

MINUTES OF MEETING OF THE CITY COMMISSION  
ON APRIL 4, 1939

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:07 o'clock p.m. on Tuesday, April 4, 1939.

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

The minutes of the meetings of March 7 and 21, 1939, were read and approved.

AN ORDINANCE CHANGING THE NAME  
OF HARLAN STREET TO HARLANO STREET.

which had been previously read by title, was read again in full.

Motion for adoption 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

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 314.

AN ORDINANCE AMENDING ORDINANCE  
NO. 271, KNOWN AS THE ZONING  
ORDINANCE, SO AS TO INCREASE THE  
MINIMUM CUBIC CONTENT REQUIREMENT  
FOR CERTAIN LOTS IN BLOCKS 9, 10,  
19 AND 20, SECTION "D".

which had been previously read by title, was read again in full.

Motion for adoption 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

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 315.

RESOLUTION NO. 1902

A RESOLUTION RECOMMENDING TO THE  
LEGISLATURE THAT THE WEST SIDE OF  
RED ROAD FROM BIRD ROAD TO SUNSET  
ROAD BE INCLUDED IN THE CORPORATE  
AREA and JURISDICTION OF THE CITY  
OF SOUTH MIAMI.

WHEREAS, The present boundaries of the City of

4/4/39 *[Signature]*



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Coral Gables, from Bird Road to Sunset Road, lies along the center line of Red Road; and the present boundaries of the City of South Miami lie along the western line of said Red Road, leaving the western half of the road subject only to County policing and jurisdiction; and,

WHEREAS, This situation hinders and embarrasses both Coral Gables and South Miami in attempts to regulate south-bound traffic along that highway; and,

WHEREAS, The City of South Miami has expressed its desire to include the west half of Red Road, from Bird Road south to Sunset Road within its own territory and police jurisdiction;

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

That the Senator and Representatives from Dade County, Florida, be and they are hereby earnestly requested to use all possible influence to secure the passage of a bill adding the above strip of road way to the corporate limits of the City of South Miami.

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

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.

which had been previously read by title, 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  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 316.



RESOLUTION NO. 1903

A RESOLUTION AUTHORIZING THE EXEMPTION FROM TAXES OF LANDS PRESENTLY OWNED BY THE FAIRCHILD TROPICAL GARDENS; AND AUTHORIZING CANCELLATION OF TAXES ON SAID LANDS WHICH MAY BE NOW DUE AND PAYABLE TO THE CITY OF CORAL GABLES.

WHEREAS, The Fairchild Tropical Garden has been organized for the purpose of creating a tropical arboretum in The City of Coral Gables, and is a corporation not for profit but purely for scientific purposes and for the development and beautification of such an arboretum; and,

WHEREAS, The Commission of The City of Coral Gables is desirous of doing all that is within its power to aid and hasten this worthwhile project; and,

WHEREAS, Certain lands have been given to, or otherwise acquired by, the Fairchild Tropical Garden for development and such lands are now taxable by The City of Coral Gables; and the City Commission deems such land to be subject to exemption from taxes;

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

Section 1. That the lands now owned by Fairchild Tropical Garden and used for the purpose of development of a tropical arboretum are hereby declared to be exempt from City taxes; and the Tax Assessor is hereby authorized and instructed to so carry such lands upon his future rolls.

Section 2. That the Tax Collector be and he hereby is, authorized and directed to cancel any taxes for the year 1938 and prior upon said lands.

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. 1904

APPROVING A PROPOSED LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY PROVIDING FOR THE SUBSTITUTION OF SAID COMPANY'S REVISED AND SIMPLIFIED "S" TYPE STREET LIGHTING RATE SCHEDULES FOR AND IN LIEU OF THE STREET LIGHTING RATE SCHEDULES NOW CONTAINED IN THAT CERTAIN STREET LIGHTING AGREEMENT NOW IN EFFECT BETWEEN THE CITY AND SAID COMPANY, DATED THE 14TH DAY OF AUGUST, 1928, AND SETTING FORTH 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.

*Handwritten initials*



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

1. That the proposed 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 of Coral Gables, Florida, be and they are hereby authorized and directed to execute and enter into with the said 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

Coral Gables, Florida  
March 8th, 1939

City of Coral Gables,  
Coral Gables, Florida

Gentlemen:

This relates to that certain Street Lighting Agreement now in effect between us dated the 14th day of August, 1928, and to all supplementary and supplemental agreements thereto, if any.

In view of the fact that we have revised and simplified our new "S" Type Street Lighting Rate Schedules by eliminating the gross bills provision and the commodity cost clause contained in said Rate Schedules, we hereby agree, at your request, that as of the first day of December, 1938, the attached revised Street Lighting Rate Schedules shall be made a part of the said Street Lighting Agreement and substituted for and in lieu of the Street Lighting Rate Schedules now a part of the said Street Lighting Agreement in the following manner:

Revised Rate Schedule Number S-1 for Rate Schedule No. S-1;  
" " " " S-2A " " " " S-2A;  
" " " " S-3A " " " " S-3A.

