANTING OF PERMITS, FIXING LICENSE FEES AND PROVIDING FOR THE COLLECTION THEREOF; AUTHORIZING THE CITY MANAGER TO MAKE RULES AND REGULATIONS FOR THE GOVERNMENT AND CONTROL OF ALL BOXING AND WRESTLING EXHIBITIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH, AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF.

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 O'Shaughnessy. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon, the Ordinance was read again in full. Motion for adoption by Commissioner Avery; seconded by Commissioner Phillips. The Ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 292.

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:
Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF CITY COMMISSION
ON OCTOBER 11, 1937

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at five o'clock P.M. on Monday, October 11, 1937.

Mayor McGarry in the Chair; Commissioners Avery; O'Shaughnessy, Phillips and Rinehart, present.

RESOLUTION NO. 1750

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 Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

Messrs. Carl Byoir and John Montgomery then tendered to the Commission an agreement between the Coral Gables Development Company and The City of Coral Gables, covering the purchase of certain of the City's delinquent tax assets.

RESOLUTION NO. 1751

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND THE CORAL GABLES DEVELOPMENT COMPANY; AND AUTHORIZING CARL L. V. EXSELSEN TO TAKE CERTAIN STEPS TOWARD THE EXECUTION OF SAID AGREEMENT.

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

That that certain agreement between the City of Coral Gables and the Coral Gables development Company, a Florida Corporation, dated October 11, 1937, in words and figures as set forth below, be and the same is hereby accepted and approved as and for the best interests of The City of Coral Gables; and the Mayor and the City Clerk of and on behalf of The City of Coral Gables be and they are hereby authorized and instructed to execute and deliver said contract as follows:

MEMORANDUM OF AGREEMENT

THIS AGREEMENT made and entered into this 11th day of October, A.D. 1937 by and between THE CITY OF CORAL GABLES, a municipal corporation created and existing under the laws of the State of Florida (hereinafter sometimes called the "City") and CORAL GABLES DEVELOPMENT COMPANY, a Florida corporation (hereinafter sometimes referred to as the "Purchaser");

W I T N E S S E T H:

WHEREAS, the City owns and desires to secure a purchaser for all the tax certificates, delinquent tax liens and claims, tax titles and other assets hereinafter more particularly described; and

WHEREAS, the properties against which said delinquent taxes have been levied are in most instances also subject to delinquent State, County and drainage district taxes and therefore subject to the imminent jeopardy incident to forced liquidation by foreclosure of said delinquent State, County, Drainage and other district taxes; and

WHEREAS, the Purchaser is willing to buy said assets for the considerations and on the terms and conditions hereinafter prescribed, provided the City will agree to apply such portion of the purchase price thereof as may be necessary to complete so far as possible the Plan of Refunding and Composition more particularly set forth in City Ordinance 269, as amended by Ordinance 289;

NOW, THEREFORE, in consideration of the premises, the mutual covenants hereinafter contained and other good and valuable considerations, the receipt whereof is hereby acknowledged, the parties hereto covenant and agree as follows, to-wit:

FIRST: The City of Coral Gables hereby agrees to sell to the Purchaser:

(A) All its right, title and interest in and to the following described Tax Certificates, Liens for Taxes, Tax Titles and other properties owned by it as of the date of this contract, to-wit:

(1) All such taxes on properties in The City of Coral Gables North of Sunset Road delinquent as of the date of this contract for the calendar years prior to 1936, including all general taxes presently back assessed or which may hereafter be back assessed for the calendar years prior to 1936;

(2) Tax liens on properties in The City of Coral Gables which are evidenced: (a) by final decree of foreclosure in suits against the several properties to subject them to the payment of the City tax liens for the year 1934 and prior thereto; and (b) by the tax sale certificates and/or unpaid or omitted taxes owned and held by the City evidencing taxes for the year 1935 and prior years, which tax liens, the City is advised, are concurrent and of equal dignity with tax liens for unpaid State and County taxes and outstanding tax sale certificates for State and County taxes against said properties and with special and drainage district or other delinquent taxes;

(3) Tax titles to properties (including the Mahi Shrine Golf Course and Club House tracts, approximating 55 acres more or less) which titles have been or may, at the earliest legally allowable date, hereafter be acquired by foreclosure of tax liens for the tax years 1935 and prior years, which said tax titles are and will be subject to the lien of unpaid State and County general

taxes and outstanding State and County tax sale certificates against said properties and the lien of special drainage and other district delinquent taxes and other unpaid tax liens of record;

all of which tax certificates, liens for taxes, tax titles and other properties owned by the City are more particularly described in the Schedule of Properties which is attached hereto marked "Schedule One" and by express reference made a part hereof.

(B) All its right, title and interest under the terms and provisions of that certain Contract between The City of Coral Gables and Coral Gables Properties, Inc., dated May 14, 1929, and that certain Assignment from Coral Gables, Inc. to the City of Coral Gables, also dated May 14, 1929, therein referred to, which said Contract and Assignment are by reference made a part hereof as if incorporated herein verbatim.

(C) One-half of those Tax Participation Certificates which the City may directly or indirectly hereafter acquire through the application of any portion of the purchase price herein provided for to the acquirement of claims of creditors who have not heretofore consented to and approved the Plan of Refunding and Composition set forth in City Ordinance 269, as amended by Ordinance No. 289, said certificates to be delivered when and as received and to aggregate not less than \$200,000. in par value.

SECOND: The Purchaser hereby agrees to buy from The City of Coral Gables all its right, title and interest in and to the assets and properties described in Section FIRST hereof, and agrees to pay, apply and/or deliver therefor to the City or its nominee or nominees, the following considerations:

(a) A \$75,000 cash credit growing out of a cash payment to the City on July 30th, 1937;

(b) An additional \$291,900 in cash payable on and after October 12, 1937 as may be requested and directed by the City;

(c) An additional \$30,000 on January 11, 1938.

THIRD: The City agrees, on written request, to promptly transfer, deed and/or deliver to the Purchaser, or its nominee or nominees, or to hold and/or deposit in escrow under terms and provisions to be designated by the Purchaser;

(a) Any properties described in "Schedule One", such as the Mahi Shrine Golf Course and Club House Tracts, titles to which are presently vested in the City or its nominee;

(b) That portion of the Tax Certificates, more particularly described in the Schedule of Properties attached hereto marked "Schedule One", covering delinquent taxes of The City of Coral Gables for the years 1932, 1933, 1934 and 1935, including all accrued interest and penalties thereon,

and to promptly execute and deliver, upon request of the Purchaser, any and all appropriate authorizations, assignments, deeds and/or other legal instruments of transfer and conveyance necessary to constitute full and complete legal delivery thereof to the Purchaser or its nominee or nominees. The City further agrees to hold in escrow all the remainder of the Tax Certificates described in said "Schedule One" and, upon written request of the Purchaser, to either cancel the same or to permit the full use thereof in any foreclosure or other legal proceedings affecting any of the properties constituting the subject matter hereof.

FOURTH: The City expressly covenants and agrees, upon request of the Purchaser, to cancel any and all special assessments which may

be outstanding against any of the lots covered by the tax certificates, tax liens and tax deeds purchased hereunder and further covenants that it will not reassess or make any effort to collect on the special assessments levied in connection with the original July 1, 1926 Bond Issue which said assessments were declared void by the Supreme Court in the case of City of Coral Gables vs. Coral Gables, Inc., 160 So. 476.

FIFTH: The City expressly covenants and obligates itself, at the request and expense of the Purchaser, to foreclose, through attorneys designated by the Purchaser, all or any part of the Tax liens described in "Schedule One" at the earliest legally allowable date, and to promptly deliver to the Purchaser, with proper instruments of transfer and conveyance (or deposit in escrow on terms and conditions to be designated by the Purchaser) such titles as may be acquired thereby.

SIXTH: The City further covenants that as to any delinquent taxes or tax certificates heretofore or hereafter declared to have been illegally or irregularly imposed or issued, it will, upon written request of the Purchaser, at its own expense, take any and all steps within its legal powers under its Charter to cure the defect in such delinquent taxes and tax certificates, including the reassessment and relevy of the taxes upon which such illegal delinquent taxes and tax certificates may be predicated, and to promptly assign to the Purchaser, or deliver in escrow on terms and conditions to be designated by the Purchaser, the rectified and readjusted tax liens so acquired to replace any liens, tax certificates or other tax titles to properties described in "Schedule One" which may for any reason prove to be so defective and legally subject to objection, whereupon the documents evidencing said defective tax certificates and tax liens shall be cancelled.

SEVENTH: Upon assignment and delivery to it of any of the tax certificates, evidences of tax liens, tax titles or other properties referred to in Section FIRST hereof, the Purchaser shall, to the extent permitted by law, be entitled to be subrogated to all of the rights, equities and priorities of the City in connection therewith and shall have the same rights and remedies in respect to the enforcement of such liens and claims as may be vested in The City of Coral Gables.

EIGHTH: The City covenants and agrees that it will promptly utilize such portion of the purchase price herein provided for, up to \$300,000, as may be necessary to promptly bring about the completion so far as possible of the Plan of Refunding and Composition more particularly set forth in City Ordinance 269, as amended by Ordinance 289.

NINTH: The City further covenants to sell to the Purchaser tax certificates covering 1936 taxes on all of the lots and properties subject to the tax liens, etc. listed in "Schedule One", and the Purchaser agrees to purchase said 1936 Tax Certificates at the face amount thereof and to make payment therefor as follows: \$8,100 herewith, and the balance upon due delivery and assignment of said Certificates, said delivery and assignment to be made at a date not to exceed 90 days from the date hereof.

TENTH: The City further agrees to execute and deliver, upon request of the Purchaser, any and all further authorizations, assignments, conveyances, deeds, documents, papers, consents, etc. incident or necessary to the carrying out of the terms, provisions and intent of this agreement.

ELEVENTH: By express agreement, any dispute between the City and the Purchaser with respect to the interpretation of this contract shall be settled by arbitration. Each party shall appoint one arbitrator and if the arbitrators are unable to agree, an umpire shall be appointed by them in the usual manner. Both parties hereto agree to abide by the decision of the arbitrators, or of any arbitrator and the umpire, and each party hereby waives its right to take legal measures, except to enforce the award.

TWELFTH: It is agreed between the parties hereto that all the terms, stipulations and agreements herein contained shall be binding upon all parties hereto and each and every of its or their successors and assigns as the case may be.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their respective corporate names by their respective corporate officers thereunto duly authorized and their respective corporate seals to be hereunto affixed and attested, and this instrument to be signed, sealed and delivered in the presence of witnesses as of the day and year first above written.

Signed, sealed and delivered in the presence of:

THE CITY OF CORAL GABLES

BY _____ Mayor

ATTEST _____ City Clerk

Signed, sealed and delivered in the presence of:

CORAL GABLES DEVELOPMENT COMPANY

BY _____ President

ATTEST _____ Secretary

APPROVED AS TO SUBSTANCE AND FORM:

City Attorney

STATE OF FLORIDA)
) SS
COUNTY OF DADE)

I HEREBY CERTIFY, That on this 11th day of October, A.D. 1937 before me personally appeared PAUL D. McGARRY and G. N. SHAW, Mayor and City 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.

Notary Public, State of Florida at large.
My commission expires:

STATE OF FLORIDA)
) SS
COUNTY OF DADE)

I HEREBY CERTIFY, that on this 11th day of October, A.D. 1937, before me personally appeared Charles M. Moon and President and Secretary respectively of the Coral Gables Development Company, a 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 Miami in the County of Dade and State of Florida the day and year last aforesaid.

Notary Public State of Florida at large
My commission expires:

BE IT FURTHER RESOLVED:

That in order to carry out the provisions of said agreement, Carl L. V. Exselsen, Special Attorney for The City of Coral Gables, be, and hereby is, authorized, empowered and directed to request payment of sums in the aggregate of Two Hundred Ninety-one Thousand Nine Hundred Dollars (\$291,900), pursuant to subdivision "B" of paragraph second hereof, from said Coral Gables development Company, or its nominee, and to execute for and on behalf of The City of Coral Gables such receipts as may be necessary, evidencing the payment of said sums in the aggregate of Two Hundred Ninety-one Thousand Nine Hundred Dollars (\$291,900); and

BE IT FURTHER RESOLVED:

That the said Carl L. V. Exselsen, Special Attorney for The City of Coral Gables, be and he hereby is authorized, empowered and directed to take such further steps as may be necessary to carry out the purposes and intentions of the aforesaid resolutions and of the terms and provisions of said contract dated October 11, 1937, between The City of Coral Gables and Coral Gables Development Company.

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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon the said Agreement, accepted and approved and authorized to be executed by Resolution No. 1751, was duly and regularly executed and acknowledged in duplicate on behalf of The City of Coral Gables by Paul D. McGarry, Mayor, and attested by G. N. Shaw, City Clerk, and on behalf of Coral Gables Development Company by Charles M. Moon, President, attested by A.V. McCraw, Secretary. One executed copy of the said Agreement was delivered to Coral Gables Development Company and the other executed copy was delivered to The City of Coral Gables.

RESOLUTION NO. 1752

A RESOLUTION AUTHORIZING THE DELIVERY OF THE ASSETS DESCRIBED IN THE AGREEMENT AUTHORIZED TO BE EXECUTED BY RESOLUTION NO. 1751 AND AUTHORIZING THE EXECUTION OF INSTRUMENTS THEREFOR.

WHEREAS, The City of Coral Gables, by Resolution No. 1751, approved and authorized the execution of an Agreement between The City of Coral Gables and the Coral Gables Development Company, dated October 11, 1937; and

WHEREAS, the said Agreement has been executed in duplicate by the City and the said Development Company, and duplicate copies of the same delivered to each party thereto; and

WHEREAS, the City, having already received a substantial portion of the consideration due by the said Development Company under said Agreement, has received

satisfactory evidence that the balance of said consideration, which it is entitled to receive for or upon delivery of said assets, is available to the City upon demand;

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

1. That the City Tax Collector and Director of Finance be, and he is hereby, authorized and directed to deliver to the Coral Gables Development Company the tax certificates and other assets sold to the said C Company under the contract executed this date under authority of Resolution No. 1751; and the Mayor, the City Clerk and the City Tax Collector, as their respective duties require, be, and they are hereby, authorized, empowered and directed to execute and deliver such assignments, transfers, conveyances, deeds and other documents as may be necessary to evidence the transfer and delivery of the tax certificates, tax assets, tax titles, contracts and tax participation certificates sold to the Coral Gables Development Company by said Agreement of October 11, 1937, and more particularly described in paragraph FIRST: Subsections (A), (1), (2) and (3), (B) and (C) thereof.

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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

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:
Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 18, 1937

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at 8:30 o'clock A.M. on Monday, October 18, 1937.

Mayor McGarry in the Chair; Commissioners O'Shaughnessy, Phillips and Rinehart present. Commissioner Avery absent from the City.

RESOLUTION NO. 1753

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 O'Shaughnessy; seconded by Commissioner Phillips.

The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1754

A RESOLUTION APPOINTING FLORENCE STITH ASSISTANT TREASURER OF THE CITY OF CORAL GABLES, WITH POWER TO SIGN CHECKS AND DRAFTS OF THE CITY OF CORAL GABLES IN THE ABSENCE FROM THE CITY OF G. N. SHAW.

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

That Florence Stith, Deputy City Clerk, be and she is hereby appointed Assistant Treasurer of The City of Coral Gables, with full power to sign checks and drafts of the City in the place and in the absence from the City of City Treasurer G. N. Shaw.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1755

A RESOLUTION AUTHORIZING THE APPLICATION FOR A WORKS PROGRESS ADMINISTRATION PROJECT FOR THE CONSTRUCTION OF A FIRE AND POLICE STATION AND EMERGENCY RELIEF HEADQUARTERS AND REFUGEE STATION.

WHEREAS, the present structure of the City of Coral Gables Fire and Police Station must soon be condemned in the interest of public safety; and

WHEREAS, The City is without sufficient funds to undertake the erection of a new building to house the Fire and Police Departments; and

WHEREAS, The City has long desired to establish a suitable and safe building for the administration of relief and for the housing of refugees in times of emergency; and

WHEREAS, The City has been advised that the Works Progress Administration may approve such a construction program as one of its regular projects, contributing the labor and a part of the material costs involved; and

WHEREAS, The City will acquire Lots 42 to 48, both inclusive, Block 34, Section "K", situated at the corner of Avenue Aragon and Salzedo Street in the City of Coral Gables as a site for such proposed Police and Fire Department and Emergency Relief Headquarters and Refugee Station;

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

That City Manager E. M. Williams and Director of Public Service A. B. Curry be and they are hereby authorized to proceed with plans, specifications and estimates of costs for the above described proposal, and to negotiate with the authorities of the Works Progress Administration for a project covering the construction thereof, and upon the acceptance of the proposal, by the Works Progress Administration, the City Manager and the City Clerk be and they are hereby authorized and instructed to sign such application and undertaking as may be required by the Works Progress Administration.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart: The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1937 AND ENDING JUNE 30, 1938; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSE OF PAYING SERVICE OF DEBT AND MEETING OPERATING REQUIREMENTS; AND PROVIDING FOR THE SEGREGATION AND APPLICATION OF THE PROCEEDS FROM THE SEVERAL LEVIES.

was introduced and read.

Motion by Commissioner Phillips 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 O'Shaughnessy. The motion was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon the Ordinance was read again in full.

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

"Yes" - Commissioners O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon Mayor McGarry declared the Ordinance adopted and approved and ordered its publication as No. 293.

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:
Paul D. McGarry
MAYOR
Paul D. McGarry

... by Commissioner Phillips that the requirement for reading on
the separate days be dispensed with, and that the Ordinance be placed on second
reading at once: recorded by Commissioner O'Shaughnessy. The motion was
adopted by the following roll call:

Yes - Commissioner O'Shaughnessy
Phillips
Kinard

Mayor McGarry

Thereupon the Ordinance was read again in full.

Notice for adoption of the Ordinance by Commissioner O'Shaughnessy:
recorded by Commissioner Kinard. The Ordinance was adopted by the following

THERE BEING NO QUORUM PRESENT,

NO MEETING WAS HELD ON TUESDAY,

OCTOBER 19, 1937.

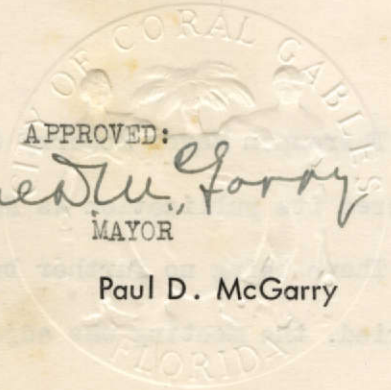
ATTEST:

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

APPROVED:

Paul D. McGarry
MAYOR

Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 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, November 2, 1937. Mayor McGarry in the Chair Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The reading of the minutes of the previous meeting was waived.

RESOLUTION NO. 1756

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO MAKE CERTAIN ALLOWANCES AND REBATES IN CITY OF CORAL GABLES TAXES FOR THE YEAR 1937; AND AUTHORIZING AN EXTENSION OF THE PERIOD DURING WHICH 4% DISCOUNT MAY BE ALLOWED UPON 1937 TAXES.

WHEREAS, the successful negotiation of certain phases of the City's refunding program has eliminated the necessity for certain of the mandatory levies made by Paragraph B of Section I of Ordinance No. 293; and

WHEREAS, Agreements negotiated by the City will result in an increase of the collectibility of taxes on vacant land for the year 1937;

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

Section 1. That the Tax Collector be, and he is hereby, authorized to make such allowances or rebates on the taxes as levied by Ordinance No. 293 adopted October 18, 1937 as to reduce the amount of tax collectible under Paragraph B of Section 1 thereof, to 1.09 mills upon the dollar; and so as to reduce the tax collectible under Paragraph D of Section 1 thereof to 15.01 mills upon the dollar.

Section 2. That the Tax Collector be, and he is hereby, authorized to make such extension of the period during which 4% discount is to be allowed upon 1937 City taxes as to provide a period of not less than thirty days from the date of distribution of the 1937 tax statements, provided, however, that such extension shall not run beyond the 31st day of December, 1937.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1757

A RESOLUTION AUTHORIZING THE CANCELLATION OF ALL TAXES DUE AND PAYABLE TO THE CITY ON PROPERTY WEST OF RED ROAD.

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 O'Shaughnessy. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon, the Ordinance was read again in full. Motion for adoption of the Ordinance by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The Ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

Thereupon Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as Number 294.

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:
Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 16, 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, November 16, 1937.

Commissioner Avery in the Chair; Commissioners O'Shaughnessy, Phillips and Rinehart present; Mayor McGarry absent from the City.

The reading of the minutes of the previous meeting was waived.

RESOLUTION NO. 1758

A RESOLUTION AUTHORIZING THE CANCELLATION OF BALANCES DUE ON IMPROVEMENT ASSESSMENT LIENS FOR HIGHWAY DISTRICTS 2 TO 29, INCLUSIVE, AND SIDEWALK DISTRICTS 1 TO 7, INCLUSIVE.

WHEREAS, the Supreme Court of the State of Florida has held the Special Improvement Assessments for Highway Districts 2 to 29, inclusive, to be invalid, intimating however that the City might reassess such liens and thereby secure enforceable liens for the costs of said improvements; and

WHEREAS, those facts and conditions upon which the Supreme Court based its invalidation of the Highway District Liens apply also and equally to the Sidewalk Districts; and

WHEREAS, the City deems it unwise to attempt a reassessment of these liens, feeling that their enforcement would result in diminishing and retarding the sale and improvement of Coral Gables property; and

WHEREAS, the City's debt settlement program has progressed to an extent which makes it now unnecessary to hold these liens for the benefit of its creditors;

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

1. That the Tax Collector be, and he is hereby, authorized to cancel any and all balances due the City, either for principal or for interest, upon Highway Improvement Assessment Liens covering Districts 2 to 29, inclusive, and Sidewalk Improvement Assessment Liens covering Districts 1 to 7, inclusive.

2. That the City Commission hereby abandons any right or intention of attempting to reassess the liens described above.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

Absent - Mayor McGarry

RESOLUTION NO. 1759

A RESOLUTION AUTHORIZING THE CANCELLATION OF BALANCES DUE ON IMPROVEMENT ASSESSMENT LIENS FOR HIGHWAY DISTRICT NUMBER ONE.

WHEREAS, the Commission of the City of Coral Gables is advised and convinced that the existence of the Highway District H-1 Assessment Liens on property abutting on Southwest Eighth Street is a serious factor in the prevention of sale and development of such property; and

WHEREAS, it is more important to the City to secure the reinstatement of this property on the current tax rolls of the City than to continue to attempt to collect the H-1 Assessment Liens;

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 cancel all balances due the City either for principal or for interest upon Highway Improvement Assessment Liens covering District Number One on property abutting on Southwest Eighth Street.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

Absent - Mayor McGarry

City Manager Williams presented a request from Mr. H. H. Robinson for the exemption of 1937 City taxes on the property occupied by the Curtiss Aerocar Company. The Commission held that no provision having been made in the 1937 levy or in the 1937-38 budget ordinance for the exemption of this property, such action would be impossible at this time, without disrupting the financial operations of the City.

The Commission discussed the matter of the proposed new Fire and Police Station at the corner of Aragon Avenue and Salzedo Street and decided to adopt the substitute proposal that the City deed to the American Legion Lots 25 to 28, inclusive, Block 26, Section "K" in consideration of a deed from the Legion to the City for Lots 42 to 48, inclusive, Block 34, Section "K", in order that the City may proceed with the construction of a Fire and Police Station upon the latter lots without any provision for an emergency shelter building and without participation of the Legion in the project. The City Attorney was instructed to prepare a deed to Coral Gables Post #98 covering the lots in Block 24, Section "K" and to arrange for a property deed to the City of the lots in Block 34, Section "K", and to bring before the Commission a resolution authorizing the exchange of properties.

RESOLUTION NO. 1760

A RESOLUTION APPROPRIATING THE SUM OF \$1,080 TO PROVIDE FOR POLICE AND FIRE DEPARTMENT SALARIES.

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

That the sum of One Thousand Eighty Dollars (\$1,080.00) be, and the same is hereby appropriated from the Contingent Fund to the appropriation for Department of Public Safety salaries for the purpose of:

1. Providing for the promotion of Fireman Lloyd and Balliet to the rank of Lieutenant, and

2. Providing for two extra Patrolmen at a salary of One Hundred (\$100.00) Dollars per month for a period of four months during the 1937-38 Winter Season.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner Rinehart: The resolution was adopted by the following roll call:

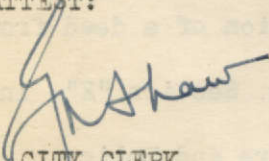
"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

Absent - Mayor McGarry

A communication was received from Max Orovitz, requesting a permit to construct an apartment building on each of Lots 8 and 9, Block 1, Biltmore Section, which lots are now subject under the Zoning Ordinance to a minimum requirement of 100 feet frontage per building. It was unanimously decided that the Commission would not at this time amend or make exceptions to the requirements of the Zoning Ordinance in Block 1, Biltmore Section.

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

ATTEST:


CITY CLERK
G. N. Shaw

APPROVED:


MAYOR

Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 22, 1937

Pursuant to call of special meeting by Mayor McGarry, the Commission of the City of Coral Gables convened in special session at 11:00 o'clock A.M. on Monday, November 22, 1937.

Mayor McGarry in the Chair; Commissioners Avery; O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1761

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 O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1762

A RESOLUTION AUTHORIZING A SPECIAL CONTRACT AND ESCROW AGREEMENT FOR THE PURPOSE OF REFUNDING THE SARAH McGUIRE JUDGMENT AND SATISFYING THE SARAH McGUIRE MORTGAGE WITH THE PRESENT OWNERS AND HOLDERS OF SAID JUDGMENT AND MORTGAGE.

WHEREAS, Mary Alice Everling, Elsie May Cormman, The Board of Foreign Missions of the United Lutheran Church in America, and the Board of American Missions of The United Lutheran Church in America, as Devisees and Beneficiaries under the Will of Sarah McGuire, are the present owners and holders of a certain judgment against The City of Coral Gables in favor of Sarah McGuire, dated July 9th, 1930, in the principal sum of \$71,965.50, and the owners and holders of a valid subsisting mortgage further securing the payment of said judgment upon the following described property owned by and located in The City of Coral Gables, Dade County, Florida, to wit:

The South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Eighteen (18), Township Fifty-four (54) South, Range Forty-one (41) East, in Dade County, Florida; and

WHEREAS, the said owners of said judgment and mortgage have made a special written proposition, in the form of a contract and an escrow agreement, to the City for the compromise, adjustment and refunding of the principal and interest due upon said judgment and for the satisfaction and discharge of the said mortgage,

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

1. That the Memorandum of Agreement between The City of Coral Gables and Mary Alice Everling, Elsie May Cornman, The Board of Foreign Missions of The United Lutheran Church in American, and The Board of American Missions of the United Lutheran Church in America, as Devisees and Beneficiaries under the Will of Sarah McGUIRE, dated November 22nd, 1937, and the Escrow Agreement of the same date between The City of Coral Gables and Mary Alice Everling and Elsie May Cornman and The Union Trust Company of Pittsburgh, be and the same are hereby accepted and approved as and for the best interests of The City of Coral Gables, in words and figures as follows:

MEMORANDUM OF AGREEMENT, Made and entered into this 22nd day of November, A.D. 1937 by and between THE CITY OF CORAL GABLES, a municipal corporation created and existing under the laws of the State of Florida (hereinafter sometimes called the "City"), and MARY ALICE EVERLING, ELSIE MAY CORNMAN, THE BOARD OF FOREIGN MISSIONS OF THE UNITED LUTHERAN CHURCH IN AMERICA, and THE BOARD OF AMERICAN MISSIONS OF THE UNITED LUTHERAN CHURCH IN AMERICA, as Devisees and Beneficiaries under the Will of Sarah McGuire, deceased, (hereinafter sometimes referred to as the "Devisees"),

W I T N E S S E T H:

WHEREAS, on the 9th day of July, 1930 a judgment in the sum of \$71,965.50 was entered in the Circuit Court of Dade County in and for the State of Florida in favor of Sarah McGuire and against The City of Coral Gables, Florida, on which judgment there had accrued, as of January 1, 1937, unpaid interest in the sum of \$25,580.91; and

WHEREAS, as additional security for the payment of the amount evidenced by said judgment the said Sarah McGuire, at the time of her death, was also the owner and holder of a valid and subsisting mortgage on the following described property located in The City of Coral Gables, Dade County, Florida, to-wit:

The South Half ($S\frac{1}{2}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Eighteen (18), Township Fifty-four (54) South, Range Forty-one (41) East, in Dade County, Florida; and

WHEREAS, pursuant to the provisions of the Will of said Sarah McGuire, deceased, title to said judgment and mortgage has become vested in the following named persons and institutions in the following named proportions:

<u>Name</u>	<u>Proportionate Interest</u>	<u>Undivided Interest in Principal of Judgment</u>	<u>Undivided Interest in Accrued Interest</u>
Mary Alice Everling	45%	\$32,384.48	\$11,511.40
Elsie May Cornman	45%	32,384.48	11,511.40
The Board of Foreign Missions of the United Lutheran Church in America	5%	3,598.27	1,279.06
The Board of American Missions of the United Lutheran Church in America	5%	3,598.27	1,279.05
		<u>\$71,965.50</u>	<u>\$25,580.91</u>

AND WHEREAS, The City of Coral Gables is financially involved and is unable to meet its obligations as they mature; and

WHEREAS, The City of Coral Gables and the greater portion of its creditors are desirous of effecting a plan for the refunding and composition of its debts, which plan is set forth in detail in Ordinance No. 269 of The City of Coral Gables, adopted December 23, 1936, as amended September 4, 1937 by Ordinance No. 289 (which said Ordinances are by express reference made a part hereof); and

WHEREAS, the Refunding Bonds - Issue of January 1, 1937 and the Tax Participation Certificates - Issue of January 1, 1937, more particularly described in the above mentioned Ordinances, were duly validated by decree of the Circuit Court of the Eleventh Judicial District, Dade County, Florida, on April 12, 1937, which decree was duly and unanimously affirmed by the Supreme Court of Florida on July 30, 1937; and

WHEREAS, Thomson, Wood & Hoffman, of New York City, did on September 11, 1937 issue their Opinion approving the legality of said Refunding Bonds and Tax Participation Certificates issued pursuant to the terms of said Ordinances; and

WHEREAS, certain of said Devises, though unwilling to presently satisfy and cancel the above described judgment and mortgage, are willing to aid in the consummation of said plan of refunding and composition on the modified basis and subject to the specific terms and conditions hereinafter set forth;

NOW, THEREFORE, in consideration of the premises, as well as other good and valuable considerations, the following agreement is entered into by and between the parties hereto as follows; to-wit:

FIRST: By express agreement of the parties, the above described judgment and mortgage shall continue in full force and effect, subject only (a) to the provisions herein for partial payments thereon, and (b) adjustment in reduction of the statutory rate of interest to accrue thereon, as herein elsewhere provided.

SECOND: The exact proportionate division among the Devises of the various cash payments and security distributions provided to be made hereunder, as well as the specific allocation of the Refunding Bonds and Tax Participation Certificates to be deposited in escrow with The Union Trust Company of Pittsburgh (as provided in Seventh below) are, for greater certainty, set forth in detail in the "Schedule of Division among Devises" attached hereto and by express reference made a part hereof.

THIRD: For the purpose of reducing the principal amount of said judgment from \$71,965.50 to the round figure amount of \$70,000.00 (a sum readily divisible among the Devises in multiples of \$500.00), the City agrees forthwith to pay and deliver to the Devises, and the Devises agree to accept, \$1,065.50 in cash in full settlement for the credit of \$1,965.50 hereby agreed to be applied on the principal of said judgment.

FOURTH: The City agrees forthwith and unconditionally to deliver to the Devises \$25,580.91 in Tax Participation Certificates of The City of Coral Gables - Issue of January 1, 1937 in full settlement of unpaid interest which had accrued on the \$71,965.50 judgment to January 1, 1937. In addition, the City agrees to immediately pay to the Devises in cash, in full settlement of adjusted interest on said judgment for the six-month period from January 1, 1937 to July 1, 1937, the sum of \$449.78 (being an amount equal to six months' interest at the rate of 2 $\frac{1}{2}$ % per annum on the \$35,982.75 pro-rata share of its new Refunding Bonds which The City of Coral Gables has reserved and allocated for use as collateral for the liquidation of said judgment).

FIFTH: In addition to the proportionate shares, to-wit, 5% each, of the cash and Tax Participation Certificates to be paid and delivered to the said two Church Boards under Sections Third and Fourth hereof, the City agrees

forthwith to deliver to The Board of Foreign Missions of the United Lutheran Church in America \$1,750.00 par value of Refunding Bonds of The City of Coral Gables - Issue of January 1, 1937, and \$1,750.00 par value of Tax Participation Certificates of The City of Coral Gables - Issue of January 1, 1937, and forthwith to deliver a like amount of Bonds and Tax Participation Certificates to The Board of American Missions of the United Lutheran Church in America. Thereupon each of said Boards agrees to execute and deliver appropriate papers evidencing payment in full of their respective 5% interests in said judgment and mortgage.

SIXTH: The remaining unpaid balance of said judgment and mortgage, to-wit: \$63,000.00, with interest from July 1, 1937, shall be kept alive for the sole benefit of Mary Alice Everling and Elsie May Cornman, in equal shares, subject to the terms and conditions herein provided.

SEVENTH: In addition to the proportionate shares, to-wit, 45% each, of the cash and Tax Participation Certificates to be paid and delivered unconditionally to Mary Alice Everling and Elsie May Cornman under Sections Third and Fourth hereof, the City agrees forthwith to deliver to The Union Trust Company of Pittsburgh, as Escrow Agent, \$31,500.00 par value of Refunding Bonds of The City of Coral Gables - Issue of January 1, 1937 and \$31,500.00 par value of Tax Participation Certificates of The City of Coral Gables - Issue of January 1, 1937, to be delivered or otherwise disposed of for the benefit of Mary Alice Everling and Elsie May Cornman in accordance with the escrow directions and instructions set forth in the "Escrow Agreement" attached hereto and by express reference made a part hereof in all of its terms.

EIGHTH: Without in any way limiting the right of the said Devisees to withdraw Bonds from escrow, as provided in said "Escrow Agreement", the City agrees, so long as any Bonds remain in escrow, to purchase for cash at par plus accrued interest on July 1, 1938, \$2,000.00 par value of any Refunding Bonds remaining in escrow, and to purchase for cash at par plus accrued interest on the first day of July in each year thereafter \$2,000.00 par value of any Refunding Bonds remaining in escrow. Upon each such yearly purchase of \$2,000.00 par value of Refunding Bonds, \$2,000.00 par value of Tax Participation Certificates shall be released to Mary Alice Everling and Elsie May Cornman in equal shares. One-half of the proceeds of each such yearly purchase payment shall be promptly paid by the Escrow Agent to Mary Alice Everling and the remaining one-half to Elsie May Cornman.

NINTH: During the entire life of the escrow, the City agrees to pay all escrow fees and expenses and further agrees to pay yearly to the respective two Devisees, parties to said escrow, or to the Escrow Agent, a sum in cash which shall equal such personal property tax (not to exceed, however, eight mills) which may from year to year be levied by the State of Pennsylvania and/or any municipal subdivision thereof on that portion of the judgment which may from time to time remain unpaid and unsatisfied, and/or the Refunding Bonds and Tax Participation Certificates securing the same. Said sums shall be paid by the City upon fifteen days' written notice that the same are due and payable, and shall be in addition to all other sums provided to be paid by the City hereunder.

TENTH: So long as the City shall promptly carry out all of the terms and provisions set forth in this contract and the Escrow Agreement therein referred to, and shall not default in the payment of interest or principal on the Refunding Bonds deposited in escrow, or in the yearly payments required to be made on the Tax Participation Certificates under the terms of City Ordinance No. 269, as amended by Ordinance No. 289, Mary Alice Everling and Elsie May Cornman and each of them expressly covenant and agree that they will take no steps whatsoever, legal or otherwise, or permit any steps to be taken, to enforce either the mortgage described in the second "Whereas" clause or the collection of any unpaid portion of the Judgment entered July 9, 1930 in Common Law Suit #12,104 in the Circuit Court of Dade County, Florida, and they further covenant and agree to reduce and adjust the statutory rate of interest accrued or to accrue, subsequent to July 1, 1937, on the unpaid portion of said judgment to a yearly amount which shall equal the aggregate interest coupons maturing yearly on the Refunding Bonds - Issue of January 1, 1937 which from time to time shall remain in the escrow herein provided for. In the event, however, that the City shall default in any of its covenants hereunder, or under said escrow agreement, or in the event of a default in the payment of principal of or interest on the Refunding Bonds, or in the yearly payments provided to be made on the Tax Participation Certificates, and said default shall continue

after thirty days' written notice thereof, all restrictions on the enforcement of the above described mortgage and judgment and the collection of the legal rate of interest thereon shall terminate and be removed.

ELEVENTH: The City, during the life of the escrow herein provided for, expressly covenants and agrees to take all such steps and to execute any and all stipulations and papers which may be necessary or required under the Florida law from time to time to renew or keep alive that portion of the judgment which may remain unpaid.

TWELFTH: When and as the Judgment hereinabove described has been liquidated in full in the manner herein provided the Deviseses covenant and agree to execute any and all papers and releases necessary to satisfy of record both the Judgment and the Mortgage above referred to.

THIRTEENTH: This agreement may be modified, amended or enlarged in any particular by mutual written agreement of the parties hereto, attached as a supplement. It is specifically agreed by the parties hereto that all the terms, covenants, stipulations and agreements contained herein, or in any supplement or amendment hereto, shall be binding upon and inure to the benefit of each of the parties hereto and to their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the respective parties hereto have executed this agreement in counterpart originals and have affixed their respective seals hereto as of the date first above written.

Signed, sealed and delivered
in the presence of:

THE CITY OF CORAL GABLES

BY _____
Mayor (CITY SEAL)

ATTEST _____
City Clerk

Mary Alice Everling (SEAL)

Elsie May Cornman (SEAL)

THE BOARD OF FOREIGN MISSIONS OF THE
UNITED LUTHERAN CHURCH IN AMERICA

BY _____ (SEAL)
Treasurer

THE BOARD OF AMERICAN MISSIONS OF THE
UNITED LUTHERAN CHURCH IN AMERICA

BY _____ (SEAL)
Treasurer

"SCHEDULE OF DIVISION AMONG DEVISEES"

The Board of American
Missions of the United
Lutheran Church in America
(5% Interest)

The Board of Foreign
Missions of the United
Lutheran Church in America
(5% Interest)

Elsie May Cornman
(45% Interest)

Mary Alice Everling
(45% Interest)

Division of \$1965.50 Cash Payment on Principal of Judgment	\$ 98.28	\$ 98.27	\$884.48	\$884.47		
Division of \$449.78 Cash Payment of Interest on \$35,982.75 Refunding Bonds 1/1/37-7/1/37	22.49	22.49	202.40	202.40		
Total Immediate Cash Division	\$ 120.77	\$120.76	\$1,086.88	\$1,086.87		
Division of \$25,580.91 Tax Participation Certificates to be immediately delivered in settlement of interest to 1/1/37	1,279.05	1,279.05	11,511.40	11,511.41		
Refunding Bonds to be immediately delivered	1,750.00	1,750.00	-	-		
Tax Participation Certificates to be immediately delivered	1,750.00	1,750.00	-	-		
Allocation of \$31,500 Refunding Bonds deposited in escrow as collateral to \$63,000 balance of Judgment	-	-	15,750.00	15,750.00		
Allocation of \$31,500 Tax Participation Certificates deposited in escrow as collateral to \$63,000 balance of Judgment	-	-	15,750.00	15,750.00		
GRAND TOTALS	<u>\$4,899.82</u>	<u>\$4,899.81</u>	<u>\$44,098.28</u>	<u>\$44,098.28</u>		

"ESCROW AGREEMENT"

SUPPLEMENTAL AGREEMENT AND TERMS OF ESCROW entered into as of the 22nd day of November, A.D. 1937 by and between THE CITY OF CORAL GABLES, a Municipal Corporation created and existing under the laws of the State of Florida (hereinafter designated as the "City"), and MARY ALICE EVERLING and ELSIE MAY CORNMAN, as certain Devisees and beneficiaries under the Will of Sarah McGuire, deceased (hereinafter sometimes referred to as the "Devisees"), and THE UNION TRUST COMPANY OF PITTSBURGH, a banking corporation (hereinafter designated as the "Escrow Agent" or "Escrowee"),

W I T N E S S E T H:

WHEREAS, the City and the Devisees have executed and delivered a certain "Memorandum of Agreement" dated as of the 22nd day of November, 1937, a copy of which marked "Exhibit One" is attached hereto and by express reference made a part hereof; and

WHEREAS, this agreement, primarily designed to set forth in detail the terms and provisions of the escrow herein provided for, constitutes a part of and is supplemental to said "Memorandum of Agreement";

NOW, THEREFORE, in consideration of the premises, and other good and valuable considerations, the following agreement and Escrow is entered into by and between the parties hereto, as follows, to-wit:

FIRST: The City of Coral Gables, pursuant to due resolution of its City Commission, herewith delivers to The Union Trust Company of Pittsburgh, to be held in escrow hereunder, the following described Refunding Bonds of The City of Coral Gables - Issue of January 1, 1937 and Tax Participation Certificates of The City of Coral Gables - Issue of January 1, 1937.

<u>Group</u> <u>No.</u>	<u>Allocated To</u>	<u>Principal</u> <u>Refunding</u> <u>Bonds</u>	<u>Numbers</u>	<u>Principal Tax</u> <u>Participation</u> <u>Certificates</u>	<u>Numbers</u>
<u>One</u>	Mary Alice Everling	\$15,750	D-8126 to D-8156 & ½ Int. in D-8157	\$15,750	TPC-13,301/13,331 ½ Int. TPC-13,369
<u>Two</u>	Elsie May Cornman	15,750	D-8158 to D-8188 & ½ Int. in D-8157	15,750	TPC-13,332/13,362 ½ Int. TPC-13,369

all of which said Refunding Bonds and Registered Tax Participation Certificates are to be delivered and/or otherwise disposed of in accordance with the specific escrow directions and instructions herein contained.

SECOND: When and as coupons attached to the Refunding Bonds remaining in escrow from time to time mature, the Escrow Agent is authorized and instructed to clip and collect on said coupons and to promptly remit to the respective Devisees the proceeds from the coupons clipped from the respective bonds enumerated and designated in each of the groups detailed in Section FIRST hereof.

The Escrow Agent is further instructed that the Tax Participation Certificates do not bear interest but that on or about August 1st of each year it will receive from the City, for the account of the respective Devisees, the payments in cash which are allocated to the deposited Tax Participation Certificates in accordance with the terms and provisions of Ordinance No. 269 as amended by Ordinance No. 289 of The City of Coral Gables. As such payments on the registered Tax Participation Certificates are distributed, the Escrow Agent is instructed to require delivery by the Devisees of receipts for the amount of such cash payments similar in form to those required under Section THIRD hereof, which receipts, when received, shall be promptly forwarded to the Director of Finance, City of Coral Gables, Florida.

THIRD: The Escrow Agent is further authorized and instructed, at any time and from time to time, upon written request of either Devisee, unconditionally to release from this escrow and deliver to said Devisee for sale or otherwise, but only in units consisting of one \$500.00 Refunding Bond and one \$500.00 Tax Participation Certificate or of one \$250.00 Refunding Bond and one \$250.00 Tax Participation Certificate, all or any part of the Refunding Bonds and Tax Participation Certificates allocated under the terms of Section FIRST to the

Devisee so requesting, provided that contemporaneously with the delivery thereof, said Devisee shall execute and deliver to the Escrow Agent for the account of and for delivery to the City, a receipt evidencing a payment on the principal of the judgment described in "Exhibit One" equal to the par amount of the Refunding Bonds and Tax Participation Certificates so released from escrow, less any credits theretofore allowed under the provisions of Section SECOND hereof on account of distributions theretofore made on the Tax Participation Certificates so released, said receipt to be worded in substantially the following language:

RECEIPT

"This will acknowledge receipt this day from The City of Coral Gables of certain securities, which have been accepted as a payment on account in the sum of \$ _____ on the principal of the \$71,965.50 Judgment entered July 9, 1930 in the case of Sarah McGuire vs. The City of Coral Gables, Common Law #12,104 in the Circuit Court of the Eleventh Judicial District in and for Dade County, Florida.

"The Clerk of the Circuit Court of the Eleventh Judicial District in and for Dade County, Florida, is hereby authorized and directed to enter on his judgment records a notation of the payment of \$ _____ on account on said above-mentioned Judgment.

As the present owner of \$.....
interest in said Judgment and as
Devisee and Beneficiary under the
Will of Sarah McGuire, Deceased."

FOURTH: The Escrow Agent is further instructed that on July 1, 1938 and on July 1st of each year thereafter the City has agreed to purchase at par plus accrued interest \$2,000.00 par value of any Refunding Bonds remaining deposited hereunder. When and as each such yearly cash payment of \$2,000.00 plus accrued interest is made, the Escrow Agent is specifically authorized and directed immediately to deliver to the City \$2,000.00 par value of Refunding Bonds, charging \$1,000.00 thereof to Group One and the remaining \$1,000.00 to Group Two. Thereupon the Escrow Agent is authorized and directed to pay and deliver to Mary Alice Everling and Elsie May Cornman, in equal shares, said cash payment of \$2,000.00 plus accrued interest and \$2,000.00 in Tax Participation Certificates, upon delivery by them of a receipt or receipts therefor similar to that provided for in Section THIRD above. The Escrow Agent is then directed promptly to forward said receipts to the Director of Finance, Coral Gables, Florida.

FIFTH: The Escrow Agent is authorized and instructed to permit the City at any time to take down from escrow or redeem:

- (a) Any remaining Refunding Bonds deposited in escrow hereunder, upon the payment of the par amount thereof plus accrued interest to date of redemption;
- (b) Any remaining Tax Participation Certificates, upon payment of the unpaid par amount thereof without interest.

In either event the Escrow Agent is directed to promptly pay all sums so received to the Devisees entitled thereto under the terms hereof, upon the execution of appropriate receipts therefor.

SIXTH: Unless sooner terminated by mutual agreement, this escrow shall remain in full force and effect until all of the Refunding Bonds and Tax Participation Certificates deposited hereunder have been released from escrow under the provisions hereof.

SEVENTH: The fees of the Escrow Agent and those of the necessary agents and attorneys of the Escrow Agent, and all other costs, expenses and attorneys' fees incurred in connection with the carrying out of the terms of this escrow agreement shall be paid by the City.

EIGHTH: The Escrow Agent hereby acknowledges receipt of the following documents:

- (a) Executed copy of the contract between The City of Coral Gables and Mary Alice Everling, Elsie May Cornman, The Board of Foreign Missions of the United Lutheran Church in America and the Board of American Missions of the United Lutheran Church in America, dated November 22, 1937;
- (b) Certified copy of Resolution of the Commission of The City of Coral Gables authorizing the execution of said agreement and also of this Escrow Agreement;
- (c) The Refunding Bonds of The City of Coral Gables - Issue of January 1, 1937 and Tax Participation Certificates of The City of Coral Gables - Issue of January 1, 1937, more particularly described in Section First hereof;
- (d) Photostatic copy of legal opinion of Thomson, Wood & Hoffman, approving the legality of the Refunding Bonds and Tax Participation Certificates above referred to.
- (e) Certified copy of Ordinance No. 269 and Ordinance No. 289 of the City of Coral Gables.

NINTH: The Union Trust Company of Pittsburgh hereby agrees to act as Escrow Agent under and in accordance with the terms and conditions hereof and for the uses and purposes herein set forth, and to deliver or re-deliver, or otherwise dispose of, the assets which may come into its possession hereunder upon the happening of the various events and conditions herein set forth at length.

TENTH: The Union Trust Company of Pittsburgh, as Escrow Agent, shall in no case be liable for any error or other act to the prejudice of the parties hereto by any of its agents or employees, except for its own default or misfeasance, and further the said Escrow Agent is to act solely in the capacity of custodian of the securities and other property which it is hereby provided shall be deposited with it, and shall not be held for the exercise of any discretion or judgment with respect to the proper carrying out and/or performance of said Agreement.

In the event that a dispute shall arise between the parties with respect to the carrying out of this agreement, the Escrow Agent, if it shall deem the same necessary and proper, may employ counsel of its own selection to advise it with respect to its rights and duties in the premises at the cost of the City, and said Escrow Agent shall not be liable for any act or acts it may perform in accordance with the advice of counsel so selected. The Escrow Agent shall not be responsible in any manner whatsoever for the recitals of facts herein contained; but such recitals shall be taken as statements made the other parties hereto alone and no title or right to any beneficial interest shall be deemed to have been acquired from or through said Escrow Agent.

ELEVENTH: It is expressly agreed between the parties hereto that all the terms, stipulations and agreements herein contained shall be binding upon all the parties hereto and each and every of their respective heirs, executors, administrators, successors and assigns as the case may be.

IN WITNESS WHEREOF, the respective parties hereto have duly executed this agreement in counterpart originals and have affixed their respective seals hereto as of the date first above written.

THE CITY OF CORAL GABLES

(CITY SEAL)

BY _____
Mayor

ATTEST _____
City Clerk.

Signed, sealed and delivered
in the presence of:

Mary Alice Everling (SEAL)

(SEAL)

Elsie May Cornman

THE UNION TRUST COMPANY OF PITTSBURGH
(as Escrow Agent)

BY _____

V. P.

ATTEST _____ (SEAL)
Assistant Secretary

2. That the Mayor and the City Clerk be and they are hereby authorized and directed to execute in counterpart originals the said Memorandum of Agreement and said Escrow Agreement on behalf of The City of Coral Gables, and authorized and directed to deliver the executed contract and escrow agreement to Carl L. V. Exselsen, Special Attorney for The City of Coral Gables.

3. That the said Carl L. V. Exselsen, Special Attorney for The City of Coral Gables, be and he, hereby, is authorized, empowered and directed to take such further steps as may be necessary to consummate and deliver the afore-said Memorandum of Agreement and Escrow Agreement hereinabove accepted, approved and authorized to be executed.

was introduced and read.

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

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

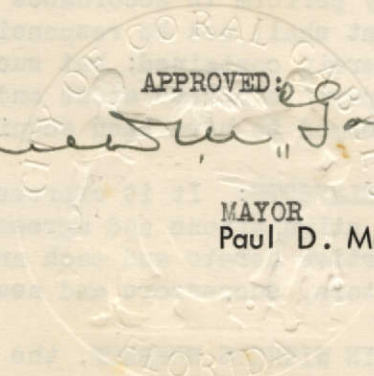
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

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

APPROVED: *Paul D. McGarry*

MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 7, 1937

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, December 7, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meetings of September 21, 24, 27, October 5, 7, 11, 18, 19, November 2, 16 and 22 were read and approved.

RESOLUTION NO. 1763

REQUESTING AND AUTHORIZING FLORIDA POWER AND LIGHT COMPANY TO CONNECT FOUR (4) 100 CANDLE-POWER WWUG SERIES LIGHTS, SAID FOUR (4) STREET LIGHTS TO BE THEREAFTER SERVED AND PAID FOR BY THE CITY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN MUNICIPAL STREET LIGHTING AGREEMENT DATED THE 14TH DAY OF AUGUST, 1928 NOW IN EFFECT BETWEEN THE CITY OF CORAL GABLES, FLORIDA, AND SAID COMPANY, AND SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO: AUTHORIZING AND DIRECTING THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES TO DELIVER A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDA POWER AND LIGHT COMPANY AS WRITTEN NOTICE TO CONNECT AND SERVE SAID STREET LIGHTS UNDER SAID MUNICIPAL STREET LIGHTING AGREEMENT AND SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO.

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

1. That the City of Coral Gables, Florida, hereby requests and authorizes Florida Power & Light Company to connect and thereafter serve the following street lights to be paid for by the City in accordance with the terms and conditions of that certain Municipal Street Lighting Agreement dated the 14th day of August, 1928 and Supplementary and Supplemental Agreements thereto, all of which are now in effect between said City and said Company:

4 - 100 CP WWUG Series Lights on the bridge
on Red Road across Coral Gables
Canal between Taragona Drive
and Salvatierra Drive.

2. That the City Clerk of and on behalf of the City of Coral Gables be and he is hereby authorized and directed to deliver a certified copy of this Resolution to Florida Power & Light Company as a written notice to connect and thereafter serve the said street lights hereinbefore described in Section 1 hereof under the said Municipal Street Light Agreement and Supplementary and Supplemental Agreements thereto.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner

O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 and
 Mayor McGarry

RESOLUTION NO. 1764

REQUIRING AND AUTHORIZING FLORIDA POWER & LIGHT COMPANY TO INSTALL ONE (1) 100 CANDLE-POWER OHB TYPE COMPANY-OWNED STREET LIGHT ON THE EXISTING POLE LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF LE JEUNE ROAD AND HOMESTEAD HIGHWAY, SAID STREET LIGHT TO BE THEREAFTER SERVED AND PAID FOR BY THE CITY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN STREET LIGHTING AGREEMENT DATED THE 14TH DAY OF AUGUST, 1928, NOW IN EFFECT BETWEEN THE CITY OF CORAL GABLES, FLORIDA, AND SAID COMPANY AND UNDER SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO; AUTHORIZING AND DIRECTING THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES, FLORIDA, TO DELIVER A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDA POWER & LIGHT COMPANY AS WRITTEN NOTICE TO INSTALL THE SAID ADDITIONAL STREET LIGHT UNDER THE SAID STREET LIGHTING AGREEMENT AND SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO.

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

1. That the City of Coral Gables, Florida, hereby requests and authorizes Florida Power & Light Company to install, and thereafter serve, the following street light to be paid for by the City in accordance with the terms and conditions of that certain Street Lighting Agreement dated the 14th day of August, 1928, now in effect between said City and said Company:

1 - 100 CP OHB Street Light on existing pole located at northwest corner of the intersection of Le Jeune Road and Homestead Highway.

2. That the City Clerk of and on behalf of the City of Coral Gables, Florida, be and he is hereby authorized and directed to deliver a certified copy of this Resolution to Florida Power & Light Company as written notice to install the said 1 - 100 CP OHB type Company-Owned Street Light under the said Street Lighting Agreement.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner

O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 and
 Mayor McGarry

AN ORDINANCE CHANGING THE NAME OF
MARIOLA COURT TO ALHAMBRA COURT

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

That that certain street shown on maps
and plats of The City of Coral Gables as Mariola
Court be and it is hereby renamed and redesignated
as Alhambra Court.

was read by title on first reading and carried forward to a later meeting for
further action.

RESOLUTION NO. 1765

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO PROCEED WITH THE REPAIR OF THE HARDEE
ROAD BRIDGE OVER THE CORAL GABLES WATERWAY.

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

That the City Manager be and he is hereby
authorized and instructed to proceed with the repair
and reconstruction of the Hardee Road bridge over
the Coral Gables Waterway, charging the cost of said
repair and reconstruction to the funds derived from
the City's share of the State and County Road and
Bridge levy, at a cost not to exceed \$2,322.00.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner
Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1766

A RESOLUTION APPROPRIATING THE SUM OF
ONE HUNDRED DOLLARS TO THE THIRD ANNUAL
GREATER MIAMI FISHING TOURNAMENT.

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

That the sum of One Hundred (\$100) Dollars
be and the same is hereby appropriated to the Third
Annual Greater Miami Fishing Tournament, and R. M.
Munroe be and he is hereby authorized and instructed
to select a trophy to be given on behalf of the City,
or to otherwise designate the use of the appropriation
to assist in the support of the Tournament.

was introduced and read.

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

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 and
 Mayor McGarry

RESOLUTION NO. 1767

A RESOLUTION APPROPRIATING THE SUM OF FOUR HUNDRED FIFTY DOLLARS FOR THE PAYMENT OF AN ACCOUNT OF GARDNER ROYCE FOR STONE USED IN W.P.A. PROJECTS.

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

That the sum of Four Hundred Fifty (\$450) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of paying and satisfying a claim by Gardner Royce against the City of Coral Gables for stone used in the construction of the Coral Gables Community House and the Coral Gables Equipment Yard, and the City Manager and the Director of Finance be and they are hereby authorized and directed to arrange for the settlement of said claim, for a sum not to exceed the amount of this appropriation.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 and
 Mayor McGarry

A Mr. Moss, of the Dade County Master Plumbers' Association, then petitioned the Commission to revise the City's ordinances so that plumbers would be permitted to septic tank and solar heater work without the payment of any additional or other license than the regular plumbers' license. Mr. Sheldon Grebe and Mr. Roscoe Brunstetter spoke on behalf of solar heater manufacturers and contractors, stating that solar heater construction was a specialized and intricate process, and should be confined to those who had specially studied solar heaters and qualified themselves for the work. Messrs. Moss and O'Neill, on behalf of septic tank contractors, petitioned the Commission to continue a separate license for septic tank work. Messrs. Grebe, Brunstetter, Moss and O'Neill joined in requesting the Commission to arrange for qualifying examinations for those licensed for septic tank and for solar heater work.

Mayor McGarry informed the petitioners that the Building Department and the City Commission would study the request, and ask that the recommendation

be submitted to the Building Department in writing.

Mr. Tracy Hollingsworth, on behalf of a Committee of the Merchants Association, requested that the City decorate the street light poles on Ponce de Leon Boulevard and Coral Way with lighted Christmas trees. Mayor McGarry explained to Mr. Hollingsworth and the Committee the City's financial difficulties, and suggested that the Merchants attempt to defray the cost of the decorations by contribution from the business people along Ponce de Leon Boulevard and Coral Way who would be directly benefited.

RESOLUTION NO. 1768

A RESOLUTION MODIFYING AND REPEALING IN PART RESOLUTION NO. 1593, BEING "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", INSOFAR AS IT AFFECTS THE PROPERTIES IN THE SCHEDULE ATTACHED HERETO, AND AUTHORIZING THE SALE OF THE TAX CERTIFICATES, DELINQUENT TAX LIENS FOR UNPAID TAXES, AND UNPAID TAXES HELD BY THE CITY AGAINST SAID LANDS.

WHEREAS, an offer has been made to the City to purchase, without recourse against the City, all the tax certificates, delinquent tax liens for unpaid taxes, and unpaid taxes against the properties described in the schedule attached hereto and made a part hereof; and

WHEREAS, the said tax certificates, delinquent tax liens for unpaid taxes, and unpaid taxes for the tax years 1928, 1929 and 1930 have been attempted to be vacated and cancelled on the tax records of the City by Resolution No. 1593;

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

1. That Resolution No. 1593, being "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" be, and the same is hereby, modified and repealed insofar as it affects the lands described in the attached schedule, made a part hereof by reference.

2. That the City Tax Collector be, and he hereby is, authorized and directed to sell and assign all tax sale certificates, delinquent tax liens for unpaid taxes, and unpaid taxes, through and including the taxes for the year 1936, owned, held, asserted or claimed by the City against each and every of the properties described in the attached schedule, made a part hereof, provided the purchaser will accept an assignment, without recourse against the City, and will pay in cash to the City the amounts of taxes on all of said properties adjusted upon the basis now authorized to be accepted by the Tax Collector for the redemption of said lands from the tax liens hereby authorized to be sold, which amounts shall be recited respectively in the assignments.

Schedule of Lots and Parcels

The following lots in Biscayne Hay Section, Part One, Coral Gables, Florida, to-wit:

Lots 19, 20, 38, 39, 40, 41, 42, 43, 44 and 45, Block 1;

Lots 64, 65, 66, 67, 68, 69, 72, the southeasterly half of Lot 70, and the southeasterly half of Lot 73, Block 4;

Lots 2 and 16, Block 5;

Lots 5, 8, 15, 18, 20, 21, 22 and 23, Block 6.

Lots 4, 5, 6, 16, 17, 18 and 19, Block 7.

Lots 1 and 10, Block 8.

Lots 1, 2, 7, 15 and 24, Block 10.

Lots 2 and 11, Block 11;

Lots 9, 10, and 14, Block 13.

Lots 8, 9 and 10, Block 17.

Lots 5, 6 and 10, Block 18.

Lots 1 and 10, Block 19

Lots 3, 6 and 8, Block 20.

Lot 1, Block 21.

Lots 22, 23, 24, 29 and the West Half of Lot 30, Block 24.

Lots 2 and 3, Block 25.

Lot 4, Block 26

Lots 27 and 29, Block 29.

Lot 33, Block 31.

Lot 9, Block 34.

Lots 6, 14 and 17, Block 35.

Lots 1, 4, 5, 6, 10, 15, 18, 19 and 26, Block 36.

Lots 7, 8, 9 and 16, Block 37

Lots 15, 18, 21 and 27, Block 38.

Lots 6, 7, 23, 24 and 25, Block 39

Lots 11 and 12, Block 42

Lots 9, 12 and 18, Block 43.

Lots 9, 10, 14, 20, 23, 24 and 26, Block 44.

Lots 3 and 16, Block 46.

Lot 17, Block 50; Lot 21, Block 52;

Lots 3, 4 and 9, Block 53

Lots 17, 18 and 21, Block 54.

Lots 1, 2, 17 and 19, Block 55.

Lots 5, Block 56; Lots 13 and 16, Block 57

Lot 6, Block 58

Lots 5, 6, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, the NE $\frac{1}{2}$ of Lot 4 and the SW $\frac{1}{2}$ of Lot 7, Block 61.

Lots 2, 6, 10 and 11, Block 63.

Lot 17, Block 64.

Lots 22, 28 and 29, Block 65.

Lots 10 and 15, Block 66 ; Lots 20 and 27, Block 70.

Lots 3, 4, 7, 9, 13 and 14, Block 71

Lots 26, 27, 28, 29, 34 and 35, Block 73.

Lot 4, Block 75; Lot 19, Block 76.

Lots 14 and 15, Block 77

Lots 21 and 22, Block 79

Lots 3 and 4, Block 80.

Lots 15, 21 and 22, Block 81; Lot 21, Block 99

Lots 3, 4, 5, 6, 7, 8, 9 and 12, Block 101

Lots 3 and 10, Block 108.

Lots 3 and 5, Block 109

Lots 2, 3, 5 and 11, Block 111.

Lots 14 and 15, Block 118.

Lots 14 and 15, Block 119; Lot 7, Block 123-A

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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

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:

Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE COMMISSION
ON DECEMBER 21, 1937

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:30 o'clock p.m. on Tuesday, December 21, 1937.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

Commissioners Avery, Rinehart and Mayor McGarry were appointed a committee to deal with the Board of County Commissioners in regard to the exchange of City of Coral Gables bonds held by the County.

RESOLUTION NO. 1769

A RESOLUTION AUTHORIZING CERTAIN PAYMENTS TO MRS. D. D. SPADONE.

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 Mrs. D. D. Spadone the sum of One Hundred (\$100.00) Dollars, plus the refund of fines and costs amounting to Twenty-nine Dollars and Fifty Cents (\$29.50).

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1770

A RESOLUTION AUTHORIZING THE INSTALLATION OF A TRAFFIC SIGNAL LIGHT AT THE CORNER OF DOUGLAS ROAD AND CORAL WAY.

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

That the City Manager and the Director of Public Safety be and they are hereby authorized to install a traffic light at the corner of Douglas Road and Coral Way, at a cost of approximately One Hundred Fifteen (\$115) Dollars for installation and approximately Ninety-six (\$96) Dollars per year for service.

was introduced and read.

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

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1771

A RESOLUTION APPROPRIATING THE SUM OF FIFTY DOLLARS TO THE MIAMI LION'S CLUB.

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

That the sum of Fifty (\$50) Dollars be and the same is hereby appropriated from the Contingent Fund for payment to the Miami Lion's Club to assist in defraying the expense of the motorcade to the Lion's National Convention in June, 1937.

was introduced and read.

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

"Yes" - Commissioner Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1772

A RESOLUTION APPROPRIATING FOR AN ADVERTISEMENT IN THE 1937 ORANGE BOWL NEW YEAR'S GAME PROGRAM.

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

That the sum of Forty (\$40) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of placing a one-fourth page advertisement in the program for the New Year's Day game in the Orange Bowl.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1773

A RESOLUTION APPROPRIATING THE SUM OF FORTY-FIVE DOLLARS FOR AN ADVERTISEMENT IN THE "YEAR ROUNDER".

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

That the sum of Forty-five (\$45) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of placing an advertisement in the "Year Rounder" magazine.



was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1774

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEED TO LOTS 25 TO 28, INCLUSIVE, BLOCK 26, SECTION "K" TO CORAL GABLES POST #98, THE AMERICAN LEGION, UPON CERTAIN TERMS AND FOR CERTAIN CONSIDERATIONS.

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 instructed, in consideration for the conveyance of title to Lots 42 to 48, inclusive, Block 34, Section "K" to the City of Coral Gables, to execute a deed to Lots 25 to 28, inclusive, Block 26, Section "K" to the Coral Gables Post #98, The American Legion, subject to and containing the following provisions:

"SUBJECT, HOWEVER, to all conditions, restrictions and limitations upon the title and use of said property now appearing upon the Public Records of Dade County, Florida.

PROVIDED, HOWEVER, that this conveyance is made with the express condition and covenant running with the land, that the said property shall be used as a Home for The American Legion and its auxiliary organizations in a manner consistent with the Constitution and purposes of The American Legion and its auxiliary organizations, as they now exist; and if such uses and purposes should be abandoned by said Grantee, its successors or assigns, then the title conveyed hereby shall revert to the said Grantor; it is understood and agreed, however, by the Grantor that this limitation in the use of said premises may be subordinated by the Grantee herein to the right, lien and claim of a mortgagee lending money to the Grantee for the sole purpose of repairing, remodeling and altering the improvements on the said premises and/or constructing and equipping an American Legion Home thereon.

This conveyance is also subject to the right of the Grantor to continue the use of the premises now being made by it so long as the same may be necessary for the convenience of the City."

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

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

ATTEST:

G. N. Shaw

12/21/37 CITY CLERK G. N. Shaw

APPROVED:

Paul D. McGarry

MAYOR

Paul D. McGarry

MINUTES OF MEETING OF CITY COMMISSION
ON JANUARY 4, 1938

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 4, 1938.

Vice-Mayor Avery in the Chair; Commissioners O'Shaughnessy and Phillips present.

The minutes of the meeting of December 7 and December 21, 1937 were read and approved.

Mayor McGarry and Commissioner Rinehart then joined the meeting, and Mayor McGarry assumed the Chair.

RESOLUTION NO. 1775

A RESOLUTION DEDICATING THE WEST 310 FEET OF BLOCK 44 AND LOTS 1 TO 6, BOTH INCLUSIVE OF BLOCK 37 OF DOUGLAS SECTION OF CORAL GABLES AS A PUBLIC PARK AND PLAYGROUND.