It is understood and agreed that, except as expressly provided herein, the said Street Lighting Agreement and all supplementary and supplemental agreements thereto, if any, 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 in the spaces provided below for that purpose.

We agree to the foregoing  
this day of ,1939.

CITY OF CORAL GABLES, FLORIDA

BY \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

Approved as to form and correctness  
this day of ,1939.

\_\_\_\_\_  
Attorney for City of Coral Gables, Florida

Very truly yours,

FLORIDA POWER & LIGHT CO.

By \_\_\_\_\_  
Manager

ATTEST:

\_\_\_\_\_  
Assistant Secretary



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

RESOLUTION NO. 1905

A RESOLUTION APPOINTING MR. FRED HOWARD TO MEMBERSHIP ON THE BOARD OF BARBER AND BEAUTY CULTURE EXAMINERS.

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

That Mr. Fred Howard be, and he hereby is, appointed a member of the Board of Barber and Beauty Culture Examiners to succeed Mr. Denny, deceased.

was introduced and read.

Motion for adoption by Commissioner Avery; seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 1906

A RESOLUTION APPROPRIATING EXPENSES OF THE CITY CLERK AND THE CITY ACCOUNTANT TO THE FINANCE OFFICERS' SCHOOL IN GAINESVILLE.

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

That the sum of Sixty Dollars (\$60.00) be, and it is hereby, appropriated for the purpose of defraying the expenses of the City Clerk and the City Accountant in attending the Finance Officers' School, to be held in Gainesville on April 11, 12 and 13, 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  
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

4/4/39 *gno*



MINUTES OF MEETING OF THE CITY COMMISSION  
ON APRIL 18, 1939

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:05 o'clock p.m. on April 18, 1939.

Vice Mayor Avery in the Chair; Commissioners O'Shaughnessy and Rinehart present.

The minutes of the meeting of April 4 were read and approved.

Mayor McGarry joined the meeting at 5:20 o'clock p.m. and assumed the Chair.

Mr. Clarence Francis, of the Miami Riviera, appeared before the Commission to suggest that the full page advertisements of election schedules be run as in the past several elections. After discussion of the matter, the following resolution was introduced and read:

RESOLUTION NO. 1907

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

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

That the sum of Two Hundred Dollars (\$200.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of carrying one full page and two half page announcements in the Miami Riviera, for the purpose of acquainting the citizens of Coral Gables with the necessary prerequisites to voting in the election of June 13, 1939.

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

Mr. Robert H. Givens appeared with a proposal that the Metropolitan Ice Palace lease the Coliseum directly from the City. Mr. Givens was requested to take the details up with the City Manager; and was advised that the Commission would confer with him again at an early date, and would give the matter earnest consideration.

Commissioner Phillips joined the meeting at 5:42 o'clock p.m.



Mr. W. K. McMullen appeared to request that the City's cooperation be given in securing a proper place for the resumption of the band concerts which have been given by W.P.A. musicians in Matheson Hammock, and which have been discontinued because of depletion of the County appropriation, from which the expense of such concerts was paid. It was suggested to Mr. McMullen that the Coral Gables Country Club would be the proper place for such concerts and that he should confer with the City Manager and with Mr. Karl Schmitz, Manager of the Club, and attempt to work out the details.

The Clerk reported that at a meeting of the Zoning Board held on April 17, a public hearing had been conducted upon the question of amending the use requirements for certain lots in Craft Section, to provide for Commercial (C-3) uses, and that there being no objection to this amendment, the Zoning Board had recommended the necessary action by the Commission to put it into effect. Thereupon, the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES, SO AS TO PROVIDE FOR COMMERCIAL (C-3) USES FOR CERTAIN LOTS IN CRAFT SECTION.

was introduced and read on first reading, and was ordered carried over to the next regular meeting for further consideration and action.

RESOLUTION NO. 1908

A RESOLUTION REQUESTING THE DADE COUNTY LEGISLATIVE DELEGATION TO ENACT THREE ENABLING ACTS AUTHORIZING THE CITY OF CORAL GABLES TO PROVIDE BY ORDINANCE (1) FOR THE ESTABLISHMENT OF A CIVIL SERVICE SYSTEM IN THE CITY, (2) FOR THE ESTABLISHMENT OF A PENSION, ANNUITY AND RETIREMENT SYSTEM FOR THE CITY OFFICERS AND EMPLOYEES, AND (3) FOR THE PURCHASE OF LIFE, HEALTH, ACCIDENT OR ANNUITY INSURANCE FOR ITS OFFICERS AND EMPLOYEES; AND REQUESTING SAID DELEGATION TO REFRAIN FROM INTRODUCING ANY LOCAL LEGISLATION AFFECTING THE CITY WITHOUT THE APPROVAL OF THE CITY COMMISSION.