WHEREAS, The City of Coral Gables owns the fee simple title to the West 310 feet of Block 44 and Lots 1 to 6, both inclusive, of Block 37 of Douglas Section of Coral Gables, which form one tract of land, which tract is suitable, well located and needed as a public park and playground; and,

WHEREAS, The Board of Public Instruction for Dade County, Florida, has under consideration the purchase of the property adjoining the above described tract, described as follows:

Lots 1 to 10, inclusive, and part of Lots 11 and 12 of Block 38 of Douglas Section of Coral Gables;

including the buildings and improvements thereon to be used by said Board as a unit of the public free school system of Dade County, Florida, which property is herein referred to as the Miami Military Academy property; and

WHEREAS, the said Miami Military Academy property is not adaptable to use as a public school and The Board of Public Instruction will not establish a public school at said location unless the City's said tract first above described be dedicated as a public park and playground and the Board be given proper assurance from the City that the same will be perpetually kept open and available to school children attending said school as a playground; and

WHEREAS, The setting apart of said above described tract, as a public park and playground for the use of the public and the school children attending said school, will fulfill a great public need in The City of Coral Gables; and will be for the best interest of the City, its residents, property owners and visitors, and said tract not being needed or useful to the City for any other purpose,

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

1. That for the purpose of providing for the public of The City of Coral Gables and its environs the greatly needed recreational facilities such park and playground will afford; and for the purpose of inducing The Board of Public Instruction to purchase and improve said Miami Military Academy property as a public school, and to establish and maintain such school at said location, the following described tract of land in the City of Coral Gables, to wit:

The West three hundred ten (310) feet of Block Forty-four (44), and Lots One to Six (1 to 6), both inclusive, of Block Thirty-seven (37), all in the DOUGLAS SECTION of said Coral Gables, according to a Plat thereof recorded in Book 8 of Plats at Page 87 of the Public Records of Dade County, in the State of Florida;

be and the same hereby is dedicated and set apart for the perpetual use, enjoyment and benefit of the public as a public park and playground for children; that the said playground shall be continuously and perpetually kept open and available to all children, including children of said public school as a playground, subject always, to proper police supervision and reasonable governmental regulations by The City of Coral Gables.

2. FURTHER RESOLVED, that the Mayor and the City Clerk be and they hereby are authorized and directed to prepare and execute, and deliver to The Board of Public Instruction, in the name and on behalf of The City of Coral Gables, a contract in writing embodying the terms set forth in this resolution, and such other terms as the Mayor and the said Board may agree to in order to carry out the purpose hereof, and that the City will and does hereby approve, ratify and adopt any and every act and thing its said officers may do pursuant hereto.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart

The resolution was adopted by unanimous vote.

RESOLUTION NO. 1776

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A WRITTEN APPROVAL OF AN ASSIGNMENT BY CARL BYOIR TO HENRY L. DOHERTY & COMPANY, INC. OF THE LEASE ON THE COLISEUM PROPERTY AS MODIFIED AND CHANGED.

WHEREAS, Carl Byoir has agreed to modify and change his lease with the City of the Coliseum Property, executed the 31st day of January, 1936, so as to exclude from the provisions thereof the following described lots and tract of land, to wit:

The West three hundred ten (310) feet of Block Forty-four (44), and Lots 1 to 6, both inclusive, of Block Thirty-seven (37), all in the DOUGLAS SECTION of said Coral Gables, according to a Plat thereof recorded in Book 8 of Plats at Page 87 of the Public Records of Dade County, in the State of Florida,

and

WHEREAS, The City by Resolution No. 1775 has dedicated said above described tract of land as a public park and playground, and

WHEREAS, the said Carl Byoir has requested the written approval of the City to his assignment of said lease, as modified to exclude the above described lands, to Henry L. Doherty & Company, Inc.,

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

That the Mayor and the City Clerk of The City of Coral Gables be and they are hereby authorized and directed to execute for and in behalf of the City a written approval of an assignment by Carl Byoir to Henry L. Doherty & Company, Inc. of that certain lease contract covering the Coliseum Property, executed by Carl Byoir and the City on January 31st, 1936, provided the said assignment of lease transfers to Henry L. Doherty & Company, Inc. a lease upon the following described property in Dade County, Florida, to wit:

All of Block Forty-four (44), excepting and excluding the West three hundred ten (310) feet of said Block and 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 Lots Seven (7) to Twelve (12), both inclusive, of Block Thirty-seven (37) and the East half (E $\frac{1}{2}$), 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 8 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.

was introduced and read.

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

"Ayes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1777

A RESOLUTION APPROPRIATING THE SUM OF NINE HUNDRED FIVE DOLLARS FOR THE PURPOSE OF INCREASING THE CLEARANCE OF THE HARDEE ROAD BRIDGE

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

That the sum of Nine Hundred Five (\$905) Dollars be and the same is hereby appropriated from Road and Bridge Funds for the purpose of increasing the clearance of the Hardee Road Bridge to a minimum of ten (10) feet.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1778

A RESOLUTION WAIVING THE FEE REQUIREMENT OF ORDINANCE NO. 263 IN THE CASE OF CERTAIN PRIVATE GARBAGE DISPOSAL AGENTS.

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

That the City Manager be and he is hereby authorized to waive the One Hundred (\$100) Dollar fee required of private garbage disposal agents by Ordinance No. 263 in those cases where the garbage removal agency is acquiring the garbage for its own use at hog or stock farms; provided, the other requirements of Ordinance No. 263 in connection with the private disposal of garbage are complied with.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1779

A RESOLUTION APPROVING THE DADE COUNTY ZONING COMMISSION'S PLAN FOR ZONING THE AREAS ADJACENT TO THE CITY OF CORAL GABLES.

WHEREAS, There has been displayed to the Commission of The City of Coral Gables a map showing the recommended zoning classifications and regulations for the areas adjacent to said City;

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

That it approves the recommendations of the Dade County Zoning Board as depicted by said map, and respectfully urges the Board of County Commissioners to adopt those recommendations at the earliest possible time, and especially to provide ample authority to enforce the recommended zoning regulations.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Rinehart; The resolution was adopted by unanimous vote.

RESOLUTION NO. 1780

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED DOLLARS FOR A PERSONAL PROPERTY TAX ASSESSMENT SURVEY.

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

That the sum of One Hundred (\$100) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of providing for the employment of a temporary assistant to the Tax Assessor for the purpose of conducting a survey of personal property tax assessments.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

"no" - Commissioner Avery

RESOLUTION NO. 1781

A RESOLUTION REQUIRING AND AUTHORIZING FLORIDA POWER & LIGHT COMPANY TO INSTALL TWO 200 WATT WWUG MULTIPLE COMPANY-OWNED LIGHTS ON THE EXISTING BRIDGE OVER THE CORAL GABLES WATERWAY ON THE SOUTH SIDE OF UNIVERSITY CONCOURSE, SAID LIGHTS TO BE THEREAFTER SERVED AND PAID FOR BY THE CITY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN STREET LIGHTING AGREEMENT DATED THE FOURTEENTH DAY OF AUGUST, 1928 NOW IN EFFECT BETWEEN THE CITY OF CORAL GABLES, FLORIDA, AND SAID COMPANY AND UNDER SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO; AUTHORIZING AND DIRECTING THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES, FLORIDA, TO DELIVER A CERTIFIED COPY OF THIS RESOLUTION TO THE FLORIDA POWER & LIGHT COMPANY AS WRITTEN NOTICE TO INSTALL SAID ADDITIONAL LIGHTS UNDER SAID STREET LIGHTING AGREEMENT AND SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO.

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

1. That the City of Coral Gables, Florida, hereby requests and authorizes the Florida Power & Light Company to install, and thereafter serve, the following company-owned lights to be paid for by the City in accordance with the terms and conditions of that certain Street Lighting Agreement dated the 14th day of August, 1928 now in effect between said City and said Company:

2 - 200 Watt WWUG on bridge over Coral Gables Waterway at the south side of University Concourse.

2. That the City Clerk of and on behalf of The City of Coral Gables, Florida, be and he is authorized and directed to deliver a certified copy of this resolution to FloridaPower & Light Company, as written notice to install 2 - 200 Watt WWUG Multiple Company- Owned lights under the said Street Lighting Agreement.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The resolution was adopted by the following roll call:

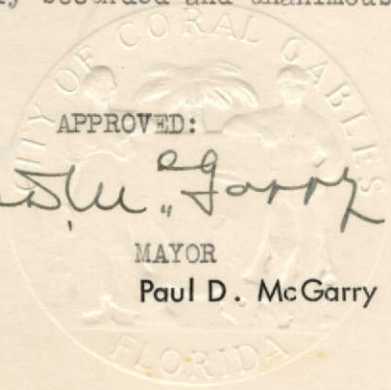
"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

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:
Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON JANUARY 18, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at 6:05 p.m. on Tuesday, January 18, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The reading of the minutes of previous meetings was waived.

Messrs. Philbrick & Upton appeared before the Commission and offered to furnish ambulance service to the City for the sum of \$1.00 per year. On motion of Commissioner Avery, seconded by Commissioner O'Shaughnessy, the offer was accepted by unanimous vote.

The Commission reviewed the matter of licenses for funeral homes, and unanimously decided that for the time being, licenses should be issued for the sum of \$25.00, instead of the amount provided in the license ordinance.

RESOLUTION NO. 1782

REQUESTING AND AUTHORIZING FLORIDA POWER & LIGHT COMPANY TO RESTORE TO SERVICE THIRTEEN (13) 400 CANDLEPOWER WWOH COMPANY-OWNED STREET LIGHTS AND ONE (1) 100 CANDLEPOWER WWOH COMPANY-OWNED STREET LIGHT, THE SAID FOURTEEN (14) STREET LIGHTS TO BE RESTORED TO SERVICE AND PAID FOR BY THE CITY IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN STREET LIGHTING AGREEMENT DATED THE 14TH DAY OF AUGUST, 1928, NOW IN EFFECT BETWEEN THE CITY OF CORAL GABLES, FLORIDA AND SAID COMPANY, AND ALL SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO; AUTHORIZING AND DIRECTING THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES, FLORIDA TO DELIVER A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDAPOWER & LIGHT COMPANY AS WRITTEN NOTICE TO RESTORE TO SERVICE THE SAID FOURTEEN (14) STREET LIGHTS UNDER THE SAID STREET LIGHTING AGREEMENT, AND SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO.

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

1. That the City of Coral Gables, Florida, hereby requests and authorized Florida Power & Light Company to restore to service, and thereafter serve, the following Company-owned street lights to be paid for by the City in accordance with the terms and conditions of that certain Street Lighting Agreement dated the 14th day of August, 1938, Supplementary and Supplemental Agreements thereto, all of said Agreements being now in effect between said City and said Company:

13 - 400 Candlepower WWOH Company-Owned Street Lights now installed on Coral Way between Ponce de Leon Blvd., and Le Jeune Road, numbered as follows:

Lights Nos. 6, 7, 8, 9, 17, 19 and 20 -
Circuit No. 204,

Lights Nos. 1, 2, 5, 6, 9 and 13 -
Circuit No. 205,

and

1 - 100 Candlepower WWOH Company-Owned Street Light now installed on Anastasia Ave. and Cardenia St., numbered as follows:

Light No. 61 - Circuit No. 213

2. That the City Clerk of and on behalf of the City of Coral Gables, Florida, be and he is hereby authorized and directed to deliver a certified copy of this Resolution to Florida Power & Light Co. as written notice to restore to service the said fourteen (14) street lights hereinabove described in section 1 hereof.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1783

A RESOLUTION AUTHORIZING THE MAYOR-COMMISSIONER, THE CITY MANAGER AND THE CITY CLERK TO EXECUTE A CERTAIN AGREEMENT BETWEEN C. J. ROOT AND THE CITY OF CORAL GABLES DATED DECEMBER 1, 1937; AND AUTHORIZING THE CITY ATTORNEY TO FILE A STIPULATION IN THE CASE OF C. J. ROOT vs. THE CITY OF CORAL GABLES MAKING EFFECTIVE THE TERMS OF SAID AGREEMENT.

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

Section 1. That the Mayor-Commissioner, The City Manager and the City Clerk of and on behalf of The City of Coral Gables, Florida, be and they are hereby authorized and instructed to execute that certain agreement between C. J. Root and The City of Coral Gables dated December 1, 1937, in words and figures as follows:

THIS AGREEMENT, made and executed in triplicate this 1st day of December, A.D. 1937, by and between C. J. ROOT, hereinafter called the bondholder, and CITY OF CORAL GABLES, FLORIDA, hereinafter called the municipality,

W I T N E S S E T H:

That WHEREAS, said bondholder is the plaintiff in a certain cause pending in the United States District Court in and for the Southern District of Florida, wherein said municipality is defendant, said cause being No. 2333 Miami Civil in said Court; and

WHEREAS, the said bondholder did on the 16th day of August, A.D. 1937 recover his final judgment in said cause against said municipality in the total sum of Thirty-four Thousand Seven Hundred Fifty-six and 66/100 Dollars (\$34,756.66), which said judgment bears interest at the rate of

five per cent (5%) per annum from and after its date, and the said bondholder is now the owner and holder of said judgment upon which there has accrued to date interest in the amount of Five Hundred One and 56/100 Dollars (\$501.56); and

WHEREAS, said bondholder is also the owner and holder of sixteen City of Coral Gables, Florida Permanent Improvement Bonds, dated December 1, 1925, which said bonds bear the numbers, mature, are in the total principal or face amount and have interest accrued thereon to the date of this agreement, as follows:

<u>Bond Numbers</u>	<u>Date of Maturity of Bonds</u>	<u>Principal or Face of Bonds</u>	<u>Interest Accrued to Date</u>
80/82 Inc.	December 1, 1936	\$3,000.00	\$ 247.50
95/98 "	December 1, 1937	4,000.00	330.00
110/113 "	December 1, 1938	4,000.00	330.00
126/130 "	December 1, 1939	5,000.00	412.50
		<u>\$16,000.00</u>	<u>\$1,320.00</u>

and

WHEREAS, the total sum now due on said bonds and said judgment, including interest to date, is the sum of Fifty-two Thousand Five Hundred Seventy-eight and 22/100 Dollars (\$52,578.22); and

WHEREAS, upon the petition of said bondholder there was issued in said cause on the 16th day of August, A.D. 1937 a certain alternative writ of mandamus commanding said municipality to include in the budget estimate of expenses for the next ensuing fiscal year, commencing July 1, 1938, an amount sufficient to pay and discharge all sums due the bondholder under his said judgment and to make appropriation in favor of said bondholder of a sum sufficient to pay said judgment, and to levy a tax upon all taxable property in said municipality subject to taxation, including all homesteads regardless of the valuation of same, sufficient to produce when collected the amount so appropriated, including the amount necessary to pay the sums due said bondholder by reason of his aforesaid judgment, and further commanding other acts and things incident thereto; and

WHEREAS, said municipality, being without defense to the issuance of a peremptory writ in accordance with the commands of said alternative writ, and knowing the financial embarrassment it would undergo should such peremptory writ be issued, did advise said bondholder fully in the premises whereupon said bondholder indicated himself to be willing to enter into a reasonable compromise agreement whereby the full amount of said judgment and interest accrued thereon and of said bonds and interest accrued thereon should be paid over a period of twelve years as hereinafter provided, and the parties hereto have agreed upon a compromise agreement as hereinafter provided, to the faithful performance of which agreement said municipality pledges its cooperation and its full faith and credit;

NOW, THEREFORE, for and in consideration of the premises and of the mutual covenants and agreements herein contained and of the sum of One Dollar (\$1.00) to each of the parties hereto by the other in hand paid, receipt whereof is hereby acknowledged, it is mutually covenanted and agreed as follows:

1. That the aforesaid sum of Fifty-two Thousand Five Hundred Seventy-eight and 22/100 Dollars (\$52,578.22) shall hereafter bear interest at the rate of four per cent (4%) per annum, and the said bondholder does hereby waive any interest which might in the future accrue under said judgment or said bonds in excess of said four per cent (4%) per annum on said sum of Fifty-Two Thousand Five Hundred Seventy-eight and 22/100 Dollars (\$52,578.22).

2. That the time of payment of said sum of Fifty-two Thousand Five Hundred Seventy-eight and 22/100 Dollars (\$52,578.22) is hereby altered and amended so that one-twelfth of said sum shall become due and payable on or before the 1st day of June, A.D. 1939 and a like in-

stallment to become due on the same date of each year following until said sum is paid in full; that on or before each due date of a principal installment said municipality shall pay to said bondholder said principal installment together with interest at the rate aforesaid on the balance of said Fifty-two Thousand Five Hundred Seventy-eight and 22/100 Dollars (\$52,578.22) from time to time remaining outstanding and unpaid.

3. That said municipality will include in its budget estimate of expenses for the next ensuing fiscal year an amount sufficient to pay and discharge the sums due hereunder on or before the 1st day of June, A.D. 1939 and will pass and adopt an appropriate ordinance for said fiscal year, including therein an appropriation in favor of said bondholder of a sum sufficient to pay and discharge the sums due under this agreement on or before the 1st day of June, A.D. 1939, and will levy a tax during the taxable year commencing in 1938 upon all the taxable property in the City of Coral Gables, Florida subject to taxation at the time the bonds of said bondholder were issued, including all homesteads regardless of the valuation of same, sufficient to produce when collected the amount so appropriated by said appropriation ordinance, including the amount necessary to pay the sums due under this agreement on or before the 1st day of June, A.D. 1939, and will payover to the bondholder the moneys realized from such levy up to an amount equal to the sum due under this agreement on or before the 1st day of June, A.D. 1939, as and when the same are collected upon demand of the bondholder, and if demand be not made prior thereto the same shall be paid on the 1st day of June, A.D. 1939; and will pass all necessary resolutions and ordinances to effect the agreements herein contained; and said municipality will thereafter and in each ensuing fiscal year until said sum of Fifty-two Thousand Five Hundred Seventy-eight and 22/100 Dollars (\$52,578.22) is paid in full, include in each of its annual budget estimates of expenses the amount necessary to pay the sums annually due hereunder and will pass the necessary annual appropriation ordinances, levy the necessary yearly taxes, and pay over the sums collected therefrom in the manner aforesaid, to the end that said municipality may fully comply with its agreements herein contained. That all amounts so collected for payment on the indebtedness shall be kept and deposited in some bank in the City of Miami or in the City of Coral Gables, Florida in an account separate and apart from all other moneys of said municipality or its other creditors, said account to be marked "In Trust for C. J. Root", or words of similar effect.

4. That a stipulation, a copy of which is attached hereto, marked "Exhibit A", and which is by reference thereto made a part hereof, shall be forthwith signed by the attorneys for the respective parties hereto and filed in said suit, and the attorneys for the respective parties are hereby authorized to join in a motion for peremptory writ of mandamus to issue in said cause in the form as outlined in said stipulation.

5. That during the effective period of this agreement and as long as the same shall remain in force and effect, said bondholder will not institute suit or suits for the purpose of reducing to judgment his aforesaid bonds or interest coupons attached thereto, nor will he sell or negotiate the same during said period.

6. That this agreement shall remain in force and effect as long as and only so long as said municipality shall well and fully perform its several covenants and agreements herein contained promptly at the times herein designated; and should said municipality in any manner fail to comply with any of the provisions of this agreement promptly at the times herein mentioned, then this agreement shall automatically become null and void and of no effect, and in such event said bondholder shall be entitled to pursue his legal rights to recover all of the sums due under said judgment and under said bonds and the interest coupons thereto annexed without reference to the provisions hereof; and said municipality shall thereupon consent that the peremptory writ mentioned in the aforesaid stipulation be vacated upon petition of said bondholder and that further peremptory writ shall then issue in accordance with the commands of the said alternative writ.

7. That nothing herein contained shall be construed as modifying or altering or changing the amounts due and to become due on said judgment or said bonds or said interest coupons unless and until this agreement is complied with in full, and upon payment of each installment of principal and interest as hereinabove mentioned, said municipality shall receive receipt of the bondholder of his attorneys therefor and the payments shall be applied towards the full payment of said total sum of Fifty-two Thousand Five Hundred Seventy-eight and 22/100 Dollars (\$52,578.32) and interest accruing thereon, each said payment to be applied first to accrued interest and the balance to principal, and said municipality shall also be entitled to a surrender of bonds of the face amount of such payments on account of principal, or, at the election of the bondholder, a partial release of said judgment in the amount of the several payments on account of principal, but said municipality shall not be entitled to a surrender of any of the coupons annexed to said bonds until the provisions of this agreement are fully performed and at the time this agreement is fully performed said municipality shall be entitled to a surrender of all said interest coupons and all bonds not theretofore surrendered and to a complete satisfaction of said judgment; and in the event of a failure on the part of said municipality to perform any of its agreements as herein contained, the sums of money theretofore paid pursuant to this agreement shall be applied on account of the indebtedness due by virtue of said judgment and by virtue of said bonds and interest coupons without respect or reference to the provisions hereof.

IN WITNESS WHEREOF, said bondholder has hereunto set his hand and seal and said municipality has caused these presents to be signed in its name by its Mayor-Commissioner and its City Manager, and its corporate seal to be affixed, attested by its Clerk, all on the day, month and year first above written.

Signed, sealed and delivered
in the presence of:

As to the Bondholder

(SEAL)

CITY OF CORAL GABLES, FLORIDA

BY _____
Its Mayor-Commissioner

As to the Municipality

Its City Manager

ATTEST: _____
Its Clerk

(Corporate Seal)

APPROVED:

As Attorneys for C.J. Root

As Attorney for City of
Coral Gables, Florida

"EXHIBIT A"

IN THE DISTRICT COURT OF THE UNITED STATES, IN AND FOR THE SOUTHERN
DISTRICT OF FLORIDA.

No. 2333-Miami Civil.

C. J. ROOT,)
)
 Plaintiff,)
)
 Vs.)
)
 CITY OF CORAL GABLES, FLORIDA,)
 a municipal corporation,)
)
 Defendant.)

S T I P U L A T I O N

It is hereby stipulated and agreed by and between C. J. Root, plaintiff in the above and foregoing cause, and City of Coral Gables, Florida, a municipal corporation, defendant in said cause, by their undersigned and duly authorized attorneys, as follows:

That WHEREAS, said plaintiff did on the 16th day of August, A.D. 1937 recover judgment herein against the defendant in the total amount of Thirty-four Thousand Seven Hundred Fifty-Six and 66/100 Dollars (\$34,756.66) and on said date an alternative writ of mandamus was issued from and out of this Court, commanding the defendant to do certain acts including the levy of a tax for the next ensuing fiscal year sufficient to pay the amounts due under said judgment; and

WHEREAS, plaintiff and the defendant did on the 1st day of December, A.D. 1937 enter into a certain agreement wherein and whereby it was among other things provided that this stipulation should be signed by the undersigned attorneys and filed in this cause, and further providing that said attorneys were thereby authorized to join in a motion for peremptory writ of mandamus to issue herein in compliance with this stipulation, said agreement further providing that should said municipality in any manner fail to comply with provisions of said agreement promptly at the times therein mentioned, then said agreement should automatically become null and void and said municipality should thereupon consent that the peremptory writ mentioned in this stipulation be vacated upon petition of plaintiff, and that further peremptory writ should then and in such event issue in accordance with the commands of said alternative writ;

NOW, THEREFORE, it is hereby stipulated and agreed as follows:

1. That the City of Coral Gables, Florida does hereby withdraw its certain motion to quash said alternative writ of mandamus, which said motion was heretofore filed herein.

2. That this Court shall forthwith issue peremptory writ of mandamus in this cause, without the necessity of any amendment to the said alternative writ, commanding the respondent, City of Coral Gables, Florida and its several officials, including its City Manager, to include in its annual budget estimate of expenses for the fiscal year commencing July 1, 1938 an amount sufficient to pay and discharge one-twelfth of the principal sum of said judgment together with interest at the rate of four per cent (4%) per annum on the full amount of said principal, and to include in each annual budget estimate of expenses for eleven fiscal years next after the fiscal year commencing July 1, 1938, an amount sufficient to pay and discharge one-twelfth of the principal amount of said judgment, together with interest at the rate of four per cent (4%) per annum, on the balance of said principal amount of said judgment from time to time remaining outstanding and unpaid; and further commanding said City of

Coral Gables, Florida and its several officials, including its City Commissioners, to prepare, pass and adopt an appropriate ordinance for said fiscal year commencing July 1, 1938 and to include therein and make appropriation in favor of C. J. Root of a sum insufficient to pay and discharge said one-twelfth part of said principal amount of said judgment together with said interest on the full principal amount of said judgment; and further commanding said City of Coral Gables, Florida and its several officials, including its City Commissioners, to prepare, pass and adopt, in each of the eleven fiscal years next after said fiscal year commencing July 1, 1938, an appropriation ordinance for said fiscal year and include therein and make appropriation in favor of C. J. Root of a sum sufficient to pay and discharge one-twelfth of the principal amount of said judgment together with said interest on the balance of said principal from time to time remaining outstanding and unpaid; and further commanding said City of Coral Gables, Florida and its several officials, including its City Commissioners, to levy for the taxable year commencing in 1938 and for each of the eleven fiscal years next thereafter, a tax upon all of the taxable property in said city subject to taxation at the time the bonds of C. J. Root were issued, including all homesteads regardless of the valuation of the same, sufficient to produce when collected the several amounts heretofore commanded to be appropriated, and appropriated by said several appropriation ordinances, including the amount necessary to pay, in each of said fiscal years, one-twelfth of the principal amount of said judgment together with said interest on the full balance of said principal amount of said judgment from time to time remaining outstanding and unpaid; and further commanding said City of Coral Gables, Florida and its several officials, including its Tax Assessor, to assess during each of said twelve fiscal years all such taxable property, including homesteads regardless of the valuation of same, within the corporate limits of said city at their cash values, and to calculate, carry out and extend the full amount of taxes levied for each said fiscal year, including the tax levied for payment on C. J. Root's said judgment, upon the assessment roll of said City for such taxable year, and to deliver said tax roll to the Tax Collector of said city and to attach thereto the warrant of the Tax Assessor commanding the Tax Collector to collect said taxes so levied, including the tax levied during each of said years for payment on C. J. Root's said judgment; and further commanding said City of Coral Gables, Florida and its several officials, including its Tax Collector, to collect the said tax so levied during each said fiscal year for the payment on account of C. J. Root's said judgment against each and every piece of property on said assessment roll in the same manner and at the same time as other City taxes are collected; and further commanding the said City of Coral Gables, Florida and its several officials, including its City Commissioners, City Manager, and Clerk, to issue and sign all warrants necessary for the payment to C. J. Root of the moneys realized from the several levies made for payment on account of his said judgment and to pay over to said C. J. Root the moneys collected under each said levy, as and when the same are collected until C. J. Root's claim is paid in full, and to pass all necessary resolutions or ordinances to effect the commands of said writ.

3. That in the event said City of Coral Gables, Florida at any time during the twelve fiscal years mentioned in paragraph 2 of this stipulation, fails in any manner to comply with the commands of the peremptory writ issued pursuant to this stipulation, or fails to comply with the terms of said agreement between the plaintiff and defendant bearing date the 1st day of December, A. D. 1937, then and in that event said defendant hereby consents that the peremptory writ entered pursuant to this stipulation shall be vacated and that this Court shall issue peremptory writ in accordance with the commands of the alternative writ heretofore issued herein, commanding the levy and other things commanded to be done by said alternative writ, to be done by said alternative writ, to be done by said defendant during the next ensuing fiscal year following a showing to the Court that the commands of the peremptory writ issued pursuant to this stipulation or the terms of said agreement have not been complied with.

Dated at Miami, Florida, this 19th day of January, A. D. 1938.

As Attorneys for Plaintiff, C. J. Root

As Attorney for Defendant
City of Coral Gables, Florida

Section 2. That the City Attorney be and he is hereby authorized and instructed to execute and file in the case of C. J. Root vs. The City of Coral Gables, United States District Court #2333-M-Civil, the Stipulation attached to said Agreement as Exhibit "A".

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1784

A RESOLUTION AUTHORIZING CARL L. V. EXSELSEN TO NEGOTIATE A REARRANGEMENT OF THE TERMS OF THE CLAIMS HELD AGAINST THE CITY BY ELLEN HEPKINS.

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

That Carl L. V. Exselsen be and he is hereby authorized to negotiate a rearrangement of the terms of claims held against the City by Ellen Hepkins, namely: a Circuit Court Judgment in the amount of \$13,337.62 dated March 5, 1932 with interest thereon at 8% in the amount of \$3,894.06, so as to provide for the refunding of said judgment by the exchange for bonds and for the acquisition by the City of Refunding securities issued in said exchange for the consideration of the delivery to Ellen Hepkins of \$13,000 of Refunding Bonds of the issue of January 1, 1937 and \$4,231.68 in cash.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1785

A RESOLUTION AUTHORIZING THE PAYMENT TO CARL L. V. EXSELSEN OF ONE THOUSAND TWO HUNDRED DOLLARS TO REIMBURSE A CASH ADVANCE MADE BY HIM IN CONNECTION WITH THE EXCHANGE OF THE MYERS BONDS.

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

That a payment of One Thousand Two Hundred Dollars (\$1,200) be and it is hereby authorized to be made to Carl L. V. Exselsen for the purpose of reimbursing him for cash advance of like amount made by

him in connection with the exchange of the Myers bonds for refunding securities of the issue of January 1, 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
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1786

A RESOLUTION ACCEPTING AND APPROVING A STATEMENT OF EXPENSES OF CARL L. V. EXSELSEN UNDER THE TERMS OF AN AGREEMENT DATED JUNE 30, 1937, AND AUTHORIZING PAYMENT OF A BALANCE OF \$1,121.35 DUE THEREON.

WHEREAS, under the terms of the Agreement between the City of Coral Gables and Carl L. V. Exselsen dated June 30, 1937, expenses were to be allowed to Carl L. V. Exselsen in an amount not to exceed Twelve Thousand Dollars (\$12,000); and

WHEREAS, Carl L. V. Exselsen has submitted a statement of expenses to the Commission in a sum in excess of the allowance of \$12,000 and said items of expense have been examined by the Commission and found to be proper under the terms of the contract; and,

WHEREAS, the Commission has previously advanced to Carl L. V. Exselsen, taking his notes therefor, a sum of \$10,878.65;

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 deliver to Carl L. V. Exselsen in full settlement of all claims for expenses under the provisions of that certain contract between him and the City of Coral Gables, dated June 30, 1937, the aforesaid notes in the amount of \$10,878.65, duly cancelled, and a cash payment of \$1,121.35.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1787

A RESOLUTION AUTHORIZING THE PAYMENT OF \$2,415.04 TO CARL L. V. EXSELSEN TO COMPENSATE FOR EXTRAORDINARY EXPENSES IN CONNECTION WITH DEBT SETTLEMENT NEGOTIATIONS, AND THE SALE OF DELINQUENT TAX ASSETS.

WHEREAS, Carl L. V. Exselsen has incurred extraordinary expenses of a nature not included or anticipated in that certain contract between him and the City of Coral Gables dated June 30, 1937, and has submitted a list of said expenses to the City Commission, showing amounts incurred in the preparation and exchange of Tax Participation Certificates of the issue of January 1, 1937 and in the negotiations for the sale of the City's delinquent tax assets; and,

WHEREAS, said statement of expenses has been examined by the Commission and found to be acceptable and proper;

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 pay to Carl L. V. Exselsen the sum of \$2,415.04 in full settlement of all claims for expenses incurred by him to date in the preparation and exchange of Tax Participation Certificates and in the negotiations of the sale of the City's delinquent tax assets.

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
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1788

A RESOLUTION AUTHORIZING THE PAYMENT OF THE BALANCE OF FEE DUE CARL L. V. EXSELSEN UNDER THE TERMS OF THE CONTRACT DATED JUNE 30, 1937.

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 pay to Carl L. V. Exselsen the balance due on account of the fee provided for in that certain agreement between him and the City of Coral Gables, dated June 30, 1937, covering his association with the City in connection with the refunding of the City's bonds and other obligations.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

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:

Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE COMMISSION
ON FEBRUARY 1, 1938

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 1, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meetings of January 4 and 18, 1938, were read and approved.



RESOLUTION NO. 1788-A

A RESOLUTION APPROPRIATING THE SUM OF THIRTY-FIVE DOLLARS FOR AN ADVERTISEMENT IN THE 1938 ISSUE OF THE UNIVERSITY OF MIAMI "IBIS".

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

That the sum of Thirty-five Dollars (\$35.00) be and the same is hereby appropriated from the contingent fund for the purpose of securing an advertisement in the 1938 edition of the University of Miami "Ibis".

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1789

A RESOLUTION AUTHORIZING THE SALE OF TAX SALE CERTIFICATES UPON CERTAIN TERMS AND CONDITIONS

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

1. That the Tax Collector be and he is hereby authorized to sell and assign Tax Sale Certificates owned by The City of Coral Gables upon properties not affected by injunctions or restraining orders, and upon those properties when said injunctions or restraining orders have been lifted, upon the following terms and conditions:

Tax Sale Certificates less than two years old (from date of tax sale) to be sold for full face value plus interest and penalties to date of sale and assignment as provided by law.

Tax Sale Certificates more than two years old (from date of tax sale) to be sold for the adjusted amount determined by applying

to the current assessed value, if lower than that of the year for which the tax was levied, the millage of the year for which the tax was levied, plus interest and penalties upon the adjusted amount at the rates provided by law; provided, however, that the face amount of tax certificates to be assigned to any purchaser in consideration for the payment of an adjusted amount as described above shall approximate the adjusted amount paid, and shall not exceed said adjusted amount by more than ten per cent.

2. That the Tax Collector be and he is hereby authorized to pay to tax agents producing purchasers for tax sale certificates on vacant lands a commission of twenty per cent (20%) of the amount paid for the purchase and assignment of tax sale certificates more than two years old from date of tax sale.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1790

A RESOLUTION AUTHORIZING THE CITY CLERK TO ARRANGE FOR A WORKS PROGRESS ADMINISTRATION PROJECT FOR THE CODIFICATION OF THE ORDINANCES AND RESOLUTIONS OF THE CITY.

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

That the City Clerk be and he is hereby authorized and instructed to arrange with the Works Progress Administration for the codification of the City's resolutions and ordinances, and to pledge as the City's contribution to such project the office space, office equipment, stationery and supervision necessary to such project.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1791

A RESOLUTION APPROPRIATING THE SUM OF TEN THOUSAND DOLLARS TO THE UNIVERSITY OF MIAMI, INC. UPON CERTAIN TERMS AND CONDITIONS.

WHEREAS, The University of Miami, Inc., cannot receive its proceeds of the State and County levy for 1937 in time to meet certain payroll and other requirements occurring during February and early March, 1938; and,

WHEREAS, It is deemed inadvisable to allow the University's payrolls to be delayed, or its contracted obligations to go unpaid, because of a temporary lack of funds,

NOW, THEREFORE, 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 account of the University of Miami, Inc., and the City Manager and the Director of Finance be and they are hereby authorized to pay said sum to the University of Miami, Inc., upon being furnished with satisfactory evidence of the ability of the University of Miami, Inc., to repay said sum to the City within thirty days thereafter.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- and
- Mayor McGarry

RESOLUTION NO. 1792

A RESOLUTION APPROPRIATING THE SUM OF FIFTY DOLLARS TO PROVIDE A TROPHY FOR THE FIRST ANNUAL FLAMINGO OPEN PISTOL TOURNAMENT

WHEREAS, On March 10, 11 and 12, 1938 there will be held at Coral Gables under the auspices of the Coral Gables Police Pistol Club the First Annual Flamingo Open Pistol Tournament of the National Rifle Association, bringing to Coral Gables competitors from all parts of the country; and,

WHEREAS, This is deemed to be an event having promotional and publicity features sufficient to make it worthy of the support and recognition of The City of Coral Gables;

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

That the sum of Fifty Dollars (\$50) be and the same is hereby appropriated from the Contingent Fund for the purpose of providing a City of Coral Gables Trophy for said Pistol Tournament.

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
- O'Shaughnessy
- Phillips
- Rinehart
- and
- Mayor McGarry

RESOLUTION NO. 1793

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS TO THE EVERGLADES NATIONAL PARK COMMITTEE

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

That the sum of Two Hundred Fifty Dollars (\$250.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of assisting in the provision of the expense fund for the Everglades National Park Committee.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and
Mayor McGarry

RESOLUTION NO. 1794

A RESOLUTION DIRECTING THAT THE ADVERTISEMENT OF SALE OF DELINQUENT TAXES FOR THE YEAR 1937 BE PLACED IN THE MIAMI RIVIERA

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

That it is hereby directed that the advertisement of sale of delinquent taxes for the year 1937 be placed in the Miami Riviera.

was introduced and read.

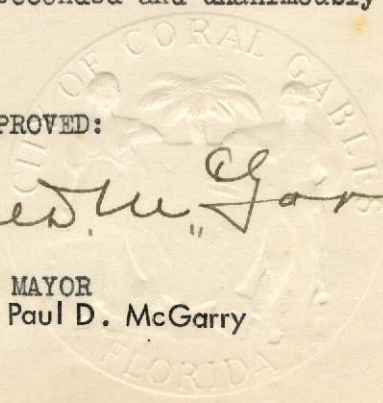
Motion for adoption by Commissioner Phillips; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

The Clerk reported recommendations by the Zoning Board of Appeals that exceptions be adopted to the Zoning Ordinance to permit the subdivision of Coconut Grove Development Company Tract No. 148 into lots not less than 56 feet in width, and to permit Industrial uses in Lots 39 to 88, inclusive, Block 17, Industrial Section and Blocks 4B and 5 of McFarlane Homestead Section. The Commission approved these recommendations and directed the Clerk to prepare an ordinance placing them in effect.

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:
James M. Garry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE COMMISSION
ON FEBRUARY 15, 1938

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 15, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meeting of February 1, 1938 were read and approved.

The Clerk presented to the Commission the resignation of Andrew T. Healey as Associate Municipal Judge of The City of Coral Gables. Mr. Healey stated that his resignation was due to the interference between his office and his law practice, and requested that it be made effective at once. On motion duly seconded the resignation was accepted, and the Clerk was instructed to advise Mr. Healey of the regret of the Commission that he had found it necessary to sever his connection with the City.

The City Manager was instructed to attempt to arrange a meeting between the Commission and those interested in the deepening and widening of the Coral Gables Waterway, preferably at eight o'clock p.m. on Thursday, February 16, 1938.

RESOLUTION NO. 1795

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS FOR THE PURPOSE OF EMPLOYING WILLIAM SYDOW TO MAKE A SURVEY OF THE CORAL GABLES GARBAGE REMOVAL AND DISPOSAL SITUATION.

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

THAT the sum of Two Hundred Fifty Dollars (\$250) be and the same is hereby appropriated from the Contingent Fund for the purpose of employing Mr. William Sydow to make a survey of the local garbage removal and disposal situation and to make a report to the Commission on the feasibility and possibility of constructing a garbage disposal plant, and the probable cost thereof.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry



The Clerk took up with the Commission the request of the Central Hanover Bank and Trust Company that their fees as depository and exchange agent in the City's refunding operations be increased from \$1.00 per thousand of principal value of original bonds handled to \$1.50 per thousand. The Commission expressed the opinion that the City is not legally or otherwise justified in granting an increase in contracted fees for a service in which there has been no material increase in services over those which might have been anticipated at the time the agreement was entered, and held that the agreement should be carried on as adopted.

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

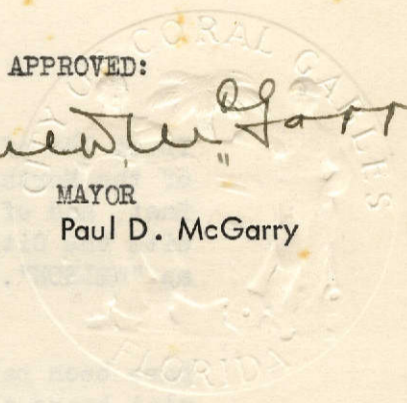
ATTEST:

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

APPROVED:

Paul D. McGarry

MAYOR
 Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 1, 1938

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 1, 1938.

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

The minutes of the meeting of February 15, 1938 were read and approved.

RESOLUTION NO. 1796

A RESOLUTION ACCEPTING AND APPROVING A CERTAIN PLAT OF "WELBON", BEING A RESUB-DIVISION OF COCONUT GROVE DEVELOPMENT COMPANY TRACT NO. 148 AND OF LOT A, BLOCK 84, GRANADA SECTION.

WHEREAS, The Kent Corporation, the owners of Tract 148 of Coconut Grove Development Company Subdivision of the North $\frac{1}{2}$ of Section 7, Township 54 South, Range 41 East, and of Lot A, Block 84, Granada Section, has filed with the City Clerk a plat of said property, to be known as "WELBON", said plat being dated February 18, 1938; and,

WHEREAS, The City taxes on said property have been paid in full through the year 1937, and the plat bears the approving signature of August DeWinkler, a registered engineer, and seems otherwise to be in order;

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

That the above described plat of "Welbon", dated February 18, 1938, be and the same is hereby accepted and approved by the Commission of The City of Coral Gables and the Tax Assessor be and he is hereby authorized and instructed to assess the property in accordance with said plat commencing with the 1938 assessments.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

Commissioner O'Shaughnessy then joined the meeting.

RESOLUTION NO. 1797

A RESOLUTION ACCEPTING AND APPROVING A REVISED PLAT OF PORTIONS OF BLOCKS 115 AND 116 OF BISCAYNE BAY SECTION PART ONE.

WHEREAS, Leland D. and Sophie Breckenridge, the owners of that portion of the SW $\frac{1}{4}$ of Section 32, Township 54 South, Range 41 East designated as Tract 87 of the Second Amended Plat of Cocoplum Heights as it appears in Plat Book 1, Page 73, of the public records of Dade County, Florida, being a portion of Block 115 and 116 of Biscayne Bay Section, Part One, have filed with the City Clerk a revised plat

of said property upon which it is shown as an acreage tract of approximately 3.19 acres, said plat being dated February, 1938; and,

WHEREAS, The City taxes on said property have been paid through the year 1937, and the plat bears the approving signature of Charles G. Haddock, a registered engineer, and seems otherwise to be in order;

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

That the above described plat, designating the described property as Tract 87-A, be and the same is hereby accepted and approved by the Commission of The City of Coral Gables, and the Tax Assessor be and he hereby is authorized and instructed to assess the property in accordance with said plat commencing with the 1938 assessments.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

AN ORDINANCE AMENDING THE USE DISTRICT MAP ATTACHED TO AND BY REFERENCE MADE A PART OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE, SO AS TO PROVIDE FOR INDUSTRIAL USES IN ALL OF MacFARLAND HOME-STEAD SECTION AND IN ALL OF BLOCK 17, INDUSTRIAL SECTION

was read by title on first reading.

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 O'Shaughnessy. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

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" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinance adopted and approved and ordered its publication as No. 295.

RESOLUTION NO. 1798

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO SECURE AND MAINTAIN SAFETY DEPOSIT BOXES FOR THE STORAGE OF THE VALUABLE PAPERS BELONGING TO THE CITY.

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

That the Director of Finance be and he is authorized to rent boxes in the safety deposit vaults of any established and responsible bank, trust or safety deposit company, for the purpose of storing such of the deeds, contracts, agreements, securities and other valuable papers belonging to The City of Coral Gables as should, in his judgment, be safeguarded and segregated in that manner, said safety deposit boxes to be rented and held in the name of G. N. Shaw as Director of Finance of The City of Coral Gables, Florida, or his successor in office.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1799

A RESOLUTION DESIGNATING CERTAIN DEPOSITORIES FOR THE FUNDS OF THE CITY OF CORAL GABLES, AND PRESCRIBING THE NATURE OF COLLATERAL TO BE REQUIRED TO BE FILED FOR DEPOSITS THEREIN.

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

Section 1. That the Coral Gables First National Bank, The Coconut Grove Exchange Bank, The Florida National Bank & Trust Company, and The Mercantile National Bank of Miami Beach be and they are hereby designated as depositories for the moneys of the several funds of The City of Coral Gables, Florida, and the Director of Finance be and he hereby is authorized to deposit said moneys in any or all of said depositories upon being secured with collateral as required by Section 2 hereof.

Section 2. That the Director of Finance be and he hereby is directed to require that the depositories of The City of Coral Gables file with him or in the name of The City of Coral Gables in the custody of a responsible third party, preferably an established bank or trust company, securities of the United States Treasury or of agencies or corporations of or established by the United States Government, of a par or market value, whichever shall be the lower, equal to or in excess of the amount of moneys of The City of Coral Gables on deposit in any such depository; and the Director of Finance is further authorized to release such collateral, or portions thereof, to the depositories whenever it shall be found that the amount of collateral is in excess of the deposits secured thereby.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner

Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

The Commission instructed the Clerk to request the members of the Zoning Board of Appeals and the Supervising Architects to meet with the Commission in joint conference at 5:30 o'clock p.m. on Tuesday, March 15, 1938.

RESOLUTION NO. 1800

A RESOLUTION APPROPRIATING THE SUM OF FOUR HUNDRED DOLLARS TO PROVIDE A SYSTEM OF TRAFFIC SIGNAL LIGHTS AT THE INTERSECTION OF DOUGLAS ROAD AND CORAL WAY.

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

That the sum of Four Hundred Dollars (\$400) be and the same is hereby appropriated from the Contingent Fund for the purpose of providing a system of traffic signal lights at the intersection of Douglas Road and Coral Way and Silver Bluff Drive; and the City Manager be and he is hereby authorized to proceed with the installation of such lights.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and
Mayor McGarry

RESOLUTION NO. 1801

A RESOLUTION AUTHORIZING AND DIRECTING THE REASSESSMENT OF ALL REAL PROPERTY IN THE CITY OF CORAL GABLES, WHICH WAS NOT LAWFULLY ASSESSED AND UPON WHICH NO TAXES HAVE BEEN COLLECTED, FOR THE TAX YEARS 1928, 1929 and 1930.

WHEREAS, The tax assessments of The City of Coral Gables for the tax years 1928, 1929 and 1930 were held invalid, upon the ground of excessiveness, inequality and discrimination, and the tax liens upon real property held by the City for said years were held unenforceable, as the result of litigation involving such tax assessments and liens, which litigation terminated in July, A.D. 1936; and,

WHEREAS; No taxes have been collected for one or more of the tax years 1928, 1929 and 1930 against a large quantity of such real property in the City and no reassessment of taxes for said years against such property has been made by the City;

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

That the City Tax Assessor be and he hereby is authorized and directed, in addition to the assessment of real property for the current year 1938, to reassess for the year 1928 all taxable real property in the City upon which no taxes have been collected for the year 1928; and to reassess for the year 1929 all taxable real property in the City upon which no taxes have been collected for the said year 1929; and to reassess for the year 1930 all taxable real property in the City upon which no taxes have been collected for the said year 1930; and the Tax Assessor shall assess such property separately for such year or years that such property may have escaped taxation, noting distinctly the year when such property escaped taxation.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

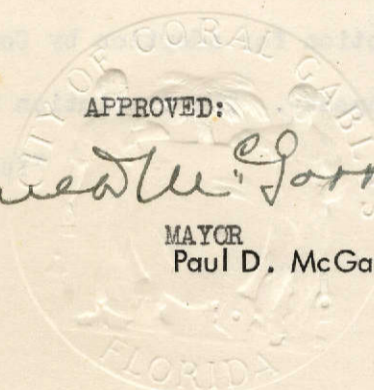
- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- and
- Mayor McGarry

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:
Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF CITY COMMISSION
ON MARCH 22, 1938

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at 5:30 o'clock p.m. on Tuesday, March 22, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meeting of March 1, 1938 were read and approved.

The City Attorney reported to the Commission that the City has authority to condemn land for canal purposes only in the case of canals needed for drainage.

The City Manager reported to the Commission proposals of the Country Club of Coral Gables for satisfying the past due charges against that organization, and the proposed rates for golf course privileges of club members. The Commission requested that the City Manager secure additional information as to the ability of the Club to execute its proposals, and that he secure a revision of the payment schedule so as to completely liquidate the past due account on or before June 30, 1939.

Request of the Central Hanover Bank and Trust Company for reconsideration of its request for additional fees in connection with its services as depository and exchange agent in the City's refunding was deferred until a later meeting.

RESOLUTION NO. 1802

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 Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

RESOLUTION NO. 1803

A RESOLUTION APPROPRIATING ONE HUNDRED DOLLARS FOR DREDGING THE CANALS; ONE HUNDRED FIFTY DOLLARS FOR EXPENSES OF THE POLICE PISTOL TEAM TO TAMPA; THREE HUNDRED DOLLARS FOR THE PURCHASE OF BOOKS FOR THE CORAL GABLES LIBRARY; AND ONE HUNDRED DOLLARS TOWARD THE EXPENSES OF THE UNIVERSITY OF MIAMI TENNIS TEAM.

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

That the sum of Six Hundred Fifty Dollars (\$650) be and the same is hereby appropriated from the Contingent Fund for the following purposes:

1. \$100 to dredge the shoals in the Coral Gables Waterway, to permit the clearing of weeds and stagnant water from the upper reaches thereof.
2. \$150 to assist in defraying the expenses of the Coral Gables Police Department Pistol team to Tampa to engage in competitive matches.
3. \$300 for the purchase of additional books and equipment for the Coral Gables Library.
4. \$100 to assist in defraying the expenses of the University of Miami Tennis Team trip through western States for competitive play.

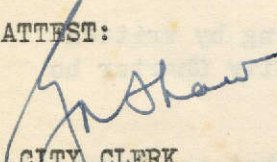
was introduced and read.

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

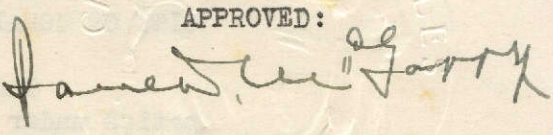
"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

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

ATTEST:


CITY CLERK
G. N. Shaw

APPROVED:


MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON APRIL 5, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:30 o'clock p.m. on Tuesday, April 5, 1938.

Vice-Mayor Avery in the Chair; Commissioners Phillips and O'Shaughnessy present. Mayor McGarry and Commissioner Rinehart absent from the City.

The minutes of the meeting of March 22, 1938 were read and approved.

RESOLUTION NO. 1804

A RESOLUTION AUTHORIZING A COMPROMISE SETTLEMENT OF CERTAIN TAXES ON LANDS IN SECTIONS 7 AND 18-55-41.

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 in full settlement of certain taxes through the year 1937 on lands in Sections 7 and 18-55-41 owned by Charles R. Pierce, for which the present adjusted amount is \$457.40, the sum of \$300.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Vice-Mayor Avery

Absent: Mayor McGarry
Commissioner Rinehart

RESOLUTION NO. 1805

A RESOLUTION APPROPRIATING FOR THE EXPENSES OF W. P. A. REPRESENTATIVES IN CONNECTION WITH CORAL GABLES PROJECTS.

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

That the sum of Two Hundred Five Dollars and sixty-six cents (\$205.60) be and the same is hereby appropriated from the Contingent Fund for the purpose of paying expenses of Robert J. Dill and Corrington Gill, Works Progress Administration officials, at the Miami Biltmore Hotel during their trip to Coral Gables in connection with Coral Gables projects.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Vice-Mayor Avery

Absent - Mayor McGarry
Commissioner Rinehart

RESOLUTION NO. 1806

A RESOLUTION AUTHORIZING THE REFUND OF
CERTAIN 1936 TAXES TO MRS. EDWARD WESTVEER:

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 refund to Mrs. Edward Westveer the
1936 taxes paid by her in the amount of \$10.77 on Lot 3,
Block 9, Douglas Section, upon which the erroneous pay-
ment was occasioned by the error of the Finance Depart-
ment in assessing this lot to Mrs. Westveer.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner
O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Vice-Mayor Avery

Absent - Mayor McGarry
Commissioner Rinehart

RESOLUTION NO. 1807

A RESOLUTION APPROPRIATING FOR THE
INTER-CITY MEETING TO BE HELD APRIL 26, 1938.

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 defraying the
expenses of the meeting of Dade County Municipal
officials to be held on April 26, 1938, at the Coral
Gables Country Club.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner
Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy
Phillips
Vice-Mayor Avery

Absent - Mayor McGarry
Commissioner Rinehart

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

was read by title on first reading.

The Clerk was directed to bring the Ordinance up for further action at the next meeting of the Commission.

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

was introduced and read by title on first reading.

The Clerk was directed to bring the Ordinance up for further action at the next meeting of the Commission.

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:
Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE COMMISSION ON
APRIL 15, 1938

Pursuant to call of special meeting by Mayor McGarry, 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, April 15, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy and Rinehart present. Commissioner Phillips absent because of an urgent prior appointment.

RESOLUTION NO. 1808

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 provision 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 O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Rinehart

Mayor McGarry
Absent - Commissioner Phillips

The Commission appointed 7:30 o'clock p.m. on Monday, April 25 for a meeting of the members of the Zoning Board of Appeals, the Associate Supervising Architects and the Building Inspector to consider the requirements and the enforcement of Ordinance No. 271, the Zoning Ordinance.

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

which had been first read at the meeting of April 5, 1938, was read again in full. Motion for adoption of the Ordinance by Commissioner Rinehart, seconded by Commissioner O'Shaughnessy.

The Ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Rinehart

Mayor McGarry

Absent - Commissioner Phillips

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 296.

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES.

which had been first read at the meeting of April 5, 1938, was read again in full. Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The Ordinance was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Rinehart
Mayor McGarry

Absent - Commissioner Phillips

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 297.

The minutes of the meeting of April 5, 1938 were read and approved.

RESOLUTION NO. 1809

A RESOLUTION AGREEING TO APPROPRIATE IN EACH OF THE FISCAL YEARS 1938-39 AND 1939-40 THE SUM OF TWO THOUSAND DOLLARS AS THE CITY'S PROPORTIONATE SHARE OF THE EXPENSE OF AN ENGINEERING AND GEOLOGICAL SURVEY OF SOURCES OF FRESH WATER SUPPLY FOR THE CITY

WHEREAS, There is a definite limit to the present supply of fresh water for the municipalities of Dade County, Florida, and a necessity to determine in the near future from what source or sources a new or increased supply of fresh water may be procured; and,

WHEREAS, The Water Resources Committee of the Federal Government has expressed its interest in this problem and estimated that it will require approximately two (2) years and will cost approximately Three Hundred Thousand (\$300,000.00) Dollars to make such a survey; and,

WHEREAS, The said Committee has agreed to make such a survey and to furnish Federal funds to pay one-half ($\frac{1}{2}$) the expense thereof, not to exceed the sum of One Hundred Fifty Thousand (\$150,000) Dollars, provided the municipalities of Dade County, Florida will furnish and pay a like amount of the expenses of such a survey over a period of two (2) years; and,

WHEREAS, The City of Coral Gables's proportionate share of this \$150,000 is the sum of Four Thousand (\$4,000) Dollars; and,

WHEREAS, the making of such a survey is of vital interest to the health and general welfare of the City;

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

1. That in consideration of the Water Resources Committee of the Federal Government undertaking and making a geological and engineering survey of the area to the West and Northwest of Palm Beach, Broward, Dade and Monroe Counties from the viewpoint of the cities to determine the availability of the fresh water supply in this area, and in consideration of the Federal Government furnishing one-half ($\frac{1}{2}$) the expense of such a survey, not to exceed the sum of One Hundred Fifty Thousand (\$150,000) Dollars, and in further consideration of the other municipalities of Dade County furnishing their proportionate share of one-half ($\frac{1}{2}$) of the expense of such a survey, not to exceed One Hundred Fifty Thousand (\$150,000) Dollars, The City of Coral Gables hereby agrees and obligates itself to pay its proportionate share of said expense in the ratio of Four Thousand (\$4,000) Dollars to One Hundred Fifty Thousand (\$150,000) Dollars during its fiscal years 1938-39 and 1939-40.

2. That in consideration of the Federal Government and the other cities obligating themselves to furnish the said proportionate parts of the expense of such a survey, and in consideration of the Water Resources Committee undertaking and making the survey, The City of Coral Gables agrees and obligates itself to include in its budget and annual appropriation ordinances in each of the fiscal years 1938-39 and 1939-40 the sum of Two Thousand (\$2,000) Dollars to cover its said proportionate share of the expenses of said fresh water supply survey, and the City further obligates itself to pay its said proportionate share of the expenses of such survey as the same accrued and become necessary for the furtherance of the work of said survey.

3. That a certified copy of this Resolution be forwarded to the Chairman of the Water Resources Committee of the Federal Government.

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
O'Shaughnessy
Rinehart
Mayor McGarry

Absent - Commissioner Phillips

RESOLUTION NO. 1810

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES HELD BY THE CITY ON A CERTAIN THIRTY FOOT STRIP OF LAND IN BLOCK 115, BISCAYNE BAY SECTION PART ONE.

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

That the Tax Collector be and he is hereby authorized to cancel all taxes remaining in the ownership of the City on that certain strip of land approximately 30 feet wide running east and west through Block 115, Biscayne Bay Section Part 1, which strip of land lies between the Dunbar and Breckenridge tracts, and has been for many years a County Road.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Rinehart
Mayor McGarry

Absent - Commissioner Phillips

RESOLUTION NO. 1811

A RESOLUTION EXCUSING MAYOR McGARRY AND COMMISSIONER RINEHART FOR RECENT ABSENCES FROM THE COMMISSION MEETINGS.

WHEREAS, Mayor McGarry and Commissioner Rinehart have been required to be absent from the City on urgent business and have been unable to attend recent meetings of the Commission, and a necessary business trip will prevent Mayor McGarry's attendance at the meeting to be held on April 19;

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

That the recent absences of Mayor Paul D. McGarry and Commissioner Hollis Rinehart, Jr. from meetings of the commission of the City of Coral Gables, and the expected absence of Mayor McGarry at the next meeting, be and they are hereby excused.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Rinehart
Mayor McGarry

Absent - Commissioner Phillips

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:

Paul D. McGarry

MAYOR
Paul D. McGarry

MINUTES OF MEETING OF CITY COMMISSION
ON APRIL 19, 1938

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 19, 1938.

Vice-Mayor Avery in the Chair; Commissioners O'Shaughnessy, Phillips and Rinehart present. Mayor McGarry absent from the City.

Mr. Wendell Sumner appeared in connection with the Fidelity Bond on City employees, and was informed by the Commission that at the last meeting the Commission had instructed that said bond be given for the ensuing year to the Coral Gables Mortgage and Insurance Company, and that any other insurance requirements were to be divided between the Coral Gables Mortgage and Insurance Company and Sumner Insurance Agency.

The Commission considered the request of the University of Miami for an advance of \$10,000 at the present time, \$10,000 in June and \$5,000 in July upon the appropriation to be made to the said University for the year 1938-39. It was the opinion of the Commission that no money could be paid to the University until after the adoption of the budget for the next year.

The Commission directed the City Attorney to request the Consumers Water Company to change the wording on its monthly water bills to read "Amount collected and disbursed by us, as agents of City in purchase of water."

A communication from Victor Fenicle, a city employee requesting that his sister be granted a scholarship to the University of Miami.

RESOLUTION NO. 1812

A RESOLUTION GRANTING A THIRTY DAY LEAVE OF ABSENCE TO MUNICIPAL JUDGE PHILIP E. PAINE AND APPOINTING THOMAS C. MAYES MUNICIPAL JUDGE PRO TEM.

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

That Municipal Judge Philip E. Paine be, and he is hereby, granted a leave of absence, without pay, for the period commencing April 20 and ending May 20, 1938; and,

BE IT FURTHER RESOLVED: That Thomas C. Mayes be and he is hereby appointed Municipal Judge Pro Tem during the said leave of absence of Judge Paine with a salary of \$75 for his services for such period.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

Upon motion by Commissioner Rinehart, seconded by Commissioner Phillips and unanimously carried, the Tax Collector was instructed to make final demand and call for completion of the payment of the purchase of 1936 City taxes by the Coral Gables Development Company.

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:

Paul D. McGarry

MAYOR
Paul D. McGarry



MINUTES OF MEETING OF CITY COMMISSION
ON APRIL 25, 1938

Pursuant to appointment at the meeting of April 15, the Commission of The City of Coral Gables convened in special conference session at 7:30 o'clock p.m. on Monday, April 25, 1938.

Vice-Mayor Avery in the Chair; Commissioners O'Shaughnessy, Phillips, and Rinehart present. Mayor McGarry absent.

Messrs. Brown, Bryant, Ewing, Miller and Renuart of the Zoning Board of Appeals, and Messrs. Skinner and Spohn, Supervising Architects, were present to discuss with the Commission the requirements and enforcement of the Zoning Ordinance.

After discussion of the Ordinance and the mechanics of its administration, the following revisions were agreed upon:

1. The Board of Supervising Architects to meet with the Zoning Board of Appeals at least once each month for the purpose of maintaining closer liaison between the two boards.
2. The Supervising Architects, instead of passing upon plans individually as at present, to meet and examine and pass upon plans jointly, with the requirement that the approval of at least two members of the Board of Supervising Architects be necessary for the acceptance of any plan.
3. The Zoning Board to appoint regular meeting dates, and to conduct all business on those regularly appointed dates; except matters of extreme urgency, for which the required fee for special meeting shall be paid by the applicant.

The Board was requested to recommend amendments to the Ordinance to provide for the above procedure, and any other amendments determined by it to be necessary to the verification and improvement of the Zoning Plan. Until the adoption of these amendments, the Board was directed by the Commission to adhere strictly to the requirements of Ordinance No. 271.

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:

Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON MAY 3, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m., Tuesday, May 3, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

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

RESOLUTION NO. 1813

A RESOLUTION APPROPRIATING THE SUM OF TWENTY-FIVE DOLLARS TO ASSISTIN THE EXPENSES OF THE STATE CONVENTION OF THE FLORIDA JUNIOR CHAMBER OF COMMERCE.

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

That the sum of Twenty-five (\$25.00) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of assisting the Coral Gables Junior Chamber of Commerce in entertaining the State Convention of the Florida Junior Chamber of Commerce on June 3, 1938.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner Avery; the resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

The Commission discussed with the City Manager the question of the Diamond Ball Field in Block 44, Douglas Section; and accepted the recommendation that the field be moved into the northeast portion of the City park in Block 44, Douglas Section; and ordered and authorized the removal of the field to the new location, out of unexpended balances existing in the Diamond Ball appropriation.

The Commission took under consideration a petition from the Coral Gables Tax Payers Association, requesting that all facts relating to the debt settlement situation and the sale of Tax Sale Certificates to the Coral Gables Development Company be furnished to a Committee of D. F. Peck, C. B. Reemelin and George A. Dietz. On motion by Commissioner O'Shaughnessy, duly seconded and carried, the Mayor was authorized to appoint a Committee of three Commissioners to meet with the Committee of the Tax Payers Association. Mayor McGarry then

designated Commissioners Avery and O'Shaughnessy to serve on that Committee with him, and stated that the Committee would arrange an engagement with the Tax Payers Association Committee.

City Manager E. M. Williams and Purchasing Agent G. A. Bowen then opened, before the Commission, bids on the City's gasoline requirements for the period commencing May 10 and ending June 9. The Sinclair Refining Company, through A. B. Mack, local dealer, was found to be low, with a guaranteed top price of 14.6¢ per gallon and a provision that the City would get the benefit of any general reduction from the present market level. The Commission instructed that Mr. Mack and the Sinclair Refining Company be given the business for the above period.

RESOLUTION NO. 1814

A RESOLUTION APPROVING AND ACCEPTING AN AMENDED PLAT OF BLOCK 83 OF CORAL GABLES BISCAIYNE BAY SECTION PART ONE, PLAT "A", AND AUTHORIZING THE ASSESSMENT FOR TAXES IN ACCORDANCE WITH SAID AMENDED PLAT.

WHEREAS, A. C. Zimmerman has submitted an amended plat of Block 83 of Biscayne Bay Section Part One, and said plat has been examined and found to be correct;

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

That that certain plat entitled: "An Amended Plat of Block 83 of Coral Gables Biscayne Bay Section Part One, Plat "A", a Subdivision of Section 32, Township 54 South, Range 41 East, submitted by A. C. Zimmerman under date of April 18, 1938", be and the same is hereby accepted and approved; and the Tax Assessor be and he hereby is authorized and instructed to base his future assessments upon the above described amended plat.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1815

A RESOLUTION APPROVING AND ACCEPTING A REVISED PLAT OF TRACT 98 AND BLOCK 97, CORAL GABLES BISCAIYNE BAY SECTION PART ONE, PLAT "A", AND AUTHORIZING THE ASSESSMENT IN ACCORDANCE THEREWITH.

WHEREAS, J. Lamar Paxson, joined by the other property owners in Blocks 97 and 98 of Biscayne Bay Section Part One, Plat "A", has submitted a revised plat, incorporating in one tract all of Block 98 and Lots 10 to 23, inclusive, Block 97, and discontinuing and closing Veronese Street and the alleys in Block 97 and 98 insofar as they lie within the boundaries of said plat, and such plat has been examined by City and County engineers and found to be correct;

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

That that certain plat entitled: "A Revised Plat of Tract 98 and Block 97, Coral Gables Biscayne Bay Section Part One, Plat "A", a Subdivision of Section 32, township 54 South, Range 41 East", be and the same is hereby accepted and approved, and the Tax Assessor be and he hereby is authorized and instructed to base his future assessments upon said revised plat.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1816

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE FROM LOIS H. HARMON OF A FINAL JUDGMENT PROCURED ON BONDS AND COUPONS OF THE CITY AND AUTHORIZING THE CITY ATTORNEY TO EXECUTE A STIPULATION IN THE SUIT.

WHEREAS, Lois H. Harmon procured a judgment on April 13, 1938, in the United States District Court in and for the Southern District of Florida, cause No. 2466-M-Civil, in the principal amount of \$7,278.90; and,

WHEREAS, The said judgment creditor and her attorney are preparing to apply to said Court for an alternative writ of mandamus to compel the City to make a special earmarked tax levy for the payment of said judgment in one year; and,

WHEREAS, The City in such a proceeding cannot reasonably expect the Court to enter a peremptory writ requiring a spread of such a tax over more than six years; and,

WHEREAS, The said judgment creditor has made a proposition through her attorney of record for the sale of said judgment on terms more favorable to the City than a six year spread tax levy for the payment of the same;

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

- 1. That the Mayor and the City Clerk be and they are hereby authorized and directed to execute the following contract, to wit:

"CONTRACT"

THIS AGREEMENT made and executed in triplicate on this _____ day of _____, A.D. 1938, by and between LOIS H. HARMON, a citizen of the State of Tennessee, by her attorney of record, A. Judson Hill, party of the first part, and THE CITY OF CORAL GABLES, hereinafter called the "City",

W I T N E S S E T H:

That the party of the first part, the owner and holder of a Final Judgment, entered April 13th, 1938 and recorded in Judgment Book 2, page 252, against The City of Coral Gables, in the United States District Court in and for the Southern District of Florida, cause No. 2466-M-Civil, in the principal amount of Seven Thousand Two Hundred Seventy-eight Dollars and Ninety Cents (\$7,278.90), hereby sells, assigns and transfers to the City the said Final Judgment in consideration of the sum of Two Thousand Two Hundred Seventy-eight Dollars and Ninety Cents (\$2,278.90) cash in hand paid by the City, receipt of which is hereby acknowledged, and the promise of the City to pay the balance of the amount due on said judgment in equal annual installments over a period of seven (7) years together with interest at the rate of three and one-half (3 1/2%) per cent. per annum from the date of the said judgment, and as security to guarantee the promise of the City to make the deferred payments under this Agreement the said parties, for themselves, their heirs, successors and assigns, hereby covenant and agree as follows:

1. By stipulation between the parties hereto a peremptory writ of mandamus shall issue in the said suit of Lois H. Harmon vs. City of Coral Gables, No. 2466-M-Civil, requiring the City to make a special earmarked levy of taxes for payment of the Final Judgment in said cause, beginning in the fiscal year 1938-39 and for each of the next six (6) fiscal years, sufficient to pay during each of said seven (7) fiscal years one-seventh (1/7th) of the balance of Five Thousand (\$5,000.00) Dollars due upon said judgment, together with interest at the rate of three and one-half (3 1/2%) per cent. per annum upon the balance of said judgment from time to time remaining outstanding and unpaid.

2. That the City will pay over to the party of the first part, her heirs or assigns, and her, or their attorney of record in the said cause, on or before the 15th day of each month the proceeds from the said special earmarked tax levy collected by the City during the preceeding month, and on or before July 1, 1945 will pay in full the balance of the principal amount of said judgment together with interest at the rate of three and one-half (3 1/2%) per cent. per annum on the part of said judgment from time to time remaining outstanding and unpaid.

3. Upon the payment in full of the aforesaid judgment together with interest thereon at the said rate, the party of the first part covenants and agrees for herself, her heirs and assigns, to execute or cause to be executed and delivered to the City an unconditional assignment of said judgment.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal by her attorney of record in said cause, and said municipality has caused these presents to be signed in its name, by its Mayor, attested by its City Clerk, and its corporate seal to be affixed, on the day, month and year first above written.

Signed, sealed and delivered in the presence of:

LOIS H. HARMON

By _____ (SEAL)
Attorney of Record

THE CITY OF CORAL GABLES

Mayor

Attest:

City Clerk

(Corp. Seal)

APPROVED:

As Attorney for The City of Coral Gables

2. That the City Attorney be and he hereby is authorized and directed to execute in the suit of Lois H. Harmon vs. City of Coral Gables, United States District Court, Southern District of Florida, No. 2466-M-Civil, the following Stipulation:

"IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE SOUTHERN DISTRICT OF FLORIDA MIAMI DIVISION No. 2466-M-Civil

LOIS H. HARMON, :
Plaintiff, :
vs. :
CITY OF CORAL GABLES, a muni- :
cipal corporation, organized :
and existing under the laws of :
the State of Florida, :
Defendant. *

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between Lois H. Harmon, Plaintiff in the above and foregoing cause, and City of Coral Gables, Florida, a municipal corporation, Defendant in said cause, by their undersigned and duly authorized attorneys of record, as follows:

That whereas, said Plaintiff did on the 13th day of April, A.D. 1938, recover judgment herein against the Plaintiff in the total amount of Seven Thousand Two Hundred Seventy-eight Dollars and Ninety Cents (\$7,278.90) and

Whereas, an alternative writ of mandamus was issued from and out of this Court on the 11th day of May, A.D. 1938, commanding the Defendant to do certain acts, including the levy of a tax for the next ensuing fiscal year sufficient to pay the amounts due under said judgment, and

Whereas, the Plaintiff and the Defendant did on the _____ day of May, A.D. 1938, enter into a certain Agreement wherein and whereby it was among other things provided that this Stipulation should be signed by the undersigned Attorneys of Record for the Plaintiff and the Defendant and filed in this cause, and further provided that said attorneys were authorized to join in a motion for peremptory writ of mandamus to issue herein in compliance with this Stipulation,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, as follows:

That this Court shall forthwith issue a peremptory writ of mandamus in this cause, without the necessity of any amendment to the said alternative writ commanding the Respondent, City of Coral Gables, Florida, and its several officials, including its City Manager, to include in its annual budget estimate of expenses for the fiscal year commencing July 1, 1938 an amount sufficient to pay and discharge one-seventh (1/7th) of the principal sum of said judgment, together with interest thereon at the rate of three and one-half (3 1/2%) per cent per annum on the full amount of the unpaid balance of said judgment, and to include in each annual budget estimate of expenses for six (6) fiscal years next after the fiscal year commencing July 1, 1938, an amount sufficient to pay and discharge one-seventh (1/7) of the principal amount of said judgment, together with interest at the rate of three and one-half (3 1/2%) per cent per annum on the balance of said principal amount of said judgment from time to time remaining outstanding and unpaid; and further commanding said City of Coral Gables, Florida, and its several officials including its City Commissioners

to prepare, pass and adopt an appropriate ordinance for said fiscal year commencing July 1, 1938 and to include therein and make appropriation in favor of Lois H. Harmon of a sum sufficient to pay and discharge said one-seventh (1/7) part of said principal amount of said judgment together with said interest on the principal amount of the balance due on said judgment; and further commanding said City of Coral Gables, Florida, and its several officials, including its City Commissioners, to prepare, pass and adopt, in each of said six (6) fiscal years next after said fiscal year commencing July 1, 1938, an appropriation ordinance for said fiscal year and include therein and make appropriation in favor of Lois H. Harmon of a sum sufficient to pay and discharge one-seventh (1/7) of the principal amount of said judgment together with interest on the balance of said principal from time to time remaining outstanding and unpaid; and further commanding said City of Coral Gables, Florida, and its several officials, including its City Commissioners, to levy for the taxable year commencing in 1938 and for each of the six fiscal years next thereafter, a tax upon all of the taxable property in said City subject to taxation at the time the bonds of Lois H. Harmon were issued, including all homesteads regardless of the valuation of the same, sufficient to produce when collected the several amounts heretofore commanded to be appropriated, and appropriated by said several appropriation ordinances, including the amount necessary to pay, in each of said fiscal years, one-seventh (1/7) of the principal amount of said judgment together with said interest on the full balance of said principal amount of said judgment from time to time remaining outstanding and unpaid; and further commanding said City of Coral Gables, Florida, and its several officials, including its Tax Assessor, to assess during each of said seven (7) fiscal years all such taxable property, including homesteads regardless of the valuation of the same, within the corporate limits of said City at their cash value, and to calculate, carry out and extend the full amount of taxes levied for each said fiscal year, including the tax levied for payment of Lois H. Harmon's said judgment, upon the assessment roll of said city for said taxable year, and to deliver said tax roll to the Tax Collector of said City and to attach thereto the warrant of the Tax Assessor commanding the Tax Collector to collect said taxes so levied, including the taxes levied during each of said years for payment on Lois H. Harmon's said judgment; and further commanding said City of Coral Gables, Florida, and its several officials, including its Tax Collector, to collect the said tax so levied during each said fiscal year for the payment on account of Lois H. Harmon's said judgment against each and every piece of property on said assessment roll in the same manner and at the same time as other City taxes are collected; and further commanding the said City of Coral Gables, Florida, and its several officials, including its City Commissioners, City Manager, City Clerk and City Treasurer, to issue and sign all warrants necessary for the payment to Lois H. Harmon of the moneys realized from the several levies made for payment on account of her said judgment and to pay over to said Lois H. Harmon or her attorney of record the moneys collected under each said levy, on or before the 15th day of each month during which any said sums are collected and until Lois H. Harmon's claim is paid in full, and to pass all necessary resolutions or ordinances to effect the commands of said writ.

DATED at Miami, Florida, this _____ day of May, A.D. 1938.

As Attorney for Plaintiff,
Lois H. Harmon

As Attorney for Defendant,
City of Coral Gables, Florida.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

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:

Paul D. McGarry

MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON MAY 11, 1938

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at 8:30 o'clock p.m. on Wednesday, May 11, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart, present.

RESOLUTION NO. 1817

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 O'Shaughnessy; seconded by Commissioner Rinehart; the resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

The Commission then discussed the financial situation of the University of Miami, as reported to it by Dr. B. F. Ashe and Mr. U. J. Hiss at a conference held on Tuesday, May 10, 1938. It was the consensus of the Commission that the special expenses of the University in meeting the requirements for membership in the Southern Association of Colleges, the Association of American Law Schools and the National Association of Schools of Music, necessitating changes and increases in faculty and equipment, and library facilities, justified the City's additional assistance to the University at this time. The following was introduced:

RESOLUTION NO. 1818

A RESOLUTION APPROPRIATING TO THE UNIVERSITY OF MIAMI, INC. THE SUM OF THIRTEEN THOUSAND FIVE HUNDRED DOLLARS FROM THE CONTINGENT FUND OR FROM ACCRUING AND PREVIOUSLY UN-APPROPRIATED REVENUES.

WHEREAS, The University of Miami, Inc. has found it necessary to expand and improve its Library and other

facilities, and to add to its faculty in order to meet the requirements of the Southern Association of Colleges, the Association of American Law Schools, and the National Association of Schools of Music for membership therein; and,

WHEREAS, It is felt by the administration of the University and of the City that membership in those organizations is essential to the University's continued development, and the expenses so incurred have been fully justified; and,

WHEREAS, Such additional expenses have made it necessary for the University to secure additional funds with which to meet the remaining payrolls and expenses of the current year; and,

WHEREAS, The City of Coral Gables has in its Contingent Fund as the proceeds of delinquent 1936 taxes, and certain other items of income which have not been previously appropriated for the current fiscal year;

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

That the sum of Thirteen Thousand, Five Hundred Dollars (\$13,500) be and the same is hereby appropriated to the University of Miami, Inc. from the Contingent Fund and/or moneys on hand received from delinquent tax collections, and/or other income items not previously appropriated during the fiscal year; and

BE IT FURTHER RESOLVED:

That this special appropriation, unless repaid to the City by the University of Miami, Inc. before June 30, 1938, shall be repaid to the accounts for the year 1937-38 out of the appropriation to be made to the University of Miami for the fiscal year 1938-39.

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
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

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:

Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON MAY 17, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m., Tuesday, May 17, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meetings of April 15, 19, 25, May 3 and 11, were read and approved.

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, ADOPTED FEBRUARY 16, 1937, ENTITLED: "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, ETC.", KNOWN AS THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES.

and

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED BY THE COMMISSION ON FEBRUARY 16, 1937, ENTITLED: "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, ETC." KNOWN AS THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES, AND REPEALING SECTION ONE OF ORDINANCE NO. 279, ADOPTED MAY 4, 1937, SO AS TO REQUIRE THE CONSIDERATION OF PLANS BY THE ASSOCIATE SUPERVISING ARCHITECTS SITTING AS A BOARD AND APPROVAL OF PLANS BY AT LEAST TWO ASSOCIATE ARCHITECTS AS A PRE-REQUISITE OF THE ISSUANCE OF A BUILDING PERMIT.

were introduced and read by title.

Motion by Commissioner Avery that the requirement for reading on two separate days be dispensed with and the Ordinances be placed on second reading at once. Seconded by Commissioner Rinehart. The motion was carried by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

Thereupon, the two Ordinances were read again in full.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

Mayor McGarry then declared the Ordinances adopted and approved and ordered their publication as No. 298 and No. 299, respectively.

RESOLUTION NO. 1819

A RESOLUTION AUTHORIZING THE PAYMENT OF A COMMISSION ON THE SALE OF TAX SALE CERTIFICATES ON VACANT PROPERTY AT THE OFFICIAL SALE OF JUNE 6, 1938.

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

That, in order to stimulate the sale of tax sale certificates on vacant property in competition with improved property certificates to be offered at the Miami, Miami Beach and Dade County tax sales, the Tax Collector be and he is hereby authorized to pay to recognized tax agents a commission of 10% of the amount of certificates purchased by them for their clients on vacant property in the City of Coral Gables at the tax sale of June 6, 1938.

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
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

RESOLUTION NO. 1820

A RESOLUTION ORDERING THE REASSESSMENT FOR 1938 TAXES OF CERTAIN PREVIOUSLY EXEMPT PROPERTY, AND THE BACK-ASSESSMENT FOR THREE PRIOR YEARS.

WHEREAS, The Tax Assessor has in the past, exempted certain property as belonging to the University of Miami, Inc., and it now develops that underlying mortgages prevent the immediate use of such property for educational purposes, and certain of such mortgages are under foreclosure or about to be foreclosed, with the result that the property will return to private hands and will no longer be usable for educational purposes.

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

That the Tax Assessor be and he hereby is authorized and instructed to assess for the year 1938 all property previously exempted for the account of the University of Miami, Inc., except such properties as are now being used solely for educational purposes, and to back-assess, for the years 1937, 1936 and 1935, at the valuation for the year 1938 and the millage of the year for which the tax is back-assessed, all of said property which were exempted for the years named.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

AN ORDINANCE AUTHORIZING THE USE OF COLONIAL TYPE ARCHITECTURE AND SLATE SHINGLES OR IMITATION WOOD ASBESTOS SHINGLES IN CONSTRUCTION SOUTH OF THE RANGE LINE BETWEEN RANGES 54 AND 55 SOUTH, AND ON THE KEYS; AND AMENDING ORDINANCE NO. 1 AND NO. 271 INSOFAR AS THEY CONFLICT HEREWITH.

was introduced and read by title.

Motion by Commissioner Avery that the requirement for reading on two separate days be dispensed with; seconded by Commissioner Rinehart. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

Thereupon the Ordinance was read again in full.

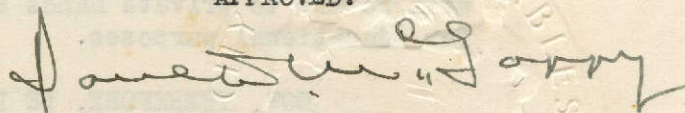
Motion for adoption of the Ordinance by Commissioner Avery; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 300.

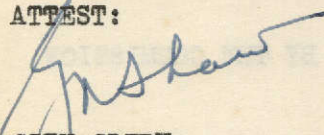
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:



MAYOR
Paul D. McGarry

ATTEST:


CITY CLERK
G. N. Shaw

MINUTES OF MEETING OF THE CITY COMMISSION
ON MAY 19, 1938

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at 5:20 o'clock p.m. on Thursday, May 19, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1821

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 O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

RESOLUTION NO. 1822

A RESOLUTION DECLARING VACANT THE OFFICE OF MUNICIPAL JUDGE OF THE CITY OF CORAL GABLES.

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

That the office of Municipal Judge of The City of Coral Gables be and the same is hereby declared vacant from and after the adoption of this resolution.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1823

A RESOLUTION APPOINTING THOMAS C. MAYES MUNICIPAL JUDGE OF THE CITY OF CORAL GABLES.

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

That Thomas C. Mayes be and he hereby is

appointed Municipal Judge of The City of Coral Gables, such appointment to take effect upon the adoption of this resolution.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

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

ATTEST:

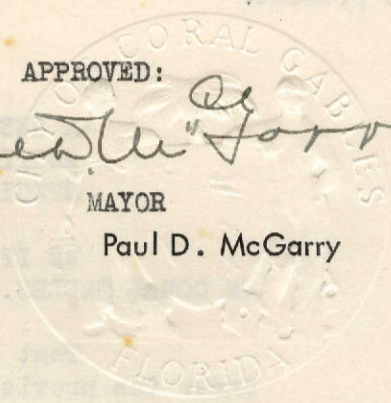
G. N. Shaw
CITY CLERK
G. N. Shaw

APPROVED:

Paul D. McGarry

MAYOR

Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON JUNE 7, 1938

On June 7, 1938, Commissioner Rinehart was absent from the City on business, and Commissioner O'Shaughnessy was absent from the City and in a hospital at Bay Pines, Florida. Mayor McGarry and Commissioner Avery entered the Commission Room at five o'clock p.m., and while awaiting a quorum received a resolution from the Coral Gables Kiwanis Club and received offers from representatives of the Kiwanis Club and the Lion's Club to assist in the provision for the widow of Sergeant H. C. Barton, of the Coral Gables Police Force, killed while on duty on June 6, 1938.

Mr. Morehead, representing the Kiwanis Club, former Judge Philip E. Paine, and Mr. George Dietz addressed the Commission on the subject of civil service and the establishment of a pension fund. Mayor McGarry assured those gentlemen that everything possible was being done toward the establishment of either civil service or a merit system, and some provision for retirement funds and insurance, pointing out that amendments to the City Charter to enable such undertakings could not be secured until during the legislative session of 1939.

At 5:33 p.m., Commissioner Phillips joined the meeting, and there being a quorum present, Mayor McGarry called the meeting to order.

The minutes of the meetings of May 17 and 19 were read and approved.

RESOLUTION NO. 1824

A RESOLUTION EXPRESSING THE APPRECIATION OF THE CITY OF CORAL GABLES OF THE HIGH CHARACTER AND FAITHFUL SERVICES OF HOMER C. BARTON, FORMER SERGEANT ON THE POLICE FORCE OF THE CITY, AND EXTENDING CONDOLENCES TO HIS WIDOW AND FAMILY; AND ORDERING THE FLAG UPON THE CITY HALL TO BE PLACED AT HALF MAST.

WHEREAS, Sergeant Homer C. Barton, a former member of the Police Force of The City of Coral Gables, has been called by Divine Providence from his labors on earth; and,

WHEREAS, Throughout his residence in Coral Gables, Sergeant Barton served the City and its people loyally and faithfully, in the direct service of the City; and,

WHEREAS, Until his death, Sergeant Barton was always ready to take an active part in any movement for the benefit of the people or the interests of the City;

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

That the Commission does hereby tender to the widow of the late Sergeant Barton our profound

sympathy in her great bereavement, and do hereby formally record our deep appreciation of his high character and of the faithful and valuable services rendered by him to the City of Coral Gables;

BE IT FURTHER RESOLVED:

That, as a mark of respect to the memory of the late Sergeant Barton, the flag upon the City Hall be placed at half mast for a period of ten days from this date; and that a certified copy of this Resolution be forwarded to his widow by the City Clerk.

was introduced and read.

Motion for adoption by Commissioner Avery, seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1825

A RESOLUTION BY THE COMMISSION OF THE CITY OF CORAL GABLES TO PETITION THE FEDERAL GOVERNMENT THROUGH ITS GOVERNING OFFICIALS AND THE BOARD OF ARMY ENGINEERS TO FULLY COOPERATE WITH METROPOLITAN MIAMI IN ENLARGING THE HARBOR AND PORT FACILITIES TO SERVE DADE COUNTY AND THE UNITED STATES; ALSO TO FULLY ENDORSE THE GREATER MIAMI PORT PLAN.

WHEREAS, The harbor and yacht anchorage facilities in the Port of Miami have for several years been inadequate to serve the people of Dade County, the commerce and transportation agencies and the visitors to South Florida; and,

WHEREAS, The Port of Miami is the recognized choice of the yachtsmen of the East as a winter haven; and,

WHEREAS, Southeast Florida is becoming more and more recognized as the front door of Eastern United States during the winter months, due to the foreign ships which regularly make Miami a Port-of-Call; and,

WHEREAS, the Port of Miami ranks first in the nation in foreign passengers by air and second by water; and,

WHEREAS, trade and commerce are developed from travel; and

WHEREAS, the business and agricultural interest of Dade County are being severely penalized due to the lack of berthing accommodations, storage facilities, yacht anchorage and adequate adjacent area with highways to serve these facilities and the public; and

WHEREAS, the Greater Miami Port Plan, as prepared by the City of Miami will efficiently and economically solve these problems and permit the Port of Miami to continue to grow and serve this progressive area;

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

Section 1. That because of strategic location of the Port of Miami in the development of foreign travel and commerce, the governing officials of the United States Government, the Board of Army Engineers and other Federal Agencies are hereby petitioned to give every possible consideration and cooperation

in the enlargement of the harbor and port facilities of the Port of Miami, serving the Metropolitan Miami District and Dade County.

Section 2. That the Greater Miami Port Plan is hereby endorsed as the best plan for enlarging the Miami Harbor and serving this community and the entire nation in the development of domestic and foreign commerce and for national defense.

was introduced and read.

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

The resolution was adopted by unanimous vote.

RESOLUTION NO. 1826

A RESOLUTION OPPOSING THE APPLICATION OF PAN AMERICAN AIRWAYS, INC. TO RESTRICT THE USE OF A LARGE AREA OF BISCAYNE BAY TO THE NORTH, SOUTH AND EAST OF TAHITI BEACH AND THE MOUTH OF THE CORAL GABLES CANAL.

WHEREAS, the Pan American Airways, Inc. has filed with the War Department of the United States an application requesting that a large area in Biscayne Bay, connecting with its air terminal at Dinner Key and extending to the South and East, so as to include a large portion of the Bay North, South and East of the mouth of Coral Gables Canal and Tahiti Beach, be restricted for the sole use of the Pan American Airways, Inc. and United States Coast Guard, and that all surface water craft be excluded from the use of said area; and,

WHEREAS, Such a restriction in the use of said area of Biscayne Bay would materially and adversely affect the property rights and interests of the residents in the southern portion of The City of Coral Gables and more particularly those residing upon and using the Coral Gables Canal for surface water craft and would depreciate the value, use and desirability of Coral Gables property abutting on said Canal and Biscayne Bay;

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

That. The City of Coral Gables opposes the said application of the Pan American Airways, Inc. for the exclusive use of a large portion of Biscayne Bay as an unwarranted restriction of the use of the Bay by surface water craft, and because such a restriction of the use of Biscayne Bay will constitute a serious and material damage and injury to a large section of the City's most valuable property.

2. That a certified copy of this Resolution be filed with the officials of the War Department at the public hearing to be held on said application in Miami, Florida, on June 21, A.D. 1938.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner

Avery. The resolution was adopted by unanimous vote.

The Commission discussed the matter of \$600 due Pentland, Purvis, Keller and Milton for the special audit of delinquent assets and collections thereon

for the period ending June 30, 1937, and it was unanimously agreed that provision be made in the 1938-39 budget for \$1200 as the auditor's fee for his regular services and \$600 to pay this accrued balance, making a total provision for the year 1938-39 of \$1800.00.

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:

Paul D. McGarry

MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON JUNE 21, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m., Tuesday, June 21, 1938.

Vice-Mayor Avery in the Chair; Commissioners Phillips and O'Shaughnessy present. Mayor McGarry and Commissioner Rinehart absent from the City.

The minutes of the regular meeting of June 7, 1938, were read and approved.

The Clerk reported to the Commission the following recommendations of the Zoning Board of Appeals:

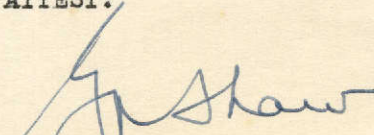
1. That an exception be made to the requirements of the Ordinance to permit Mrs. William E. Kitman to erect a house of 19,200 cubic feet content on Lots 9 and 10, Block 28, Section "E", the corner of Country Club Prado and Avenue Obispo, which lots now require a minimum of 27,500 cubic feet. The matter was ordered deferred until a larger majority of the Commission could be present to consider it.

2. An exception to the requirements of the Zoning Ordinance to permit John G. Thomas to erect a house on Lot 34, Block 40, Country Club Section Part 3 in accordance with plans submitted to the Building Inspector and the Zoning Board of Appeals, due to the shape of the lot and the evident impossibility of constructing a larger house on the site. The Commission authorized a building permit to be issued, the exception to be confirmed later by a larger majority of the Commission.

3. Unanimous recommendation to amend the use requirements of the Zoning Ordinance, so as to permit C2 uses in Lots 29 to 39, Block 26, Lots 1 to 11 and 19 to 29, Block 29, and all of Block 35, Crafts Section, and more specifically to permit the Granada Shops, Inc. to erect, on Lots 29 and 30, Block 26, Crafts Section, an addition to its present plant. The Commission authorized the Building Inspector to proceed in the Granada Shops matter, and instructed the Clerk to bring the matter up again before a larger majority of the Commission.

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

ATTEST:


CITY CLERK
G. N. Shaw

APPROVED:


MAYOR

Paul D. McGarry

6/21/38

Note: See minutes of meeting of June 24, following this meeting.

MINUTES OF MEETING OF THE CITY COMMISSION
ON JUNE 28, 1938

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at four o'clock p.m., Tuesday, June 28, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy and Phillips present; Commissioner Rinehart absent from the City.

RESOLUTION NO. 1827

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 O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

Absent - Commissioner Rinehart

RESOLUTION NO. 1828

A RESOLUTION AUTHORIZING THE CITY CLERK AND THE CITY ATTORNEY TO FILE AN APPLICATION TO THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS FOR A LOAN AND GRANT TO AID IN FINANCING THE CONSTRUCTION OF UNIVERSITY OF MIAMI PROJECT AND DESIGNATING G. N. SHAW AND MORTON B. ADAMS TO FURNISH SUCH INFORMATION AS THE GOVERNMENT MAY REQUEST.

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

Section 1. That the City Clerk and the City Attorney be and they are authorized to execute and file an application on behalf of The City of Coral Gables, Florida, to the United States of America for a loan and grant to aid in financing the construction of the University of Miami buildings and equipping same.

Section 2. That G. N. Shaw and Morton B. Adams be hereby authorized and directed to furnish such information as

the United States of America through the Federal Emergency Administration of Public Works may reasonably request in connection with the application which is herein authorized to be filed.

Section 3. The loan herein authorized to be applied for shall be evidenced by revenue certificates, the security for which shall be a lien upon the rentals to accrue to the City from the University of Miami, Inc., under a lease of the properties to be improved, but no general taxes or special assessments shall ever be levied by the City, nor moneys taken or diverted from the general funds of the City for the payment of said certificates.

was introduced and read.

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

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- and Mayor McGarry
- Absent - Commissioner Rinehart

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:

Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON JUNE 24, 1938

Pursuant to call of special meeting by Vice-Mayor Avery, 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, June 24, 1938.

Vice Mayor Avery in the Chair; Commissioners O'Shaughnessy and Phillips present. Mayor McGarry and Commissioner Rinehart absent from the City.

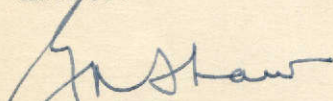
The Commission discussed with City Manager Williams and Engineer William Sydow the preliminary details of Mr. Sydow's report on the construction of an incinerator.

Mr. Sydow stated that an incinerator to dispose of the City's garbage for many years in the future could be constructed at a cost of \$55,000, and could be operated for an annual expense of about \$4,000.00. He recommended that an application be made to the Public Works Administration for a twenty year loan of \$30,250 and a grant of \$24,750.

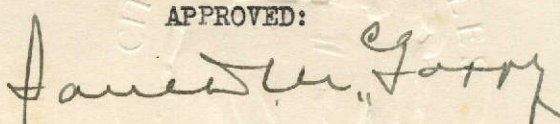
Commissioner O'Shaughnessy moved that the matter be referred to the City Manager, City Clerk, City Attorney and Mr. Sydow, with authority and instructions to prepare a Public Works Administration application for such a project. The motion was seconded and carried.

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

ATTEST:


CITY CLERK
G. N. Shaw

APPROVED:


MAYOR
Paul D. McGarry

The motion was seconded by Commissioner O'Shaughnessy and unanimously carried.

RESOLUTION NO. 1830

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONSTRUCT A DRAINAGE DITCH IN THE VICINITY OF THE CATHOLIC CHURCH.

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

That the City Manager be and he is hereby authorized to construct a drainage ditch or sump in the vicinity of the Catholic Church to dispose of storm waters in that area, the cost of work approximating \$549.00, to be charged against the appropriation for street and bridge repairs for the year 1938-39.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

Absent - Commissioner Rinehart

The City Manager discussed with the Commission plans for the repair of the Cocoplum Plaza Bridge and recommended that timber rather than steel be used in the construction of the girders and floor beams. Formal action on the matter was deferred until a later meeting.

RESOLUTION NO. 1831

A RESOLUTION RATIFYING AND CONFIRMING PAYMENTS BY THE CITY MANAGER AND THE DIRECTOR OF FINANCE IN CONNECTION WITH THE DEATH OF SERGEANT H. C. BARTON.

WHEREAS, By the informal authority of the City Commission, the City Manager and the Director of Finance have hereto paid the funeral expenses of H. C. Barton and have advanced to his widow the sum of \$360, being two months salary of Sergeant Barton;

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

That the Commission does hereby ratify and confirm the payment of \$531.35 to W. L. Philbrick and the payment of \$360 to Mrs. Helen Barton by the City Manager and the Director of Finance, and directs that these amounts be charged against the appropriation for the Department of Public Safety for the year 1937-38.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry

Absent - Commissioner Rinehart.

Gasoline bids for the month of July were then opened before the Commission, and the Flamingo Tire Company, through A. B. Mack, and the Sinclair Refining Company were found to be low as of the bidding of 14.6¢ per gallon, guaranteed top price. The City Manager was then instructed to place business through A. B. Mack.

The Clerk then presented the recommendations of the Zoning Board of Appeals as made at the meeting of the Board on June 6 and 30, and the following Ordinances giving effect to those recommendations were read by title on first reading.

AN ORDINANCE AMENDING ORDINANCE NO. 271
OF THE CITY OF CORAL GABLES AS TO
CUBIC CONTENT REQUIREMENTS IN BLOCKS
128, 129 RIVIERA SECTION, AND USE
RESTRICTIONS IN BLOCKS 26, 29 AND 35,
CRAFTS SECTION.

and

AN ORDINANCE GRANTING EXCEPTIONS TO THE
REQUIREMENTS OF ORDINANCE NO. 271 OF THE
CITY OF CORAL GABLES AS TO LOTS 29 and
30, BLOCK 26, CRAFTS SECTION, LOTS 6 and
7, BLOCK 26, GRANADA SECTION AND LOT 21
AND PORTIONS OF LOTS 20 & 22, BLOCK 129,
RIVIERA SECTION.

Motion by Commissioner Avery that the requirements for reading on two separate days be dispensed with and that the Ordinances be placed on second reading at once; seconded by Commissioner Phillips. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry
Absent - Commissioner Rinehart

Thereupon, the Ordinances were read again in full. Motion for adoption of the Ordinances by Commissioner Avery; seconded by Commissioner Phillips. The Ordinances were adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
and Mayor McGarry
Absent - Commissioner Rinehart

Thereupon, Mayor McGarry declared the Ordinances adopted and approved, and ordered their publication as Nos. 300 and 301, respectively.

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:

Paul D. McGarry
MAYOR
Paul D. McGarry

7/5/38

MINUTES OF MEETING OF THE CITY COMMISSION ON
JULY 11, 1938

Pursuant to posted and advertised notices, and in accordance with the requirements of charter, the Commission of The City of Coral Gables convened in the City Hall at eleven o'clock a. m. on Monday, July 11, 1938 for the purpose of conducting public hearings upon the proposed appropriation ordinance for the year 1938-39.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

On motion duly seconded and carried, the Commission resolved itself into a Committee of the Whole for the purpose of conducting the public hearing.

Mayor McGarry announced the purpose of the meeting and after having the City Clerk read the City Manager's letter of transmittal of the Budget, asked if there were any present desiring to be heard.

Mr. A. W. Barrett, acting on behalf of a Committee of the Taxpayers Association of Coral Gables, read a statement and complaint upon the proposed budget and the operations of the City in general, and filed a written copy of that statement with the Clerk.

Mr. D. A. Cray, Mr. D. F. Peck and Mr. Fred Ralston addressed the Commission concerning matters covered by the above described statement.

Mr. George A. Dietz petitioned the City to discontinue the purchase of refunding bonds, and filed his calculations with the City Clerk, purporting to support his declaration that such purchase of refunding bonds would result in extra costs to the City and an undue increase of amounts to be paid to the holders of Tax Participation Certification. He also appealed to the Commission to reduce the assessed valuation of property in the City, in order to control and reduce the amounts payable to the holders of Tax Participation Certificates each year. Despite his remarks, and the above statements, he declared that he felt that a just debt was due to the Tax Participation Certificates holders, and that the City should pay them everything to which they are entitled.

On behalf of the Committee, Mr. Barrett asked for time in which to study the letter of transmittal, copies of which had been given him by the Clerk during the meeting, and requested that the Commission arrange an executive conference with the Committee at some date to be later fixed.

Mayor McGarry assured the Committee that the Commission wished to go deeply into the charges and complaints made by it, and that the budget hearings would be adjourned until such a conference had been held.

There being no further business, the Commission adjourned as a Committee of the Whole until eleven o'clock a.m. on Tuesday, July 12, in accordance with published notices.

ATTEST:

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

APPROVED:

Paul D. McGarry

MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION ON

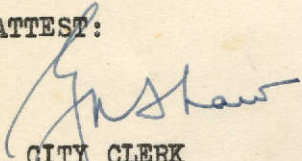
JULY 12, 1938

Pursuant to adjournment at the meeting of July 11 and to published notices of hearings upon the proposed appropriation ordinance, for the year 1938-39, the Commission of The City of Coral Gables convened at the City Hall at eleven o'clock a.m. on Tuesday, July 12, for the purpose of resuming the hearings upon the budget ordinance.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

There being no one present to speak upon the subject of the budget, it was moved, seconded and unanimously carried that the Commission, as a Committee of the Whole, adjourn the hearing upon the appropriation ordinance until some date, convenient to both them and to the Committee of the Taxpayers Association of Coral Gables, to be later fixed.

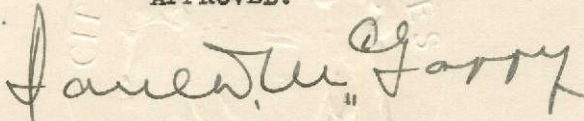
ATTEST:



CITY CLERK

G. N. Shaw

APPROVED:



MAYOR

Paul D. McGarry

MINUTES OF THE MEETING OF THE CITY COMMISSION

ON JULY 19, 1938

Pursuant to call of special meeting by Mayor McGarry issued on July 14, 1938, the Commission of The City of Coral Gables convened at the City Hall at two o'clock p.m. on July 19, 1938, for the purpose of conducting a hearing upon the proposed budget ordinance for the year 1938-39.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The Mayor announced the purpose of the meeting, and upon motion duly seconded and unanimously carried, the Commission resolved itself into a Committee of the Whole for the purpose of discussing and hearing comments upon the proposed appropriation ordinance.

Messrs. A. W. Barrett, Fred Ralston, D. A. Cray, Donald F. Peck and C. S. Robertson, representing the Taxpayers Association of Coral Gables, discussed with the Commission the pending Budget Ordinance and points in connection with the bond settlement and the sale of Tax Certificates to the Coral Gables Development Company.

The Taxpayers Committee made specific complaints against the employment of an extra clerk for the collection of garbage service fees, the employment of an extra clerk to handle the collection and record of automobile inspections and drivers' licenses, the maintenance of a News or Publicity Bureau by the City and the improper use of City motor equipment by employees. The Commission advised the Committee that it would look into these matters to determine whether anything could be done in connection with these items which would result in economy to the City.

The Committee was asked to lay before the Commission facts to substantiate the charges in the letter dated July 11, 1938, presented to the Commission at the budget hearing on that date. Thereupon the members of the Committee admitted that there were no definite facts in support of those charges of "serious waste, leakage and duplication" and "apparent and obvious mismanagement of the City's affairs" and that the statements in the letter had been based upon rumor and hearsay.

The Committee concluded with a general appeal for a reduction of taxes and for economy in the City's operation, and was assured by the Mayor and members of the Commission that the Commissioners are earnestly striving to keep the controllable operating costs of the City at the lowest figure consistent with the preservation of the standards, ideals and property values in Coral Gables.

The Commission then adjourned as a Committee of the Whole, and upon motion duly seconded and unanimously carried, the meeting was adjourned.

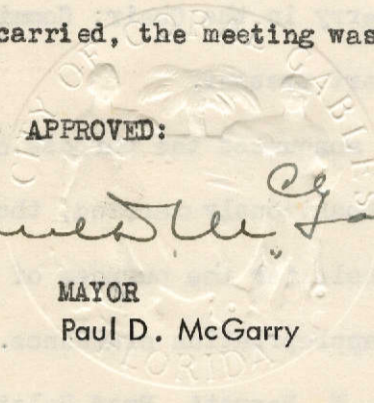
APPROVED:

Paul D. McGarry

MAYOR
Paul D. McGarry

ATTEST:

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



MINUTES OF MEETING OF THE CITY COMMISSION ON

JULY 19, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, July 19, 1938.

Mayor McGarry in the Chair; Commissioners Avery, Phillips, Rinehart present, Commissioner O'Shaughnessy absent on account of illness.

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

RESOLUTION NO. 1832

A RESOLUTION AUTHORIZING THE WAIVER AND REMISSION OF OPERATING TAXES ON LOTS 16, 17, 29 AND 30, BLOCK 26, CRAFTS SECTION FOR THE YEARS 1938, 1939 and 1940.

WHEREAS, The Granada Shops, Inc. have advised the City that the necessity for enlarging and remodeling its plant has raised the question as to whether the plant should be retained in Coral Gables or moved to a less expensive location; and,

WHEREAS, The Commission deems it advisable to retain this industry in Coral Gables and that the Commission should cooperate to this end so far as possible;

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

That contingent upon the continued occupancy of Lots 16, 17, 29 and 30, BLOCK 26, CRAFTS Section as the headquarters and manufacturing plant of the Granada Shops, Inc., it is hereby authorized that the operating portion of the taxes for the years 1938, 1939 and 1940 shall, just prior to the sale for delinquency thereof, be remitted and waived and the amount thereof charged to the account covering discounts and allowances on current taxes.

was introduced and read.

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

"Yes" - Commissioners Avery
 - Phillips
 Rinehart
 Mayor McGarry
 Absent - Commissioner O'Shaughnessy

Mayor McGarry, with the consent of the Commission, appointed a Committee to consist of one man designated from each of the civic and patriotic organizations of the City to sit with the City Manager in consideration of the question of Civil Service or Merit System for City Employees, and the development of a plan for a retirement fund.

The Commission ordered that September 15 be established as the date for the expiration of both car inspections and drivers' licenses, and that March 15 be established as the date of expiration of mid-year car inspections and drivers' licenses, the City Clerk to prepare an Ordinance setting forth the change and to bring it before the Commission at an early meeting.

A communication was received from the Chamber of Commerce suggesting that the City take over the operation of Tahiti Beach, in order to make a public salt water bathing beach available to the residents and winter visitors of the City. The matter was referred to the City Manager and the City Clerk with instructions to contact the owners of the property and determine whether anything of this nature could be accomplished.

RESOLUTION NO. 1833

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED FIFTY DOLLARS FOR THE PREPARATION OF A BRIEF AND TRANSCRIPT OF RECORD IN THE BONETHAU-McCORMICK CASE.

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

That the sum of One Hundred Fifty (\$150) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of defraying the cost of a brief and transcript of record to be filed by the City Attorney in the Bonethau-McCormick case in the Supreme Court, which case involves a point vital to the City on the question of the status of taxes sold to individuals on lands subsequently ousted from the City.

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
Phillips
Rinehart
Mayor McGarry
Absent - Commissioner O'Shaughnessy

AN ORDINANCE MAKING APPROPRIATION FOR THE EXPENSES OF OPERATION OF THE CITY OF CORAL GABLES AND ITS INCOME PRODUCING PROPERTIES AND FOR PAYMENTS ON DEBT SERVICE, FOR THE FISCAL YEAR COMMENCING JULY 1, 1938.

was introduced and read by title on first reading, and carried forward to a later meeting for further action.

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:

Paul D. McGarry
MAYOR Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON JULY 26, 1938

Pursuant to call of special meeting by Mayor McGarry and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at five o'clock p.m. on Tuesday, July 26, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO.1834

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 special business that may come before it for consideration.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- Mayor McGarry

AN ORDINANCE MAKING APPROPRIATION FOR THE EXPENSES OF OPERATION OF THE CITY OF CORAL GABLES AND ITS INCOME PRODUCING PROPERTIES AND FOR PAYMENTS ON DEBT SERVICE FOR THE FISCAL YEAR COMMENCING JULY 1, 1938.

which had been first read at the meeting of July 19, 1938, was read again in full. Motion for adoption of the Ordinance by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The Ordinance was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- Mayor McGarry

Mayor McGarry then declared the Ordinance adopted and approved, and ordered its publication as No. 302.

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

ATTEST:

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

APPROVED:

Paul D. McGarry
MAYOR Paul D. McGarry 7/26/38

MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 2, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, August 2, 1938.

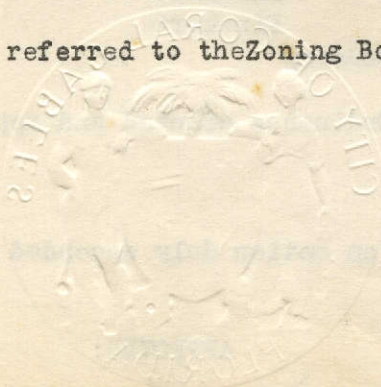
Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy and Phillips present; Commissioner Rinehart absent from the City.

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

The Commission discussed the hours of play at the Diamond Ball Field in Block 44, Douglas Section, and the Clerk was instructed to advise the officers of the Diamond Ball League that ball games should be called at ten o'clock p.m.

The Clerk reported that at a meeting of the Zoning Board, held the night before, recommendation had been made that a building permit be granted to Mrs. Schurr for the enlargement and remodelling of the servant's quarters located on Lots 1 and 2, Block 2, Section "D", it being the opinion of the Board that the plans for such enlarged servant's quarters were in conformity with the requirements of the Zoning Ordinance. Mr. Lyle Holcomb addressed the Commission in behalf of Mrs. Schurr, and Mr. Thomas Johnstone addressed the Commission in behalf of Mr. Burch, a neighbor who was objecting to the remodelling of the building on the ground that it had been and in his opinion would be used for rental purposes. After consideration of the matter, the Commission directed the Clerk to advise Mr. Holcomb and Mrs. Schurr that the permit would be granted if the plans were modified to make of the existing building a garage, and of the proposed addition, servant's quarters. (Note: following the meeting and before the preparation of these minutes, the Commissioners reconsidered this question and authorized the issuance of the permit as requested, with instructions to the Clerk to advise Mrs. Schurr, through Mr. Holcomb, of the limitations of use imposed by the Zoning Ordinance upon the proposed building.)

A communication from W. L. Harris, requesting the rezoning of a portion of the Coconut Grove Warehouse Center to permit the erection of negro houses thereon, was referred to the Zoning Board for study and report.



RESOLUTION NO. 1835

A RESOLUTION WAIVING REGULAR MEETINGS UNTIL
THE THIRD TUESDAY IN SEPTEMBER.

WHEREAS, During the next several weeks, members of
the Commission and of the City organization will be away from
the City on business or on vacation;

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

That the regular meetings of the Commission scheduled
to be held on August 16 and September 6 be and the same are
hereby waived and dispensed with; and the next regular meeting
of the City Commission is hereby appointed for September 20,
from which date the regular schedule of meetings will be re-
sumed.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Mayor McGarry

Absent - Commissioner Rinehart

RESOLUTION NO. 1836

A RESOLUTION APPROPRIATING THE SUM OF SEVEN
HUNDRED DOLLARS FOR MAINTENANCE AND REPAIR
WORK UPON THE CORAL GABLES WATERWAYS.

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

That the sum of Seven Hundred (\$700) Dollars
be and the same is hereby appropriated from the Contingent
Fund for the purpose of dredging, widening and improving the
channel connecting the Coral Gables Waterway with Biscayne
Bay, so as to make said channel navigable for larger craft;
and for the removal of certain shoals existing in the waterway
near the University Concourse and between Alhambra Circle
and Red Road.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by
Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Mayor McGarry

Absent - Commissioner Rinehart

In the presence of the Commission, the Purchasing Agent then opened
gasoline bids for the ensuing month, and the Flamingo Tire Company was found

to be low with a price of 14.44¢ per gallon, top and bottom price guaranteed, and it was ordered that the business be given to said Flamingo Tire Company.

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

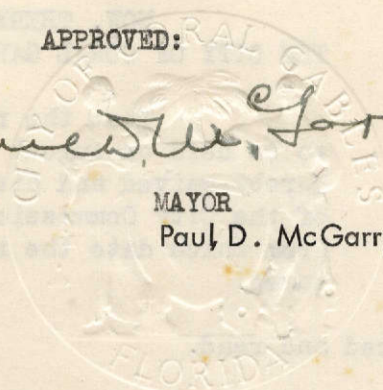
ATTEST:

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

APPROVED:

Paul D. McGarry

MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 20, 1938

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at eleven o'clock A.M. on Saturday, August 20, 1938.

Mayor McGarry in the Chair; Commissioners Avery, Phillips and Rinehart present. Commissioner O'Shaughnessy absent from the City.

RESOLUTION NO. 1837

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
Phillips
Rinehart
Mayor McGarry

Absent - Commissioner O'Shaughnessy

The following Ordinances were then introduced and read:

AN ORDINANCE AMENDING ORDINANCE NO. 263 ADOPTED SEPTEMBER 29, 1936, SO AS TO ALLOCATE TWENTY-FIVE CENTS PER MONTH PER GARBAGE CAN OF THE FEES ESTABLISHED AND REQUIRED THEREBY TO THE SOLE AND EXPRESS PURPOSE OF OPERATING AND MAINTAINING A GARBAGE AND TRASH INCINERATOR PLANT; AND RETIRING AND PAYING INTEREST UPON A CONSTRUCTION LOAN TO PROVIDE SUCH A PLANT; ESTABLISHING A SEPARATE FUND TO RECEIVE AND CONTAIN SUCH ALLOCATED FEES; LIMITING THE PURPOSE FOR WHICH MONEYS MAY BE DISBURSED OR WITHDRAWN FROM SAID SEPARATE FUND; AND PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF CERTAIN RESERVES THEREIN.

and

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF AN INCINERATOR OR GARBAGE DISPOSAL PLANT, FOR THE CITY OF CORAL GABLES; AND TO AID IN FINANCING THE COST OF SAID CONSTRUCTION, PROVIDING FOR THE ISSUANCE, PAYMENT AND SERVICE OF \$30,000 REVENUE CERTIFICATES OF THE CITY OF CORAL GABLES, FLORIDA, TO BE PAID AND SERVICED SOLELY FROM FEES TO BE COLLECTED FOR GARBAGE AND TRASH DISPOSAL.

and

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 CONSTRUCTION OF AN INCINERATOR, OR GARBAGE DISPOSAL PLANT, FOR THE CITY OF CORAL GABLES; AND TO AID IN FINANCING THE COST OF SAID CONSTRUCTION, PROVIDING FOR THE ISSUANCE, PAYMENT AND SERVICE OF \$30,000 REVENUE CERTIFICATES OF THE CITY OF CORAL GABLES, FLORIDA, TO BE PAID AND SERVICED SOLELY FROM FEES TO BE COLLECTED FOR GARBAGE AND TRASH DISPOSAL; ON THE 27th DAY OF SEPTEMBER, A. D. 1938; AND DECLARING SAME TO BE AN EMERGENCY ORDINANCE.

City Manager Williams, acting as Clerk, was instructed to place the ordinances before the Commission at the next meeting for further reading and action.

There being no further immediate business, the meeting was adjourned until five o'clock p.m. Monday, August 22, 1938.

ATTEST:

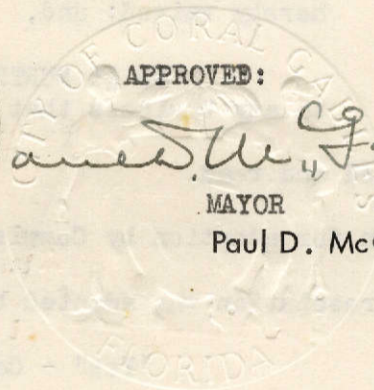
G. N. Shaw
CITY CLERK
G. N. Shaw

APPROVED:

James D. McGarry

MAYOR

Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 22, 1938

Pursuant to adjournment at the meeting of August 20, 1938, the Commission of The City of Coral Gables convened at the City Hall at five o'clock p.m. on Monday, August 22, 1938.

Mayor McGarry in the Chair; Commissioners Avery, and Phillips present. Commissioners O'Shaughnessy and Rinehart absent.

AN ORDINANCE AMENDING ORDINANCE NO. 263, ADOPTED SEPTEMBER 29, 1936, SO AS TO ALLOCATE TWENTY-FIVE CENTS PER MONTH PER GARBAGE CAN OF THE FEES ESTABLISHED AND REQUIRED THEREBY TO THE SOLE AND EXPRESS PURPOSE OF OPERATING AND MAINTAINING A GARBAGE AND TRASH INCINERATOR PLANT; AND RETIRING AND PAYING INTEREST UPON A CONSTRUCTION LOAN TO PROVIDE SUCH A PLANT; ESTABLISHING A SEPARATE FUND TO RECEIVE AND CONTAIN SUCH ALLOCATED FEES; LIMITING THE PURPOSE FOR WHICH SUCH MONEYS MAY BE DISBURSED OR WITHDRAWN FROM SAID SEPARATE FUND; AND PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF CERTAIN RESERVES THEREIN.

which had been first read at the meeting of August 20, was read again in full.

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

"Yes" - Commissioners Avery
Phillips
Mayor McGarry
Absent - Commissioners O'Shaughnessy
Rinehart

Commissioner Rinehart recorded as voting "yes" by previous consent at the meeting of August 20.

Mayor McGarry then declared the Ordinance adopted and approved, and ordered its publication as No. 303.

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF AN INCINERATOR, OR GARBAGE DISPOSAL PLANT, FOR THE CITY OF CORAL GABLES; AND TO AID IN FINANCING THE COST OF SAID CONSTRUCTION, PROVIDING FOR THE ISSUANCE, PAYMENT AND SERVICE OF \$30,000 REVENUE CERTIFICATES OF THE CITY OF CORAL GABLES, FLORIDA, TO BE PAID AND SERVICED SOLELY FROM FEES TO BE COLLECTED FOR GARBAGE AND TRASH DISPOSAL.

which had been first read at the meeting of August 20, was read again in full.

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

"Yes" - Commissioners Avery
Phillips
Mayor McGarry
Absent - Commissioners O'Shaughnessy
Rinehart

Commissioner Rinehart recorded as voting "Yes"
by previous consent at the meeting of August 20.

Mayor McGarry then declared the Ordinance adopted and approved,
and ordered its publication as No. 304.

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
CONSTRUCTION OF AN INCINERATOR, OR GARBAGE DISPOSAL
PLANT, FOR THE CITY OF CORAL GABLES; AND TO AID
IN FINANCING THE COST OF SAID CONSTRUCTION, PRO-
VIDING FOR THE ISSUANCE, PAYMENT AND SERVICE OF
\$30,000 REVENUE CERTIFICATES OF THE CITY OF CORAL
GABLES, FLORIDA, TO BE PAID AND SERVICED SOLELY
FROM FEES TO BE COLLECTED FOR GARBAGE AND TRASH
DISPOSAL: ON THE 27TH DAY OF SEPTEMBER, A.D. 1938;
AND DECLARING THE SAME TO BE AN EMERGENCY ORDINANCE.

which had been first read at the meeting of August 20, was read again in full.

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

"Yes" - Commissioners Avery
Phillips
Mayor McGarry
Absent - Commissioners O'Shaughnessy
Rinehart

Commissioner Rinehart recorded as voting "yes"
by previous consent at the meeting of August 20.

Mayor McGarry then declared the Ordinance adopted and approved, and
ordered its publication as No. 305.

RESOLUTION NO. 1838

A RESOLUTION APPROPRIATING THE SUM OF ONE
THOUSAND DOLLARS FOR RIPRAPPING THE CANAL
BANK AND JETTY AT THE ENTRANCE OF THE CORAL
GABLES WATERWAY.

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

That the sum of One Thousand Dollars (\$1,000)
be and the same is hereby appropriated from the Contingent
Fund to provide for riprapping the canal bank and jetty at
the entrance of the Coral Gables Waterway into Biscayne Bay,
for the purpose of safeguarding and preserving the improve-
ments to the channel now being made under previous appropri-
ations.

was introduced and read.

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

"Yes" - Commissioners Avery
Phillips
Mayor McGarry
Absent - Commissioners O'Shaughnessy
Rinehart

RESOLUTION NO. 1839

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF
F. E. BRYANT AS SPECIAL COUNSEL AND APPROPRIATING
ONE HUNDRED DOLLARS THEREFOR.

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

That F. E. Bryant be and he is hereby employed
as special counsel in the matter of the Incinerator
Revenue Certificates and special election ordinance
adopted this same date and the registration and election
procedures thereunder; and the sum of One Hundred
Dollars (\$100) is hereby appropriated from the Contingent
Fund to pay for such services.

was introduced and read.

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

"Yes" - Commissioners Avery
Phillips
Mayor McGarry
Absent- Commissioners O'Shaughnessy
Rinehart

RESOLUTION NO. 1840

A RESOLUTION APPOINTING THE CLERK AND
INSPECTORS FOR THE SPECIAL FREEHOLDER
ELECTION TO BE HELD ON SEPTEMBER 27, 1938.

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

That the following be and they are hereby
designated and appointed as Clerk and Inspectors, as
indicated by their name, to serve as an Election Board
in the special freeholder election to be held on
September 27, 1938, on the question of issuance of
\$30,000 Incinerator Revenue Certificates of the City
of Coral Gables;

Walter E. Schaefer, Clerk
H. R. Anderson, Inspector
Lewis H. Fogle, Inspector
George Magford, Inspector

That the City Clerk be and he is hereby
authorized and instructed to advise the above appointees
of their appointment, and to arrange and pay the remuneration
for their services on the day and night of the election
on the same basis as is paid in State and County elections
for similar services.

was introduced and read.

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

- "Yes" - Commissioners Avery
Phillips
- Mayor McGarry
- Absent - Commissioners O'Shaughnessy
Rinehart

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

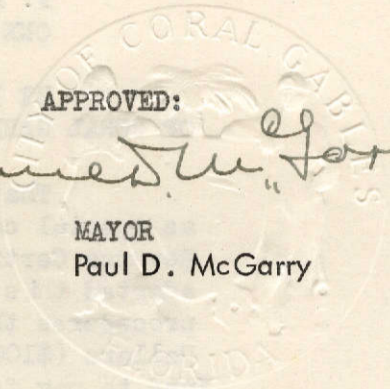
ATTEST:

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

APPROVED:

James D. McGarry

MAYOR
Paul D. McGarry



Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1843

A RESOLUTION APPROVING AND ACCEPTING A CERTAIN REVISED PLAT OF BLOCK 117 AND A PORTION OF BLOCK 116, BISCAYNE BAY SECTION.

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

That that certain revised plat of a portion of Block 116 and all of Block 117, of the Coral Gables Biscayne Bay Section, a subdivision lying in the SW $\frac{1}{4}$ of Section 32, Township 54, Range 41, the property of the Fin L. Pierce Company, said plat having been certified by Charles G. Hannock under date of August 16, 1938, be and the same is hereby accepted and approved; and the Tax Assessor is hereby instructed to use said plat as the basis for assessments on his future tax rolls.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by unanimous vote.

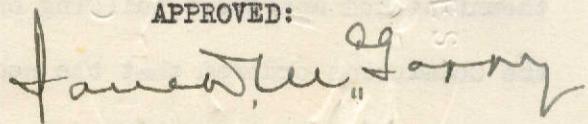
Pursuant to an inquiry by the Rollins Realty Company, the Commission stated that it would not be adverse to amending or making exception to the Zoning Ordinance for the purpose of permitting a private school to be located on the property now known as the Don Carlos Apartments, provided that the ownership, management and general character of the school was found to be satisfactory.

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

ATTEST:


CITY CLERK
G. N. Shaw

APPROVED:



MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 20, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, September 20, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meetings of July 5, 11, 12, 19 (two meetings) 26, August 2, 20, 22 and September 13 were read, corrected and approved.

The City Manager referred to the Commission a petition from business people and property owners in the neighborhood of Ponce de Leon Boulevard and Alhambra Circle, requesting that flower beds and walks be constructed in the Alhambra Circle parkway from Ponce de Leon to Salzedo, and that benches be placed therein for the convenience and comfort of the City's citizens and winter visitors. The matter was referred back to the City Manager with instructions to secure the advice and recommendation of the Planning Board.

The City Manager presented to the Commission an offer from H. F. Doughty to sell to the City, Lots 20 and 21, Block 24, Biltmore Section for \$2,250 cash, or \$2,500 on some deferred payment plan, suggesting that the purchase of these lots immediately adjoining the City Hall would protect the City Hall from future building which might detract from the City Hall ground. The City Manager was instructed to secure an appraisal of the lots, and the matter was placed in suspense pending the City Manager's report.

Several members of the Chamber of Commerce and the Merchants Association petitioned the City for the erection of a Neon Sign on Tamiami Trail at the Douglas Entrance, directing travellers on the Tamiami Trail toward the business section of the City. The Committee stated that it had received two estimates of the cost of such a sign in the amount of \$475 and \$520; and another estimate of \$375 for five small signs to be placed at the several entrances of the City. The Commission referred the matter to the City Manager for investigation and report.

A letter from J. A. Gilmore requesting that something be done about the pavement on Avenue Sarria was referred to the City Manager for a report as to what might be necessary and the probable cost.

Mr. Jordan Peck presented to the Commission a petition from the residents and property owners in the neighborhood of 4401 Palmarito Street, complaining against the fraternity house recently opened at that address. Commissioner Rinehart moved that the City Manager and the City Attorney arrange a conference with the managers of each of the fraternity houses located within the City for the purpose of instructing them that they are operating as a private club for which permits from the City Commission are required by the Zoning Ordinance; and that proper applications for permits be secured and proper permits issued, with the exception that in the case of those fraternity houses concerning which complaints have been filed, the permit to be withheld during a trial or probationary period. Motion seconded and unanimously carried.

The Commission discussed the question of permitting Dobe Brick (a new 4x8x12 and 4x12x12 rough-faced cement block) without requiring that they be stuccoed. The City Clerk was instructed to handle the matter with the Supervising Architects and determine from them what masonry materials should be permitted as face materials without stucco covering, and to draw any ordinances necessary to modify the present Building Code in accordance with the recommendations of the Supervising Architects.

RESOLUTION NO. 1844

A RESOLUTION APPROPRIATING FOR THE EXPENSES OF THE CITY MANAGER TO THE BOSTON CONVENTION OF THE CITY MANAGERS' ASSOCIATION.

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

That the sum of Three Hundred Dollars (\$300) be and the same is hereby appropriated from the Contingent Fund for the purpose of defraying the City Manager's expenses to the Convention of the National City Managers' Association, to be held in Boston on September 26 to 29, inclusive.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

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:

Paul D. McGarry
MAYOR Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 28, 1938

Pursuant to call of special meeting by Mayor McGarry, for the purpose of canvassing the returns of the special election of September 27, 1938, as required by Charter, 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, September 28, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1845

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 O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- Mayor McGarry

The Clerk then read to the Commission the several certificates and reports of the Clerk and the Inspectors of the special election held on September 27, 1938, as follows:

1. The Certificate of Inspectors and Clerk of the Special Election of September 27, 1938 as to the preparation of the voting machines.
2. The Certificate of the Inspectors and Clerk as to the closing and locking of the voting machines upon the closing of the polls.
3. Certificate of Returns, as follows:

RESOLUTION NO. 1846

A RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE ELECTION HELD SEPTEMBER 27, 1938, FOR THE PURPOSE OF APPROVING OR DISAPPROVING THE PROPOSAL TO ISSUE THIRTY THOUSAND DOLLARS FOUR PERCENT INCINERATOR REVENUE CERTIFICATES TO ASSIST IN FINANCING THE CONSTRUCTION OF AN INCINERATOR OR GARBAGE DISPOSAL PLANT FOR THE CITY OF CORAL GABLES.

WHEREAS, There has been filed with the City Clerk, the Certificate of the Supervisor of Registration showing 536 freeholder electors qualified to vote in the special election of September 27, 1938; and the Certificate of the Inspectors and Clerk of said election, together with the poll list, absentee ballots, ballot box, the record of the vote as cast upon the voting machines, and the data taken from said machines prior to and after the closing of said election, and other material comprising a complete record of the conduct of and results of said election; 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, FLORIDA:

Section 1. That the Commission of The City of Coral Gables hereby declares that the results of said special election held on September 27, 1938, according to the ballots cast thereon by registered freeholder voters, were as follows:

- a. That the total number of qualified electors residing in the City, as were legally qualified to participate in said election, was 536.
- b. That a total number of 411 of said legally qualified electors participated in said election.
- c. That on the question of the adoption of the proposal as follows:

Shall The City of Coral Gables, Florida, issue Incinerator Revenue Certificates in the aggregate principal amount of \$30,000, dated October 1, 1938, in the amount of \$500 each, bearing interest at the rate of four per centum (4%) per annum, payable semi-annually on October 1 and April 1 in each year, maturing serially in the amount of \$500 on October 1 in each year of the years 1941 to 1952, both inclusive, \$1,000 on October 1 in each year of the years 1953 to 1958, both inclusive, and \$2000 on October 1 in each year of the years 1959 to 1967, both inclusive, for the purpose of aiding and financing the cost of construction of an incinerator for the destruction of the garbage and trash of The City of Coral Gables.

Such Incinerator Revenue Certificates to be payable solely from and secured solely by a pledge of twenty-five cents (25¢) per month per can of the fee paid to The City of Coral Gables under the provisions and requirements of Ordinance No. 263, as amended and allocated by Ordinance No. 303, for the disposal and destruction of garbage, after deduction from said twenty-five cents (25¢) per month per can fee of only the reasonable expenses of operation, maintenance and repair of such incinerator.

388 votes were cast FOR the proposal and 16 votes were cast AGAINST the proposal.

- d. That 7 of those participating in the election erroneously operated the voting machines, with the result that their votes did not register upon either the "yes" or the "no" counters of the machines.

Section 2. That this Commission finds the election to have been fairly held according to the provisions of law, and 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 the issuance of \$30,000 of 4% Incinerator Revenue Certificates, pursuant to Ordinance No. 304, was duly voted upon and ratified by a majority of the qualified voters voting at said special election, in which election a majority of the legally qualified freeholder electors of the City participated.

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 O'Shaughnessy; seconded by Commissioner Phillips.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

The Commission requested that a survey be made of the storm water condition at Ponce de Leon Boulevard and Coral Way, and suggested that it be remedied if it could be done for a cost of not more than \$100.

The Commission directed the Director of Public Service to report on the cost of clearing the canal south of the Bird Road Bridge.

The Clerk reported to the Commission the recommendations of the Zoning Board of Appeals at the meeting held on September 27, 1938, and the Commission unanimously agreed to the issuance of a permit for a house containing 18,687 cubic feet on Lot 18 and E. 15 ft. of Lot 19, Block 30, Section "B"; and to the amendment of the front set-back requirements on Algeria From Pizarro to Capri to 15 feet instead of 25 feet as originally required; and authorized the issuance of permits conforming to such amendments; and ordered the Clerk to bring ratifying ordinances before the next meeting of the Commission.

Action upon the recommendation of the Zoning Board as to modification of front set-backs and cubic content requirements for certain lots in Block 45, Country Club Section #3 was deferred until a later meeting, to give the Commission an opportunity to inspect the block and study the situation on the ground.

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:

Paul D. McGarry
MAYOR Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 4, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, October 4, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy Phillips and Rinehart present.

The minutes of the meetings of September 20 and 28, 1938, were read and approved.

RESOLUTION NO. 1847

A RESOLUTION ORDERING THE DISCONTINUANCE
OF THE SALE OF CERTAIN TAX SALE CERTIFICATES.

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

That the Tax Collector be and he is hereby authorized and directed to withhold from sale, pending completion of present negotiations with the Coral Gables Development Company, all Tax Sale Certificates belonging to The City of Coral Gables on properties upon which other Tax Sale Certificates of The City of Coral Gables have been sold and assigned to the Coral Gables Development Company.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

and Mayor McGarry

AN ORDINANCE AMENDING ORDINANCE NO. 251
OF THE CITY OF CORAL GABLES, ADOPTED
OCTOBER 4, 1935, SO AS TO PROVIDE FOR THE
EXPIRATION OF DRIVERS' LICENSES AND CAR
INSPECTIONS ON SEPTEMBER 15 OF EACH YEAR,
AND TO PROVIDE FOR SEMI-ANNUAL MOTOR
VEHICLE INSPECTIONS ON MARCH 15 OF EACH
YEAR.

and

AN ORDINANCE AMENDING ORDINANCE NO. 1 OF THE
CITY OF CORAL GABLES ADOPTED AUGUST 3, 1925,
KNOWN AS THE BUILDING CODE, SO AS TO SPECIFY
THE CLASSES OF MASONRY MATERIAL FOR FACING
MATERIAL PERMISSABLE IN THE CONSTRUCTION OF
BUILDINGS IN THE CITY OF CORAL GABLES.

AND

AN ORDINANCE GRANTING AN EXCEPTION TO THE REQUIREMENTS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE

and

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE, AS TO FRONT SET BACK REQUIREMENTS ON ALGERIA AVENUE BETWEEN PIZARRO STREET AND CARRI STREET, AND AS TO THE FRONT SET BACK REQUIREMENTS AND CUBIC CONTENT REQUIREMENTS ON CERTAIN LOTS IN BLOCK 45, COUNTRY CLUB SECTION #3.

were introduced and read by title on first reading.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

Thereupon the Ordinances were read again in full.

Motion for adoption of the Ordinances by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The Ordinances were adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

Then Mayor McGarry declared the Ordinances adopted and approved, and ordered their publication as Nos. 306, 307, 308 and 309, respectively.

Upon motion by Commissioner Avery and with unanimous consent of the Commissioners, Mayor McGarry appointed a committee to consist of himself and Commissioner Avery to discuss with Dr. Ashe the advisability of securing a competent survey of the existing situation and future possibilities of the University of Miami.

Messrs. Starr and Copeland appeared before the Commission in connection with the proposed gas franchise, and addressed the Commission at some length about the suggestion. The Mayor advised the gentlemen that the Commission would confer with the City Manager after he has had

an opportunity to study the project, and would then arrange a future conference with Messrs. Starr and Copeland.

A communication from Corrigan, Miller and Company, requesting a contribution toward prizes for events in connection with the Security Traders Association Convention to be held at the Miami Biltmore on November 15 through November 18, was discussed by the Commission, and the Clerk was instructed to advise Corrigan, Miller and Company that the City has no funds available for such purposes.

A communication was received from W.P. Munsell, requesting that space be made available to him at the Venetian Pool for the establishment of an information bureau for visitors at the Pool. The Clerk was directed to advise Mr. Munsell that space would be made available to the Real Estate Board for circulars and other informative matter, but that the City could hardly grant such a concession to a single real estatebroker or firm.

A communication was received from the City Manager of the City of Miami, asking the aid of the City of Coral Gables in raising the sponsor's contribution for the proposed Miami Airport W.P.A. Project, and the Commission directed the City Clerk to advise Mr. Fuller that the present condition of the City's budget and treasury would not permit its participation in this very worthwhile movement.

The Commission received and considered a request of the United Pest Control System that the license for insect and pest exterminators be reduced from \$25 to \$10, but declined to change the license requirement, and directed the Clerk to so advise the petitioners.

RESOLUTION NO. 1848

A RESOLUTION APPROPRIATING THE SUM OF ONE THOUSAND DOLLARS FROM THE CONTINGENT FUND FOR THE PURPOSE OF COMPLETING AND INSTALLING THE NEW STREET SIGNS.

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 from the Contingent Fund for the appropriation for the Department of Streets, Sewers and Equipment, for the purpose of providing material and labor necessary to the prompt completion and installation of the City's new concrete street signs.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner

O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

RESOLUTION NO. 1849

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED FIFTY DOLLARS FOR THE REPAIR OF THE STORM SEWER OUTLET.

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

That the sum of One Hundred Fifty Dollars (\$150) be and the same is hereby appropriated from the Contingent Fund to the appropriation for the Department of Streets, Sewers and Equipment to provide funds with which to make necessary repairs to the storm sewer trunk line at the pumping station.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
and Mayor McGarry

RESOLUTION NO. 1850

A RESOLUTION MAKING A TEMPORARY SUBSTITUTE APPOINTMENT TO THE BOARD OF EXAMINERS OF CONTRACTORS AND AUTHORIZING SPECIAL EXAMINATIONS IN CERTAIN CASES.

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

Section 1. That in the absence from the City of F. N. Deigaard, A. B. Pearson be and he is appointed to the Examining Board of Contractors to serve in the place and stead of and until the return of F. N. Deigaard.

Section 2. That the Examining Board of Contractors be and it hereby is authorized to convene at any convenient time or times designated by it for the purpose of conducting special examinations of H. L. Gooch and E.H. Rawle, applicants for license as building contractors.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

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

APPROV
ATTEST

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

APPROVED:

Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 18, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:15 o'clock p.m., Tuesday, October 18, 1938.

Mayor McGarry in the Chair; Commissioners Avery, Phillips, Rinehart present. Commissioner O'Shaughnessy absent.

The minutes of the meeting of October 4, 1938, were read and approved.

Commander N. B. Ellis, of the United States Naval Communications Reserve, appeared to request permission to use space on the third floor of the City Hall as the headquarters for the local unit of the naval reserve. The Commission authorized the City Manager to allow such use, with the understanding that the quarters would have to be vacated by the naval reserve unit whenever it appeared necessary that they be used for City purposes.

Upton C. Ewing appeared before the Commission to request permission to use cement roofing tile on a building he is constructing on Avenue Madeira. The Commission declined to authorize the use of such tile, and instructed the City Manager to appoint a committee to consist of the Building Inspectors of Coral Gables, Miami and Miami Beach, and unbiased architects or builders to make definite recommendation to the City as to the control of both building block tile and brick and roofing tile.

RESOLUTION NO. 1851

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED AND FIFTY DOLLARS FOR 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 Fifty (\$250) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of securing a full page advertisement in the coming issue of Kim's Guide to Florida, at a cost of not more than said sum.

was introduced and read.

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

"Yes" - Commissioners Avery
Phillips
Rinehart
Mayor McGarry
Absent - Commissioner O'Shaughnessy

RESOLUTION NO. 1852

A RESOLUTION AUTHORIZING THE SALE OF
CERTAIN TELEPHONE POLES TO SOUTHERN
BELL TELEPHONE & TELEGRAPH COMPANY.

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

That the Mayor be and he is hereby authorized and directed to execute and deliver in the name and on behalf of The City of Coral Gables, Florida, and as its act and deed, the warranty deed, bearing the date of October 18, 1938, conveying to the Southern Bell Telephone & Telegraph Company property described as thirteen standing telephone poles, located on the south side of Coral Way, beginning with and including a pole located 102 feet west of S.W. 66th Avenue, and extending in a westerly direction for a distance of five poles, or 440 feet, to a pole located 109 feet east of the Florida East Coast Railroad, and beginning with and including a pole located 159 feet west of said railroad, and extending in a westerly direction for a distance of eight poles, or 774 feet, to a pole located 311 feet east of Alderman Street, within the city limits of Coral Gables, in Dade County, Florida; which said warranty deed was produced at this meeting and is hereby approved; and the City Clerk be and he is hereby authorized and directed to attest said warranty deed and to affix thereto the corporate seal of said City.

was introduced and read.

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

The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
Phillips
Rinehart
Mayor McGarry
Absent - Commissioner O'Shaughnessy

The City Manager discussed with the Commission the question of limiting the business hours of beer bars, and the following ordinance was introduced and read.

AN ORDINANCE FIXING THE HOURS DURING
WHICH CERTAIN VENDORS OF ALCOHOLIC
BEVERAGES MAY BE OPEN FOR BUSINESS
AND TRANSACT SALES OF SAID BEVERAGES.

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 Phillips. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
Phillips
Rinehart
Mayor McGarry
Absent - Commissioner O'Shaughnessy

Thereupon, the Ordinance was read again in full. Motion for adoption of the Ordinance by Commissioner Rinehart; seconded by Commissioner Phillips.

The Ordinance was adopted by the following roll call:

"Y es" - Commissioners Avery
Phillips
Rinehart
Mayor McGarry
Absent - Commissioner O'Shaughnessy

Mayor McGarry then declared the Ordinance adopted and approved, and ordered its publication as No. 310.

RESOLUTION NO. 1853

A RESOLUTION APPROPRIATING THE SUM OF ONE THOUSAND DOLLARS FOR THE EMPLOYMENT OF ADRIAN WYCHGEL AND ASSOCIATES FOR A SURVEY OF THE SITUATION OF THE UNIVERSITY OF MIAMI.

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

That the sum of One Thousand Dollars (\$1,000) be and the same is hereby appropriated from the Contingent Fund, and the City Manager be and he is hereby authorized to execute an agreement or contract with Adrian Wychgel and Associates of New York City for a complete survey of and report on the present situation and future possibilities of the University of Miami, at a cost not to exceed the amount of this appropriation.

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
Phillips
Rinehart
Mayor McGarry
Absent - Commissioner O'Shaughnessy

RESOLUTION NO. 1854

A RESOLUTION APPROPRIATING FOR THE EXPENSES OF G. N. SHAW & WILLIAM SYDOW TO WASHINGTON IN CONNECTION WITH THE INCINERATOR PROJECT.

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

That the sum of Four Hundred Dollars (\$400) be and the same is hereby appropriated from the Contingent Fund to the fund for the proposed P.W.A. Incinerator Project to defray the expenses of G. N. Shaw and William Sydow to Washington to attempt to secure approval of said project; provided, however, that the expenses of William Sydow, advanced hereunder, shall be charged against and deducted from, his fee for engineering services upon said project, of secured.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Phillips; the resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 Phillips
 Rinehart
 Mayor McGarry
 Absent - Commissioner O'Shaughnessy

A communication was received from Senator James E. Calkins, suggesting a revision of the street naming system of the City, and the City Clerk was directed to reply thereto.

A communication was received from W. E. Lester, Executive Vice President of the Greater Miami Board of Trade, concerning reciprocity between Coral Gables and Miami in the matter of business licenses. The Commission reviewed the present policy of Coral Gables licenses, and decided that no change should be made at this time, and instructed the City Manager and the City Clerk to draft a proper reply to Mr. Lester's letter.

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

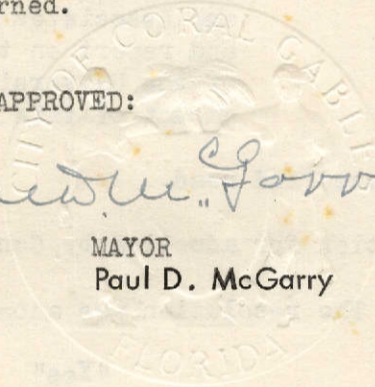
APPROVED:

Paul D. McGarry

MAYOR
 Paul D. McGarry

ATTEST:

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



MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 26, 1938

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened in special session at the City Hall at five o'clock p.m. on Wednesday, October 26, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Rinehart and Phillips present.

RESOLUTION NO. 1855

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.

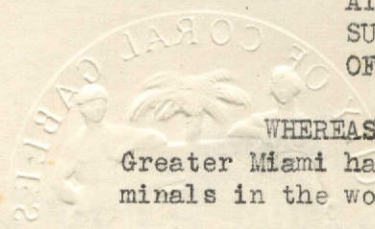
was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- Mayor McGarry

RESOLUTION NO. 1856

A RESOLUTION PLEDGING PARTICIPATION IN THE CONSTRUCTION OF A GREATER MIAMI INTERNATIONAL AIRPORT IN THE AMOUNT OF TEN THOUSAND DOLLARS SUBJECT TO LEGAL POWER VESTED IN THE CITY OF CORAL GABLES.



WHEREAS, Due to its location and favorable climate Greater Miami has become one of the most important air terminals in the world; and

WHEREAS, The benefits of this business are realized by all communities of this area; and

WHEREAS, It is necessary for the community to provide longer runways, more spacious terminal accommodations for the air transport companies and complete office accommodations for local, Federal and airline officials; and

WHEREAS, The City of Miami has applied to P.W.A. for a loan and grant of \$740,000 for terminal accommodations based on a self-liquidating loan and to W.P.A. for \$1,555,726.02

for landing field facilities, the latter requiring community sponsor contribution of money, service, material and equipment in the amount of approximately \$553,035.60; and

WHEREAS, We are advised the City of Miami is willing to assume the responsibility of providing the 870 acres of land required, of providing the terminal accommodations and of providing W.P.A. sponsor contribution of approximately a quarter of a million dollars, consisting of money, service, materials and equipment; and

WHEREAS, Dade County Commission with the cooperation of its Budget Board has pledged W.P.A. sponsor participation in the amount of \$150,000, subject to legal powers vested in such Commission; and

WHEREAS, The City of Coral Gables is desirous of participation in this worthy undertaking according to its reasonable share:

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

Section 1. That The City of Coral Gables hereby endorses the Greater Miami International Airport Project and pledges W.P.A. sponsor participation in the project to the extent of \$10,000 subject to legal power vested in its governing body by the Laws of Florida.

Section 2. That The City of Coral Gables pledges to take such official actions as are possible and necessary to carry out such participation, when and as needed, following W.P.A. authorization to start work on the Project.

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
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

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

ATTEST:

G. N. Shaw

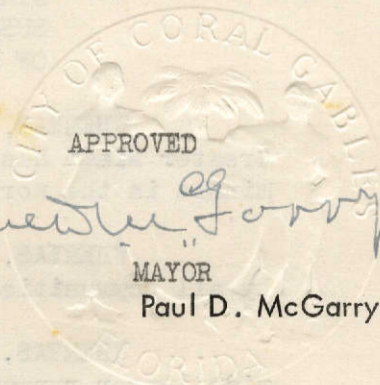
CITY CLERK
G. N. Shaw

DEPUTY CITY CLERK

APPROVED

Paul D. McGarry

MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 1, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m., on Tuesday, November 1, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meetings of October 18 and 26 were read and approved.

RESOLUTION NO. 1857

A RESOLUTION AUTHORIZING THE PURCHASE OF A CERTAIN TEN THOUSAND DOLLAR NOTE BY THE EMPLOYEES' COMPENSATION FUND, FOR THE PURPOSE OF ASSISTING IN FINANCING THE CONSTRUCTION OF A GARBAGE INCINERATOR.

WHEREAS, It has become necessary to amend the proposals contained in the application to the Public Works Administration for a loan and grant for the purpose of financing the construction of a garbage incinerator for The City of Coral Gables, said application being known as Public Works Administration Docket Florida 1499, so as to provide for a Public Works Administration loan of \$20,000 instead of \$30,000, as originally applied for; and

WHEREAS, The cost of said project continues to be \$54,545, and the revised application is for a loan of \$20,000 and a grant of \$24,545, necessitating separate and additional financing to the extent of \$10,000; and

WHEREAS, The Employees' Compensation Fund of the City contains the sum of \$15,274.28, which the Commission deems to be greatly in excess of the claims which may reasonably be expected to arise against said fund in any year, due to the classified and restricted nature of the injuries which may be compensated for from said fund under the Ordinance by which it was established; and

WHEREAS, It is the unanimous opinion of the Commission and its advisors that a cash reserve of approximately \$5,000 in said fund would be sufficient protection during the intervals between the annual appropriation and levy ordinances, out of which said fund can be replenished for the amount of any drafts or claims upon it;

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

Section 1. That the City Manager and the Director of Finance be and they hereby are authorized, upon approval of Public Works Administration Docket Florida 1499 and the allotment of the Public Works Administration funds applied for thereunder, to invest \$10,000 of the funds in the Employees' Compensation Fund in a note for that amount, to be executed by them on behalf of the Incinerator Fund of The City of Coral Gables, said note to be payable as to principal only after the retirement of the Incinerator Revenue Certificates to be issued and sold to the Public Works Administration in connection with said project, to bear and accrue interest at

the rate of four per centum (4%) per annum, but interest upon said note not to be paid unless and until there shall be in the Incinerator Debt Service Reserve established and provided by Ordinance No. 304 a sum in cash equal to the principal and interest requirements upon the Incinerator Revenue Certificates for the next three subsequent fiscal years, said note to be in any and all respects secondary and subordinate to the lien of the Incinerator Revenue Certificates authorized to be issued by said Ordinance No. 304.

Section 2. That upon the execution of said note and the purchase thereof by the Employees' Compensation Fund the moneys received for such purchase shall be deposited in the Incinerator Construction Account established and provided in Section Seven of Ordinance No. 304, and shall thereafter be subject to the same restrictions and provisions as to use and application as are set forth in said Ordinance No. 304 for the use and application of moneys received from the sale of Incinerator Revenue Certificates.

Section 3. That the City Manager and the Director of Finance be and they are hereby authorized to earmark and place in escrow in any of the authorized depositories of The City of Coral Gables, out of the funds in the Employees' Compensation Fund, cash in the sum of \$10,000 or United States Treasury Bonds of a present market value of not less than that amount, to be held in said escrow pending the approval of the said P.W.A. Docket Florida 1499 and the allotment of P.W.A. funds thereto, for the purpose of purchasing the note authorized to be issued by Section 1 hereof.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1858

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS FOR ADVERTISING IN LOCAL NEWSPAPERS.

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

That the sum of Three Hundred Dollars (\$300) be and the same is hereby appropriated from the Contingent Fund for the purpose of placing advertising matter to the extent of One Hundred Dollars (\$100) each in the Miami Riviera, Miami Herald and the Miami Daily News.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1859

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED DOLLARS FOR CERTAIN STREET PAVEMENT.

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

That the sum of Two Hundred Dollars (\$200) be and the same is hereby appropriated from the Contingent Fund for the purpose of widening the pavement near and around the Church of the Little Flower.

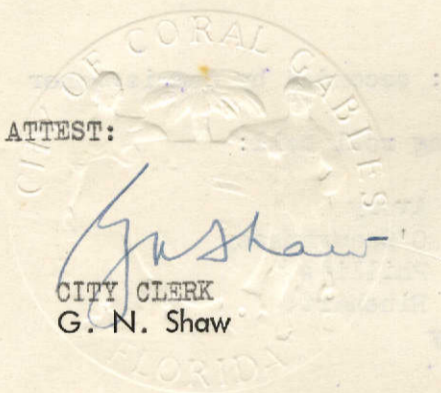
was introduced and read.

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

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- Mayor McGarry

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:

Paul D. McGarry

MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 15, 1938

Pursuant to call of special meeting by Mayor McGarry and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 10:30 o'clock A.M. on Tuesday, November 15, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1860

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
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1938 AND ENDING JUNE 30, 1939; FIXING THE RATE OF SUCH TAXES FOR THE PURPOSE OF PAYING SERVICE OF DEBTS AND MEETING OPERATING REQUIREMENTS; AND PROVIDING FOR THE SEGREGATION AND APPLICATION OF THE PROCEEDS FROM THE SEVERAL LEVIES.

was introduced and read by title on first reading.

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 Phillips.

The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

Thereupon, the Ordinance was read again in full.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

Mayor McGarry then declared the ordinance adopted and approved, and ordered its publication as No. 311.

RESOLUTION NO. 1861

A RESOLUTION APPROPRIATING FOR THE EXPENSE OF CITY OFFICIALS TO THE FLORIDA LEAGUE OF MUNICIPALITIES CONVENTION AT PENSACOLA.

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 defray the expenses of any of the City Officials who may elect to attend the Florida League of Municipalities Convention at Pensacola on December 1 and 2.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1862

A RESOLUTION APPROPRIATING ANY AMOUNTS TO BE RECEIVED BY THE CITY AS A RESULT OF THE REASSESSMENT OF UNPAID 1928, 1929 AND 1930 CITY TAXES.

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

That any moneys hereafter received by The City of Coral Gables as a result of the re-assessment of unpaid 1928, 1929 and 1930 City taxes be and the same are hereby appropriated to the Contingent Fund of The City of Coral Gables; and such moneys as received shall be deposited among the general funds of the City of Coral Gables and used for the purpose of defraying expenses under special appropriations made heretofore or which shall be hereafter made by action of the Commission of The City of Coral Gables, Florida.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

RESOLUTION NO. 1863

A RESOLUTION APPROPRIATING EIGHTEEN DOLLARS FOR A GOLF TROPHY.

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

That the sum of Eighteen Dollars (\$18) be and the same is hereby appropriated from the Contingent Fund for the purpose of providing a caddy bag as a trophy to be given in the golf tournament to be held in conjunction with the convention of the security dealers at the Miami Biltmore Hotel.

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
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

A communication from W. D. Fuller advised the Commission of the decision of the Florida Power & Light Company to allow the City a discount of 20% on any of its service bills, exclusive of street lighting bills, which are paid within the usual discount period. The Commission instructed that a letter of appreciation be sent to Mr. Fuller and his Company for their splendid cooperation in minimizing the operating costs of the City.

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

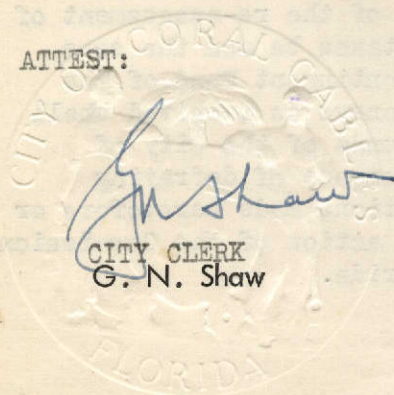
APPROVED:

Paul D. McGarry

MAYOR

Paul D. McGarry

ATTEST:



MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 6, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, December 6, 1938.

Mayor McGarry in the Chair; Commissioners Avery and O'Shaughnessy present.

The minutes of the meetings of November 1 and 15, 1938, were read and approved.

Commissioners Phillips and Rinehart then joined the meeting.

The Clerk reported to the Commission that the Florida Power & Light Company had filed new rate schedules with the City, and reported that those new rate schedules reflect an approximate saving of 22½% to the average consumer.

Mr. Hill and Mrs. Miller appeared before the Commission in connection with taxes on Lot 14, Block 124, Country Club Section #6. Mr. Hill claimed that when he paid the 1937 taxes, an employee of the tax collection office told him that the Homestead Exemption would not be allowed if the property were rented, but that later he had discovered that temporary renting of the property was not a bar to the exemption. He petitioned that the allowance be made at this time. The Commission took the matter under advisement.

Mrs. Williamson, the owner of the building on Lot 1, Block 32, Section "L", appeared with the claim that she had filed Homestead Exemption, had lost her receipt, and that the exemption application had been lost in the offices of the City Hall. Thereupon the following resolution:

RESOLUTION NO. 1864

A RESOLUTION AUTHORIZING THE TAX ASSESSOR
TO AMEND HIS ROLL TO GRANT HOMESTEAD
EXEMPTION ON LOT 1, BLK. 32, SECTION "L".

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

That the Tax Assessor be and he is hereby
authorized to amend his 1938 Tax Roll in order to allow
Homestead Exemption upon the property located on Lot 1,
Block 32, Section "L".

was introduced and read.

Motion for adoption By Commissioner O'Shaughnessy; seconded by
Commissioner Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

RESOLUTION NO. 1865

A RESOLUTION APPROPRIATING THE SUM OF
 FOUR HUNDRED DOLLARS FOR PUBLICITY
 BOOKLETS.

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

That the sum of Four Hundred Dollars (\$400) be
 and the same is hereby appropriated from the Contingent
 Fund for the purpose of preparing and publishing five
 thousand (5,000) publicity booklets under the direction
 of R. M. Munroe.

was introduced and read.

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

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

The City Manager discussed with the Commission the matter of the
 Cocoplum Bridge, and was instructed to determine how the repairs should
 be made, to make a final effort to secure County assistance in the work,
 and then to refer the matter again to the Commission for further action.

The City Manager reported to the Commission the cost of paving
 Avenues Sarria and Garcia from Red Road to Amaro Street. After discussion
 of the situation, the Commission decided that the work could only be done
 at the cost of the abutting property, and asked the City Manager to determine
 from the abutting property owners whether they were willing to accept
 special assessment liens against their property for the cost.

RESOLUTION NO. 1866

A RESOLUTION APPROPRIATING THE SUM OF
 FIFTY-TWO DOLLARS FOR THE PURCHASE OF
 CERTAIN PAINTINGS.

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

That the sum of Fifty-two (\$52) Dollars be
 and the same is hereby appropriated from the Contingent
 Fund for the purpose of purchasing certain paintings
 from the Works Progress Administration, to be hung in
 the City Hall or the new Community Service Building.

was introduced and read.

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

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

The City Manager discussed with the Commission the matter of trade inducement machines in local stores. Commissioner Phillips was asked to secure an expression from the Chamber of Commerce and the Merchants Bureau as to their attitude toward these machines, and to report back to the Commission.

The Tax Assessor presented to the Commission an instance of what appeared to be a misunderstanding between the Equalization Board, himself, and Mr. Joseph Weintraub, the owner of Lots 16 and 17, Block 4, Section "C", as to the result of the Equalization Board's findings and determination in regard to the 1938 assessment of that property. It appearing that the Equalization Board had decided upon a value lower than that appearing on the present tax roll, the following resolution

RESOLUTION NO. 1867

A RESOLUTION AUTHORIZING AN ADJUSTMENT OF THE 1938 TAX ROLL AS TO LOTS 16 & 17, BLOCK 4, SECTION "C".

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

That the Tax Assessor be and he is hereby authorized and instructed to amend his 1938 tax roll to show a total taxable value of \$16,050 in connection with Lots 16 and 17, Block 4, Section "C".

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

RESOLUTION NO. 1868

A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN LEASE TO LOTS 13 TO 18, INCLUSIVE, BLOCK 31, DOUGLAS SECTION.

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 a lease and agreement between The City of Coral Gables and J. B. Bryan, covering Lots 13 to 18, inclusive, Block 31, Douglas Section, for the purpose of operating an automobile parking lot, on the following terms:

Mr. Bryan to prepare and clear the property at his own expense; consideration to be \$100 per month payable monthly in advance; term of the lease not to exceed that of the 1938-39 winter schedule of ice skating events in the Coliseum.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

The Commission then instructed that the money to be received from the above authorized lease be reserved for use in the development of tennis courts and playgrounds in and around the City Park in Block 44, Douglas Section, or upon the lots owned by the City in the neighborhood.

RESOLUTION NO. 1869

A RESOLUTION ACCEPTING A DEED AND DEDICATION OF BLOCK 238, RIVIERA SECTION, AND A CERTAIN REPLAT OF A PORTION OF BLOCK 82, BISCAYNE BAY SECTION PART 1, PLAT A.

WHEREAS, The owners of Lots 1 to 17, inclusive, Block 82, Biscayne Bay Section Part 1, Plat A, have tendered to the City a deed to Block 238, Riviera Section, lying in the center of Sunset Road near Cocoplum Plaza, to be used for street purposes, and have offered to accept in exchange for that property the strip of land approximately 80 feet wide lying between the north line of Lots 1 to 10, inclusive, Block 82, Biscayne Bay Section and the extended south line of Sunset Road as it appears on the plat of Biscayne Bay Section in connection with Block 83 of that section and the other blocks to the westward; and,

WHEREAS, Said property owners have also filed with the City an amended plat of portions of Block 82, Biscayne Bay Section, affecting Lots 1 to 17, thereof, setting forth the new street lines and lot boundaries after the elimination of said Block 238, Riviera Section

as a privately owned parcel of property, and after extending the private property line of Lots 1 to 10, Block 82, Biscayne Bay Section northward as previously described; and,

WHEREAS, The City Commission is of the opinion that this exchange of property would greatly improve the street situation in the neighborhood of Cocoplum Plaza;

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

Section 1. That the City of Coral Gables hereby accepts the deed and dedication of Block 238, Riviera Section for street purposes, and in exchange therefor, releases what claims it may have upon that land shown in previous plats as a part of Sunset Road, but shown in the proposed re-plat as a part of Lots 1 to 10, inclusive, Block 82, Biscayne Bay Section Part 1.

Section 2. That The City of Coral Gables hereby accepts and approves that certain re-subdivision of a portion of Block 82, Biscayne Bay Section Part 1, Plat A, prepared by M.B.Garris, Civil Engineer, and executed under date of November 14, 1938, by Thomas L. Webb, Mary C. Webb, John Leonardi, Florence Leonardi and Coral M. Lowe as the owners of the property affected by said plat.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1870

A RESOLUTION AUTHORIZING THE REPURCHASE OF CERTAIN TAX SALE CERTIFICATES ON PROPERTY WEST OF RED ROAD.

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 repurchase from Joseph H.P. Klein at a cost not to exceed the face value thereof, Certificate No. 21703, and Certificate No. 20950 for taxes for the year 1934, amount, \$66.85; said certificates having been issued and sold upon property west of Red Road, excluded from the City subsequent to their sale, and having been held by the Courts to be void and uncollectible in an action to convert them to tax deeds.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart

Mayor McGarry

A communication was received from Olive M. and Mae B. Callahan, the owners of the property described as: the North $\frac{1}{2}$ of N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 30-54-41 East of F. E. C. Railway, requesting that they be remunerated for the 60 ft. strips taken from their property at each end for the Ponce de Leon Boulevard and Homestead Highway rights-of-way by the cancellation of City taxes through the year 1938, an adjusted amount of approximately \$1,070. The Commission requested that the matter be brought up again at the next meeting, and that Dade County officials be approached to determine whether they would assist the City in securing and paying for that part of the dedication which affects the Miami-Homestead Highway.

The City Attorney was instructed to prepare a resolution stating the City's opposition to federal taxation of municipal bonds or municipal incomes, and retroactive income taxation upon municipal salaries, and to report the resolution at the next meeting for adoption.

RESOLUTION NO. 1871

A RESOLUTION EXPRESSING THE APPROVAL OF THE COMMISSION TO THE PLAN TO DEVELOP A PUBLIC BATHING BEACH AND PARK IN THE STRIP OF LAND RUNNING FROM BAKER'S HAUL-OVER NORTHWARD TO SUNNY ISLE.

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

That this Commission approves and endorses the movement to create a public park and bathing beach on the land and ocean front running northward from Baker's Haulover toward Sunny Isle; and urges the County Commission to do everything possible to bring about the realization of this worthwhile project.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner Avery. The resolution was adopted by unanimous vote.

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES

and

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES KNOWN AS THE ZONING ORDINANCE, AS TO USE REQUIREMENTS IN BLOCK 116, COUNTRY CLUB SECTION #6, BLOCK 22, FLAGLER SECTION, AND BLOCK 148, RIVIERA SECTION.

were introduced and read.

Motion by Commissioner Rinehart that the requirement for reading on two separate days be dispensed with and that the ordinances be placed on second reading at once; seconded by Commissioner Phillips. The motion was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

Thereupon the ordinances were read again in full.

Motion for adoption of the ordinances by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The ordinances were adopted by the following roll call:

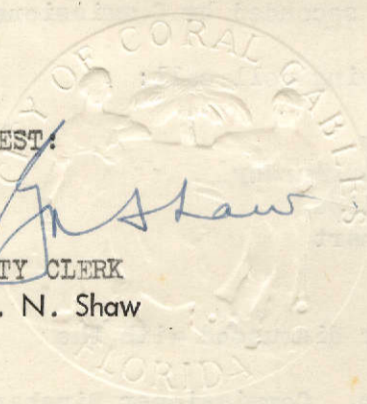
"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

Mayor McGarry then declared the ordinances adopted and approved, and ordered their publication as No. 312 and 313, respectively.

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:

Paul D. McGarry
MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION ON
DECEMBER 13, 1938

Pursuant to call of special meeting by Mayor McGarry and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 4:30 o'clock p.m. on Tuesday, December 13, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

RESOLUTION NO. 1872

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 are 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
O'Shaughnessy
Phillips
Rinehart

Mayor McGarry

City Manager Williams and Mr. Rodney Miller discussed with the Commission the structural situation at the Coliseum. Commissioner Rinehart moved that the City Manager, the Director of Public Service, the Building Inspector, make a report of the necessary emergency repairs to be done for the safety of the public, and of other necessary repairs, and that the City Manager call upon the H. L. Doherty & Company to make the repairs and to pay for the repairs previously made, giving that Company five days in which to reply to or comply with the demand; seconded by Commissioner O'Shaughnessy. The motion was adopted by unanimous vote.

Attorney Phillip E. Paine addressed the Commission in regard to trade-stimulating machines. After a discussion of the subject, which had

been before the Commission previously, it was decided to forbid the use of trade-stimulating machines in The City of Coral Gables

Mayor McGarry and City Manager Williams then discussed with the Commission the terms of the proposed gas franchise. Commissioner Avery moved that the City Manager write Messrs. Starr and Copeland advising them that the Commission is not in position at this time to consider granting a gas franchise to anyone. Motion seconded and unanimously carried.

RESOLUTION NO. 1873

A RESOLUTION APPROPRIATING THE SUM OF TWENTY-EIGHT HUNDRED DOLLARS FOR NECESSARY REPAIRS TO THE COCOPLUM PLAZA BRIDGE

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

That the sum of Twenty-eight Hundred Dollars (\$2800) be and the same is hereby appropriated from the funds to be received from the City's share of the County Road and Bridge levy, for the purpose of making necessary repairs to the Cocoplum Plaza bridge; and the City Manager and the Director of Public Service be and they are hereby authorized to undertake such repairs at this time within the amount appropriated by this resolution.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- Mayor McGarry

It was then moved, seconded and unanimously carried that Forty-five Dollars (\$45) of the amount previously appropriated for advertising in the Miami Riviera be used for the purpose of placing an advertisement in the Winter Welcome Edition of the Miami Beach Tropics, to be published on December 16, 1938.

RESOLUTION NO. 1874

A RESOLUTION APPOINTING LLOYD SOLIE DEPUTY CITY CLERK FOR THE PURPOSE OF PROVIDING A CLERK OF THE MUNICIPAL COURT.

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

That Lloyd H. Solie be and he is hereby appointed Deputy City Clerk with full power to perform such duties as are required of the City Clerk in connection with matters coming before the Department of Police and the Coral Gables Municipal Court.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The Resolution was adopted by unanimous vote.

RESOLUTION NO. 1875

A RESOLUTION REGARDING FEDERAL TAXATION
OF MUNICIPAL SECURITIES, REVENUES AND
SALARIES.

WHEREAS, The Federal Government contends under the decision by the United States Supreme Court in the case of Helvering vs. Gerhardt, that the principle of immunity from taxation protects the Federal Government against taxation by the several states but does not necessarily shield the states and their governmental units against the exercise of the delegated and supreme taxing power of the Federal Government; and

WHEREAS, The Federal Government now claims the power to tax the outstanding issues of municipal bonds and securities, as well as future issues; and

WHEREAS, The Federal Government also claims the power to impose the Federal corporate income tax on the revenues of municipal proprietary revenue-producing functions and operations; and

WHEREAS, The Federal Government further claims the power to tax the salaries of municipal employees, and that such authority may include the back-assessment of such taxes for each year back to 1926;

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

1. That if municipal, state and county securities are to be taxed by the Federal Government, the consent of the several states should be obtained first through a constitutional amendment permitting the reciprocal taxation of Federal securities by the several states.
2. That congressional legislation should be enacted specifically relieving from Federal taxation any and all revenues of municipalities and their agencies.
3. That congressional legislation should be enacted to prevent the retroactive application of any Federal tax upon the officers and employees of municipalities.
4. That the financial loss to the states and their local units of government through any Federal tax upon their bonds and securities and the salaries of their officers and employees should be offset by making adequate provision for local taxation of Federal property, or service charges in lieu thereof, or for the municipalities to share in the federally collected income taxes, or otherwise.
5. That a copy of this resolution be sent to each Senator and Representative of Florida.

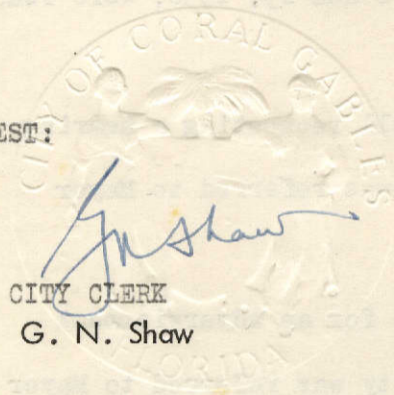
was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillip
Rinehart
Mayor McGarry

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

ATTEST:



CITY CLERK
G. N. Shaw

APPROVED:

MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION

DECEMBER 20, 1938

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock p.m. on Tuesday, December 20, 1938.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Phillips and Rinehart present.

The minutes of the meetings of December 6 and 13, 1938, were read and approved.

A communication from Copeland and Therrell requesting a hearing before the Commission on the proposed gas franchise was referred to Mayor McGarry for reply and action.

A bill from the "Florida Golfer" for \$25 for an advertisement placed in the magazine without authority of the City was referred to Mayor McGarry, at his request, for handling with the Florida Golfer Publishing Company.

The City Manager reported that an automobile testing machine, which would greatly improve the automobile inspections made by the Police Department, could be bought for \$887.50, in consideration of the fact that the machine had been used for demonstration purposes, whereas the new price of such equipment is \$1,115.00. The following

RESOLUTION NO. 1876

A RESOLUTION APPROPRIATING THE SUM OF EIGHT HUNDRED EIGHTY-SEVEN DOLLARS AND FIFTY CENTS FOR THE PURCHASE OF AN AUTOMOBILE TESTING MACHINE.

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

That the sum of Eight Hundred Eighty-Seven Dollars and Fifty Cents (\$887.50) be and the same is hereby appropriated from the Contingent Fund for the purpose of purchasing equipment for the testing of automobiles by the Coral Gables Police Department.

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
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

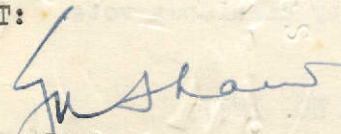
The Commission again discussed the Homestead Exemption matter of Mrs. Gertrude Miller, concerning Lot 14, Block 144, Country Club Section #6, presented to the Commission at a previous meeting, and unanimously decided that no exemption could be allowed Mrs. Miller on 1938 taxes.

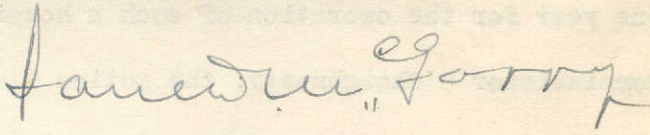
A communication was received from R. L. Hardy, Engineer of Direct Distributors, requesting an exception to the City's requirements in order to permit the installation of two 2,479 gallon underground tanks at the northwest corner of S. W. Eighth Street and Douglas Road in connection with the filling station now being built at that location. The Commission was informed that the City Manager and the Director of Public Safety do not oppose the exception. Thereupon, it was moved, seconded and unanimously carried that the exception be made and that a permit be issued for the installation of the tanks.

The Clerk reported recommendations of the Zoning Board of Appeals, but action thereon was deferred until the next meeting.

It was moved, seconded and unanimously carried that the regular meeting scheduled for Tuesday, January 3, 1939, be dispensed with.

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

ATTEST:

CITY CLERK
G. N. Shaw

APPROVED:

MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION

JANUARY 17, 1939

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, January 17, 1939.

Mayor McGarry in the Chair; Commissioners O'Shaughnessy, Phillips and Rinehart, present.

The minutes of the meeting of December 20, 1938, were read and approved.

Commissioner Avery joined the meeting at 5:18 o'clock, p.m.

A delegation appealed to the Commission for an exception to the Zoning Ordinance to permit the use of the building recently known as the "Don Carlos" Apartments, located in Block 165, Riviera Section, at the corner of Fontana and Pavia, as a Childrens Convalescent Home and Sanitarium. It was explained to the Commission that the organization to operate the Childrens Home would be non-profit and non-sectarian, and that the children to be cared for would be children from the North with rheumatic heart and other similar troubles.

Commissioner Rinehart moved that a temporary permit be granted for one year for the operation of such a hospital at that location; seconded by Commissioner O'Shaughnessy; the motion was adopted by unanimous vote.

RESOLUTION NO. 1877

A RESOLUTION AUTHORIZING AND DIRECTING THE CLERK OF THE CIRCUIT COURT TO CANCEL ALL CITY OF CORAL GABLES TAX SALE CERTIFICATES FOR THE YEARS 1928, 1929 AND 1930 OWNED BY AND PAYABLE TO THE CITY OF CORAL GABLES.

WHEREAS, Tax Sale Certificates for the tax years 1928, 1929 and 1930 have been held by the Supreme Court of the State of Florida to be invalid, and the tax liens represented by such Tax Sale Certificates have been superseded by an assessment made by the City of Coral Gables in November, 1938, for the purpose of back-assessing and re-establishing such unpaid tax liens;

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

That the Clerk of the Circuit Court be and he is hereby authorized and instructed to enter and cancel all Tax Sale Certificates for taxes for the years 1928, 1929 and 1930 remaining upon his records in the name of and payable to The City of Coral Gables, 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
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

Mayor McGarry appointed Commissioners Rinehart, Avery and himself as a committee to cooperate with the City Attorney in the steps necessary to secure and complete the exchange of City Bonds held by W. V. Knott, State Treasurer as Ex Officio Bada County Treasurer.

RESOLUTION NO. 1878

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS TO ASSIST IN THE EXPENSE OF THE INTERNATIONAL FOUR BALL TOURNAMENT TO BE HELD AT THE MIAMI BILTMORE COUNTRY CLUB.

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

That the sum of Two Hundred Fifty (\$250) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of assisting in the expense of the International Four-Ball Golf Tournament to be held at the Miami Biltmore Hotel and Country Club.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1879

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SIGN A STIPULATION IN THE MANDAMUS PROCEEDINGS AGAINST THE CITY BY G. E. VALLETTE AND TO ACCEPT SERVICE OF PEREMPTORY WRIT OF MANDAMUS WHEN ISSUED IN SAID CAUSE.

WHEREAS, At a hearing before the Honorable John W. Holland, United States District Judge, Southern District of Florida, upon a motion by G. E. Vallette, Relator (judgment creditor in suit against the City, No. 2512-M-Civil, United States District Court) for a peremptory writ of mandamus directed to the City requiring it to make on the 1938 tax roll a tax levy sufficient to pay the judgment of the said Relator in the sum of Eight Thousand, Six Hundred Twenty-three Dollars and Eighty-nine Cents (\$8,623.89), to-

gether with interest at the legal rate from May 16, 1938, and together with costs therein taxed in the sum of Twenty-two Dollars and Forty-eight Cents (\$22.48), the Court was of the opinion that the writ should not direct the City to include a special tax levy for this purpose on the 1938 tax roll, and that, if the City could and would pay to the Relator during the fiscal year 1938-39 one sixth (1/6th) of the principal amount of said judgment, together with interest thereon and the costs, then the peremptory writ should issue directing the City to make a special earmarked tax levy in each of five (5) years, beginning with the tax year 1939, in an amount sufficient in each year to pay one-sixth (1/6th) of the said judgment, together with interest at the legal rate, but that, if the Respondent City did not make the aforesaid payment on or before August 15, 1939, then the Relator would be entitled to a peremptory writ of mandamus requiring the City to make the special earmarked tax levies in each of four (4) years, beginning with the tax year 1939, in an amount sufficient to pay one-fourth (1/4th) of the said judgment, together with interest and costs in each of said years; and,

WHEREAS, It is to the interest of the City to spread the payment of the said judgment over as many years as possible;

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

1. That the City Attorney be and he hereby is authorized and directed to execute in behalf of the City a stipulation agreeing to pay one-sixth (1/6th) of the said judgment, interest and costs on or before August 15, 1939, and agreeing to the form of the peremptory writ of mandamus requiring special earmarked tax levies to pay one-sixth (1/6th) of the balance of the said judgment in each of five (5) years beginning in the tax year 1939.

2. That the City Attorney be and he hereby is authorized and directed to accept service of the peremptory writ of mandamus, when issued in the said cause, in behalf of the City.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Ye_s" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

Mr. Rollins, of the Rollins Realty Company of Miami, then addressed the Commission in regard to taxes on the property known as the Don Carlos Apartments in Block 165, Riviera Section. Mayor McGarry explained to Mr. Rollins that nothing can be done to relieve the taxes already assessed for the year 1938, but that the Commission would give due consideration to his request for relief at the time of the 1939 meeting of the Equalization Board.

RESOLUTION NO. 1880

A RESOLUTION APPROPRIATING THE SUM OF THIRTY-FIVE DOLLARS FOR AN ADVERTISEMENT IN THE UNIVERSITY OF MIAMI "IBIS".

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

That the sum of Thirty-five Dollars (\$35) be and the same is hereby appropriated from the Contingent Fund for the purpose of placing a paid advertisement in the University of Miami Year Book for 1938-39, the "Ibis".

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1881

A RESOLUTION APPROPRIATING THE SUM OF ONE THOUSAND, FOUR HUNDRED FIFTY DOLLARS FOR REPAIRS TO THE ALHAMBRA CIRCLE BRIDGE.

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

That the sum of One Thousand, Four Hundred Fifty Dollars (\$1,450) be and the same is hereby appropriated from funds received from the City's share of County Road and Bridge taxes for the purpose of making necessary structural repairs and changes to the Alhambra Circle Bridge across the Coral Gables Waterway.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

The Clerk reported to the Commission recommendations of the Zoning Board of Appeals for a reduction to 16,800 cubic feet for the minimum cubic content requirement in Block 117, Riviera Section. The recommendations of the Zoning Board were not approved, the Commission feeling that cubic content requirements should be maintained as originally zoned in that particular area of the Riviera Section.

On a recommendation of the Zoning Board of Appeals that a nursery be permitted on Lots 1 and 2, Block 50, Granada Section, the Commission moved, seconded and unanimously carried approved of the recommendation.

RESOLUTION NO. 1882

A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN PARKWAY LAND ON HARDEE ROAD AND MAGGIORE STREET.

WHEREAS, The foreclosure of a mortgage on the Parks Tract lying at the northeast corner of Maggiore Street and Hardee Road wiped out the plat of Riviera Section insofar as it applies to that Tract, and beclouded the City's title to the parkways lying between that tract and the street; and

WHEREAS, The owner of said tract has offered to deed those parkways to the City in consideration for an amount equal to the 1938 taxes on his tract, and it is deemed wise by the City Commission to accept that proposition in order to protect the uniformity of parkway systems along Hardee Road and Maggiore Street;

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 and instructed to pay to the owner of said Parks Tract an amount equal to the 1938 City taxes thereon in consideration for a deed, the sufficiency of which to be passed upon by the City Attorney, to the parkways around said tract and lying between said tract and the existing streets as shown by record plat of Coral Gables Riviera Section.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1883

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS TO ASSIST IN THE CIRCULATION OF THE CORAL GABLES CITY DIRECTORY BEING PRINTED UNDER THE DIRECTION OF THE CORAL GABLES POST, AMERICAN LEGION.

WHEREAS, Coral Gables Post #98, The American Legion, has prepared and is now printing a City Directory of The City of Coral Gables which is to be distributed to all residents and business people of the City of Coral Gables; and

WHEREAS, It is thought wise, in an effort to promote trade in Coral Gables by people

living just beyond the boundaries of the City, to distribute that booklet in southwestern Miami and other territory immediately adjacent to the City of Coral Gables;

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

That the sum of Two Hundred Fifty Dollars (\$250) be and the same is hereby appropriated from the Contingent Fund for the purpose of purchasing 1,000 copies of the 1938 American Legion Coral Gables Directory, and having said 1,000 copies distributed to residences lying within the territory immediately surrounding the City limits of Coral Gables.

was introduced and read.

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

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1884

A RESOLUTION APPROPRIATING THE SUM OF NINETY-EIGHT DOLLARS AND SIXTY CENTS FOR A TROPHY FOR THE FLAMINGO OPEN PISTOL TOURNAMENT.

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

That the sum of Ninety-eight Dollars and Sixty Cents (\$98.60) be and the same is hereby appropriated from the Contingent Fund for the purpose of procuring a perpetual trophy, to be awarded annually to certain winners in the Flamingo Open Pistol Tournament, being held under the auspices of the Coral Gables Police Department.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

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

APPROVED:

Paul D. McGarry
MAYOR
Paul D. McGarry

ATTEST:

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

MINUTES OF MEETING OF THE CITY COMMISSION

FEBRUARY 7, 1939

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 7, 1939.

Vice Mayor Avery in the Chair; Commissioners O'Shaughnessy, Phillips and Rinehart present.

The minutes of the regular meeting of January 17, 1939 were read and approved.

Mayor McGarry joined the meeting at 5:12 o'clock and assumed the chair.

RESOLUTION NO. 1885

A RESOLUTION APPROPRIATING THE EXPENSE OF THE CITY CLERK TO TALLAHASSEE AND ATLANTA

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

That the sum of Seventy-five Dollars (\$75) be and the same is hereby appropriated to the purpose of paying the City Clerk's expenses to Tallahassee to arrange the exchange of bonds held by the State Treasurer, and to Atlanta to confer with W. P. A. officials concerning the Incinerator Project.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Avery. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

Mr. Larimore and Mr Hyman appeared to request a contribution by the City to the expense of the 1939 Fishing Tournament. Mayor McGarry explained the City's financial difficulties, and assured the gentlemen that should any unused funds be available toward the end of the year, the matter would be given thorough consideration.

RESOLUTION NO. 1886

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO CANCEL AND WRITE OFF ALL REMAINING CITY OWNED TAX LIENS FOR THE YEARS 1925, 1926 and 1927.

WHEREAS, City taxes and Tax Sale Certificates for the years 1928, 1929 and 1930 have been

held by the Supreme Court of Florida to be invalid and unenforceable; and,

WHEREAS, The City still holds a small amount of tax sale certificates for the years 1925, 1926 and 1927, of a combined adjusted value estimated to be less than \$1,500, and said taxes are subject to the same fault as were held by the Court to invalidate the 1928, 1929 and 1930 taxes, and to an even greater degree; and,

WHEREAS, The existence of these few small tax liens for said three years creates a problem in searching the tax records, which will be more expensive to the City tax office and the Clerk of the Circuit Court than is justified by the possible realization out of such taxes;

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 and instructed to cancel and write off all tax liens held by and payable to The City of Coral Gables for the years 1925, 1926 and 1927, and to instruct the Clerk of the Circuit Court to enter such liens upon his records as cancelled.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

- "Yes" - Commissioners Avery
- O'Shaughnessy
- Phillips
- Rinehart
- Mayor McGarry

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, DEFINING THE AUTOMOBILE RENTING BUSINESS, IMPOSING A LICENSE TAX UPON THE BUSINESS OF RENTING AUTOMOBILES, PRESCRIBING AN APPLICATION FOR LICENSE TO ENGAGE IN SUCH BUSINESS, PRESCRIBING AN IDENTIFICATION TAG OR STICKER TO BE ATTACHED TO ALL AUTOMOBILES RENTED BY LICENSEES, AND PRESCRIBING PENALTIES FOR CARRYING ON OR ENGAGING IN SUCH BUSINESS WITHOUT A LICENSE OR OTHER FAILURE TO COMPLY WITH THE PROVISIONS HEREOF, AND REPEALING ORDINANCES IN CONFLICT HEREWITH.

was read by title on first reading and passed on to a later meeting for further discussion and action.

RESOLUTION NO. 1887

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE A CERTAIN AGREEMENT FOR USE OF THE CORAL GABLES FIRST NATIONAL BANK NIGHT DEPOSITORY.

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 and enter into an

agreement with the Coral Gables First National Bank for the use by the City of that institution's Night Depository, said contract and agreement to incorporate the following provisions:

1. All moneys to be deposited in said Night Depository to be covered by insurance, the cost thereof to be paid by the Bank.
2. The Bank to undertake to use all possible diligence and care in the handling of any moneys or other papers deposited by the City or its employees in said depository.
3. For the extra services imposed upon the Bank by the use of said Night Depository, the City to pay to the Bank compensation not exceeding Fifteen Dollars (\$15.00) per month.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

A delegation of architects led by Mr. Upton C. Ewing appeared before the Commission to request a requirement that all building permit applications be signed by the architect as well as by the owner or contractor. The matter was referred to the City Manager.

Messrs. Starr and Copeland appeared before the Commission requesting further consideration of their proposed gas franchise. The Commission consented to reopen the matter, consider it further, and hold a meeting at an early date for the discussion of the proposed gas franchise with Messrs. Starr and Copeland.

RESOLUTION NO. 1888

A RESOLUTION APPROVING A PROPOSED LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY SUBSTITUTING THE SAID COMPANY'S RATE SCHEDULE NUMBER P-4 FOR AND IN LIEU OF THE SAID COMPANY'S RATE SCHEDULE NUMBER X-17 IN THAT CERTAIN STANDARD LARGE POWER AGREEMENT NOW IN EFFECT BETWEEN THE COMPANY AND THE CITY DATED THE 7TH DAY OF JULY, 1936, COVERING ALL POWER AND ENERGY REQUIRED FOR AND IN CONNECTION WITH THE POWER EQUIPMENT IN CONSUMER'S VENETIAN POOL LOCATED AT 2705 DESOTO BOULEVARD, CORAL GABLES, FLORIDA, AND PROVIDING FOR THE AMENDMENT OF SECTIONS 2 AND 7 OF THE SAID STANDARD LARGE POWER AGREEMENT, AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH THE FOREGOING SHALL BE EFFECTED; 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 COMMISSION OF THE CITY
OF CORAL GABLES, FLORIDA:

1. That the proposed Letter 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 of Coral Gables, Florida, 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:

FLORIDA POWER & LIGHT COMPANY
Miami, Florida

City of Coral Gables,
Florida

December 31, 1938

Gentlemen:

This relates to that certain Standard Large Power Agreement now in effect between us, dated the 7th day of July, 1936, covering all power and energy required for and in connection with your Power Equipment in Venetian Pool, located at 2705 DeSoto Boulevard, Coral Gables, Florida, together with all Supplementary Agreements thereto, if any.

We hereby agree, at your request, that as of the 1st day of December, 1938, our Rate Schedule Number P-4, marked Exhibit "B", and made a part hereof, shall be substituted for and in lieu of our Rate Schedule Number X-17, marked Exhibit "A" in the said Standard Large Power Agreement between us.

It is further understood and agreed, at your request, that as of the date of the above substitution, Sections 2 and 7 of the said Standard Large Power Agreement shall be amended to read as follows:

"2. That the minimum quantity of power contracted for hereunder and to be received and paid for by the Consumer shall be 5 KW of Demand."

"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 which would result in a net annual bill to Consumer equal to or lower than Consumer's net annual bill based on Consumer's bills ending on the last meter reading date prior to the effective date of such other Rate Schedule, then the Company shall notify Consumer in writing of such other Rate Schedule and shall deliver to Consumer with the said notice a copy of such other Rate Schedule, and such other Rate Schedule shall be automatically substituted for the Rate Schedule now a part of this agreement, unless Consumer notifies the Company in writing within thirty (30) days from the receipt of Company's notice, that Consumer objects to such substitution and, if there is no objection, beginning with the first billing period thereafter, Consumer shall be billed and pay the Company in accordance with the terms and conditions of such substituted Rate Schedule."

It is further understood and agreed that, except as expressly provided herein, the said Standard Large Power Agreement, together with all Supplementary Agreements thereto, if any, shall remain in full force and effect between us.

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
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

The City Manager was authorized to advise the officials of the City of Miami that The City of Coral Gables would furnish to the Greater Miami Airport Project, as its contribution to the sponsor's cost thereof, a road roller and three dump trucks, for a period of one year.

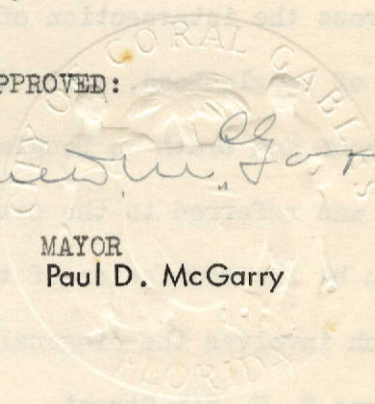
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

ATTEST:

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

Paul D. McGarry
MAYOR
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION
ON FEBRUARY 21, 1939

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 21, 1939.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy and Phillips present; Commissioner Rinehart absent.

The minutes of the meeting of February 7, 1939 were read and approved.

Petition by Florida Power & Light Company to be allowed to run a high tension line down the north side of S. W. 8th Street to Douglas Road, diagonally across the intersection of Douglas Road and S. W. 8th Street to the east side of Douglas Road, again diagonally across Douglas Road to the west side thereof and south on Douglas Road to the Substation at the corner of Bird Road, was referred to the City Manager for study and report, with the expression by the Commission of the desire to discover some other routing than that which involves the diagonal crossing of the intersection of Douglas Road and S. W. 8th Street.

RESOLUTION NO. 1890

A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN AUTOMOTIVE EQUIPMENT AND PROVIDING FOR A LOAN FROM THE TRUST FUND TO FINANCE SAID PURCHASE.

WHEREAS, The City has agreed to lend to the Miami Air Port Project three (3) dump trucks and a road roller, and it becomes necessary to replace in service the old equipment which will be loaned to said project; and

WHEREAS, Money to finance this necessary purchase does not exist in the current budget, but can be spread in the budgets for the three next ensuing years;

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 three (3) dump trucks at a cost not to exceed Six Thousand Dollars (\$6,000); and to finance said purchase, the Director of Finance is hereby authorized to borrow the necessary amount from the Trust Fund of the City of Coral Gables, to be repaid to the Trust Fund in equal installments in the next three ensuing budgets, with interest upon the unpaid balance at the rate of 6% per annum.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner

Commissioner Phillips. The resolution was adopted by the following roll call:

"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Mayor McGarry
Absent - Commissioner Rinehart

RESOLUTION NO. 1891

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED AND FIFTY DOLLARS TO THE EVERGLADES NATIONAL PARK ASSOCIATION.

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

That the sum of Two Hundred and Fifty Dollars (\$250.00) be and the same is hereby appropriated from the Contingent Fund, to be paid to the Everglades National Park Association as the City's contribution to the expenses of that organization.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"YES" - Commissioners Avery
Phillips
Mayor McGarry
Absent - Commissioner Rinehart
Commissioner Avery not voting.

RESOLUTION NO. 1892

A RESOLUTION REQUESTING THAT THE STATE ROAD DEPARTMENT OF THE STATE OF FLORIDA PROCEED IMMEDIATELY WITH THE CONSTRUCTION OF STATE ROAD NO. 26 FROM THE CITY OF MIAMI, FLORIDA, TO THE LAKE OKEECHOBEE REGION OF THE STATE OF FLORIDA.

WHEREAS, There has been constructed a state highway known as State Road No. 26 from the City of Miami, Florida, westward extending along Okeechobee Road in the City of Hialeah, and along the Miami Canal in a westerly direction, approximately twenty miles from the said City of Hialeah, Florida; and,

WHEREAS, The extension of said State Road has been under consideration by the State Road Department of the State of Florida for some time; and,

WHEREAS, The construction by extending the said State Road into the Lake Okeechobee region of the State of Florida, would materially benefit the cities of the Miami area and South Florida and Dade County; and,

WHEREAS, The Construction of said Road into Lake Okeechobee region is in itself of vital importance, not alone to the cities of South Florida but to the State of Florida for trade and commerce; and,

MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 7, 1939

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 7, 1939.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, and Rinehart present. Commissioner Phillips absent.

The minutes of the regular meeting of February 21, 1939, were read and approved.

RESOLUTION NO. 1894

A RESOLUTION APPROPRIATING ONE HUNDRED DOLLARS TO PROVIDE FOR TROPHIES FOR THE METROPOLITAN MIAMI FISHING TOURNAMENT.

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 to be paid to the Metropolitan Miami Fishing Tournament Committee for the purpose of providing trophies to be given in the name of The City of Coral Gables, Florida, in the tournament during the year 1939.

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
- O'Shaughnessy
- Rinehart
- Mayor McGarry
- Absent- Commissioner Phillips

The Commission discussed ordinances requiring certain information to be displayed on commercial vehicles and providing for licenses for U-Drive-It automobile operators, both of which had been previously placed on first reading, but deferred action until a later date.

Commissioner Phillips joined the meeting at 5:20 o'clock p.m.

A petition that the City abate the noise nuisance created by the Deisel motor and the exhaust fan at the Coral Gables Grocery Company was referred to the City Manager for investigation and action.

RESOLUTION NO. 1895

A RESOLUTION ANNOUNCING INTENTION TO APPLY TO THE LEGISLATURE FOR ACTS AUTHORIZING GROUP INSURANCE AND PENSION AND RETIREMENT FUNDS FOR CITY EMPLOYEES, AND AUTHORIZING ANY PRELIMINARY ACTION NECESSARY THERETO.

WHEREAS, At the instruction of the City Commission, the City Attorney has drawn special acts enabling the

the City to provide, by ordinance, for group life, indemnity, accident or annuity insurance for City employees; and an act authorizing the City to establish by ordinance a pension annuity and retirement system for city officers and employees, and those acts have been considered by the City Commission and have been approved; and,

WHEREAS, It is necessary to advertise intention to apply to the Legislature for the passage of said acts and to take other steps legally prerequisite to their passage;

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

That the City Attorney and the City Clerk be and they are hereby authorized to take such steps as may be necessary and required by Florida Law preliminary to the submission of the above mentioned acts to the Legislature during the session of 1939; and they are hereby authorized to incur and pay any costs involved therein.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The resolution was adopted by the following roll call;

"Yes" - Commissioners Avery
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

Messrs. Starr and Copeland appeared to request an opportunity to present their statements and arguments in favor of their proposed gas franchise, and the Commission appointed four o'clock p.m. on Tuesday, March 14 for this purpose.

The City Manager presented the matter of the proposed high tension line of the Florida Power & Light Company running along Tamiami Trail and Douglas Road, but action thereon was deferred until March 14.

RESOLUTION NO. 1896

A RESOLUTION AUTHORIZING THE MOVING OF A CERTAIN STREET LIGHT.

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

That the Florida Power & Light Company be and it is hereby authorized to move one of the street lights at the Bus Terminal to a location on Avenue Valencia approximately one hundred fifty (150) feet west of Granada Boulevard.

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
 O'Shaughnessy
 Phillips
 Rinehart
 Mayor McGarry

The City Manager reported that the Miami Riviera had solicited an advertisement in its issue of Friday, March 17, to be a special edition commemorating the opening of the new Fire and Police Station. The City Commission unanimously agreed that its funds available for such advertisements were exhausted, and that the City would be unable to take space in that edition.

AN ORDINANCE AMENDING ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES, AS TO THE TERMS OF OFFICE OF THE MEMBERS OF THE ZONING BOARD OF APPEALS AND THE EXPIRATION DATES OF SUCH TERMS.

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

A communication from the Coral Gables Federal Savings & Loan Association complaining about the used car lot at the corner of Ponce de Leon Boulevard and Andalusia was referred to the City Manager for investigation and action under the zoning and other ordinances of the City.

A request from the Coconut Grove Civic Club that the City take formal action disapproving the proposed naval air station on Key Biscayne was tabled.

Mr. Roy Page appeared before the Commission in regard to his plans for development of the canal and waterway property in Riviera Section, and was referred to the Zoning Board with the request that the recommendation of that Board be secured before again bringing the matter to the Commission.

RESOLUTION NO. 1897

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ENTER INTO AN AGREEMENT COMPROMISING AND DISPOSING OF THE W. W. BLOUNT JUDGMENT; AND AUTHORIZING THE DIRECTOR OF FINANCE TO INVEST CERTAIN TRUST FUNDS FOR THAT PURPOSE.

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

That the City Attorney be and he is hereby authorized to enter into an agreement by which all claims against The City of Coral Gables arising out of the W. W. Blount Judgment shall be satisfied and disposed of by the payment of a sum not in excess of Three Thousand Dollars (\$3,000); and in the absence of current or general funds to be used for this purpose, the Director of Finance be and he is hereby authorized to invest a portion of the

moneys in the Trust Fund of The City of Coral Gables in such settlement and satisfaction, and as security therefor to issue to the Trust Fund the bonds and tax participation certificates authorized to be issued in the settlement of said W. W. Blount Judgment.

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
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1898

A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN AGREEMENT WITH THE FLORIDA LEAGUE OF MUNICIPALITIES AND APPROPRIATING THE SUM OF FIVE HUNDRED DOLLARS THEREFOR.

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

Section 1. That the Mayor and the City Clerk be and they are hereby authorized to execute and deliver an agreement between the City of Coral Gables, Florida, and the Florida League of Municipalities in words and figures as follows:

"CONTRACT FOR LEGISLATIVE SERVICE
from
FLORIDA LEAGUE OF MUNICIPALITIES

The Florida League of Municipalities offers to render the following service to the City of Coral Gables during the regular session of the 1939 Florida Legislature:

- (a) Copies of all general bills and resolutions affecting municipalities as introduced in the Legislature will be promptly furnished and delivered to the City;
- (b) Copies of all general measures affecting utilities owned or operated by the City as introduced in the Legislature will be promptly furnished and delivered to the City;
- (c) An examination and analysis of such proposed laws will be made and consultation thereon afforded at Tallahassee, and reports furnished from time to time and upon request concerning the status of such municipal measures;
- (d) Facilities and assistance in arranging appointments for the transaction of business by representatives of the City when in attendance on the Legislature will be provided;

at and for the contract price of \$500, payable upon the acceptance of this offer.

FLORIDA LEAGUE OF MUNICIPALITIES

BY _____ (signed)

Secretary

The undersigned City hereby accepts the foregoing offer of services, and transmits herewith its check or warrant for the contract price this 7th day of March, 1939.

CITY OF CORAL GABLES

By _____ (signed)
Mayor

Section 2. That the sum of Five Hundred Dollars (\$500) be and the same is hereby appropriated from the Contingent Fund for the purpose of paying the consideration provided in the foregoing agreement.

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
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

RESOLUTION NO. 1899

A RESOLUTION APPROPRIATING THE SUM OF FIFTY DOLLARS TO PROVIDE EXPENSES OF COMMISSIONER AVERY TO TAMPA.

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

That the sum of Fifty Dollars (\$50) be and the same is hereby appropriated from the Contingent Fund for the purpose of providing expenses of Commissioner Avery in attending the joint meeting of the Taxation and Finance Committee of the 1939 Legislature and the Legislative Committee of the Florida League of Municipalities, to be held in Tampa on March 15, 1939.


was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

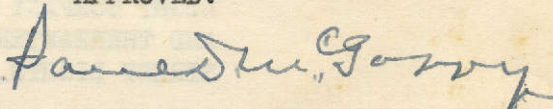
"Yes" - Commissioners Avery
O'Shaughnessy
Phillips
Rinehart
Mayor McGarry

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

ATTEST:


CITY CLERK
G. N. Shaw

APPROVED:


MAYOR
Paul D. McGarry

MINUTES OF MEETING OF THE CITY COMMISSION

on MARCH 21, 1939

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:23 o'clock p.m. on Tuesday, March 21, 1939.

Mayor McGarry in the Chair; Commissioners Avery, O'Shaughnessy, Rinehart present; Commissioner Phillips absent.

The reading of the minutes of the previous meeting was waived by unanimous consent.

Mrs. Hart, the owner of a house on Country Club Prado, appeared before the Commission to complain against the nuisance caused by the business houses and barbecue stands on the west side of Red Road near her home. The Mayor explained to Mrs. Hart that the City does not have direct jurisdiction over property west of the center line of Red Road, but referred the matter to the City Attorney for advice as to the City's legal ability to give any assistance in abating the nuisance.

Upon petition from the two residents on Harlan Street, the following Ordinance was placed on first reading and carried forward to a later meeting for further action:

AN ORDINANCE CHANGING THE NAME OF HARLAN STREET TO HARLANO STREET.

RESOLUTION NO. 1900

REQUESTING AND AUTHORIZING FLORIDA POWER & LIGHT COMPANY TO INSTALL ONE (1) 400 CP, WWOH, ANA, COMPANY OWNED STREET LIGHT; ONE (1) 250 CP, OHB, ANA, COMPANY OWNED STREET LIGHT AND NINE (9) 100 CP, OHB, ANA, COMPANY OWNED STREET LIGHTS IN THE CITY OF CORAL GABLES, FLORIDA, AND THEREAFTER SERVE THE SAME IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THAT CERTAIN STREET LIGHTING AGREEMENT NOW IN EFFECT BETWEEN THE CITY AND SAID COMPANY DATED THE 14TH DAY OF AUGUST, 1928, SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO; AUTHORIZING AND DIRECTING THE CITY CLERK OF AND ON BEHALF OF THE CITY OF CORAL GABLES, FLORIDA, TO DELIVER A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDA POWER & LIGHT COMPANY AS WRITTEN NOTICE TO INSTALL AND THEREAFTER SERVE THE SAID ELEVEN (11) STREET LIGHTS.

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

1. That the City of Coral Gables, Florida, hereby requests and authorizes Florida Power & Light Company to install

and thereafter serve the following Company Owned Street Lights in accordance with the terms and conditions of that certain Street Lighting Agreement now in effect between the City and said Company dated the 14th day of August, 1928, supplementary and supplemental agreements thereto:

One (1) 400 CP, WWOH, ANA Street Light at Coral Way and Le Jeune Road;

One (1) 250 CP, OHB, ANA Street Light at Coral Way and Le Jeune Road;

One (1) 100 CP, OHB, ANA Street Light on Frow Avenue at Jefferson Street;

One (1) 100 CP, OHB, ANA Street Light on Grand Avenue at Homestead Highway;

One (1) 100 CP, OHB, ANA Street Light on Grand Avenue at Jefferson Street;

One (1) 100 CP, OHB, ANA Street Light on Grand Avenue at Brooker Street;

One (1) 100 CP, OHB, ANA Street Light on Florida Avenue at Jefferson Street;

One (1) 100 CP, OHB, ANA Street Light on Florida Avenue at Brooker Street;

One (1) 100 CP, OHB, ANA Street Light on Oak Avenue at Jefferson Street;

One (1) 100 CP, OHB, ANA Street Light on Oak Avenue at Brooker Street;

One (1) 100 CP, OHB, ANA Street Light on Frow Avenue at Brooker Street.

2. That the City Clerk of and on behalf of The City of Coral Gables, Florida, be and he is hereby authorized and directed to deliver a certified copy of this Resolution to Florida Power & Light Company as written notice to install and thereafter serve the said Eleven (11) Street Lights hereinabove described in Section 1 hereof.

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
O'Shaughnessy
Rinehart
Mayor McGarry
Absent - Commissioner Phillips

RESOLUTION NO. 1901

A RESOLUTION AUTHORIZING APPLICATION TO THE LEGISLATURE FOR A BILL TO PROVIDE FOR CIVIL SERVICE AMONG CITY