WHEREAS, The City Commission of The City of Coral Gables desires to establish a system of civil service to govern its officers and employees, and so far as its financial ability and size will justify to establish a pension, annuity and retirement system for its officers and employees or to purchase life, health, accident or annuity insurance for its officers and employees, whichever or combination of which should be determined to be for the best interests of the officers and employees and the taxpayers of the City; and,



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WHEREAS, the City Commission has had prepared enabling acts for adoption by the Legislature of the State of Florida to authorize the City to enact ordinances to carry out such purposes, which provide that such ordinances shall not become effective until approved by a majority of the qualified electors of the City; and

WHEREAS, The City Commission and its Director of Finance and City Attorney have studied in detail a proposed Act entitled "Coral Gables Civil Service and Pension Law", which was drafted and submitted to the Dade County Delegation for introduction in the Legislature without the knowledge or recommendation of the City Officials, and have found the said law as drafted unsatisfactory and not adaptable to the circumstances and conditions of The City of Coral Gables; and,

WHEREAS, The City Commission feel that they are best qualified to work out the details of such laws so as to completely and satisfactorily protect the interests of both the officers and employees and the taxpayers of the City, and that the duty and responsibility of providing adequate and proper civil service and pension or insurance laws for the City should be carried out and borne by the City Commission of the City;

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

Section 1. That Senator Graham and Representatives Holt, Lindsey and Overstreet, be, and they are hereby requested:

(1) To introduce and have enacted into law as soon as is reasonably practical the Enabling Acts which are herewith presented, which Enabling Acts will authorize the City Commission of the City of Coral Gables,

(a) To provide by ordinance for the establishment of a Civil Service System to govern the officers and employees of the City, and

(b) To provide by ordinance for the establishment of a pension, annuity and retirement system for City officers and employees, or

(c) To provide by ordinance for the purchase of life, accident, health, and annuity insurance for City officers and employees;

(2) Not to introduce the proposed Act entitled "Coral Gables Civil Service and Pension Law" or any other legislation on the subject matter of the said Enabling Acts without the consideration and approval of the City Commission.

(3) Not to introduce any purely local bills affecting only The City of Coral Gables, without such bills first having been considered, studied and approved by the City Commission.

Section 2. That certified copies of this Resolution be transmitted to each member of the Dade County Legislative Delegation.

was introduced and read.

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



RESOLUTION NO. 1909

A RESOLUTION APPROPRIATING THE EXPENSES OF COMMISSIONERS TO TALLAHASSEE.

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

That the sum of One Hundred Fifty (\$150.00) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of providing expenses to Tallahassee for the Mayor and/or Commissioners who may be sent there by the Commission in the interest of Legislation affecting the City of Coral Gables.

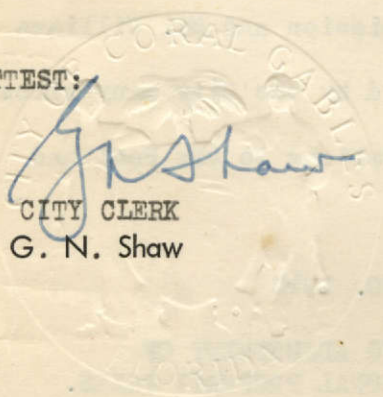
was introduced and read.

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

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

ATTEST:



APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry

*gms*



## MINUTES OF THE MEETING OF THE CITY COMMISSION

ON MAY 2, 1939

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock P.M., Tuesday, May 2, 1939.

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

The minutes of the meeting of April 18 were read, corrected and approved.

A delegation of residents of the neighborhood of Avenue Trevino, between Alhambra Circle and Red Road, appeared before the Commission to complain about the violation of the Zoning Ordinance in the form of a Convalescent Home being maintained on Avenue Trevino. The delegation consisted of Mrs. Johns, Mrs. Bruner, Mrs. Miller, Mrs. Weinkle, Mrs. Beardsley and Dr. Youngman. The Commission referred the matter to the Zoning Board and advised the delegation that the Zoning Board would notify all property owners of the neighborhood of the time which it would appoint for the meeting.

Mr. W. Cecil Watson appeared before the Commission to request that a grandstand be erected at the Venetian Pool. The Commission and Mr. Williams advised Mr. Watson that the matter had been considered by the City many times, but no practical or satisfactory plans for such alterations to the Pool had ever been devised.

## RESOLUTION NO. 1910

A RESOLUTION AUTHORIZING ADJUSTMENT OF  
CERTAIN DELINQUENT PERSONAL PROPERTY TAXES.

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

That from and after the adoption of this resolution, the Tax Collector be and he is hereby authorized to accept One Dollar (\$1.00) per year in settlement of any and all personal property tax assessments due the City for years 1935 and 1936; provided, that the 1937 and subsequent personal property taxes of the same tax payer or at the same location are paid in full (with interest) concurrently with the payment of such adjusted 1935 and 1936 personal property taxes.

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  
Vice Mayor Avery  
Absent - Mayor McGarry



AN ORDINANCE AMENDING PARAGRAPH 5 OF SECTION 14 OF ORDINANCE NO. 271, BEING THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES.

was introduced and read, and carried forward to a later meeting for further discussion and action.

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE, TO PROVIDE A SEVEN AND ONE-HALF FOOT SET-BACK FOR CERTAIN FRONTAGES ON LE JEUNE ROAD.

was introduced and read, and carried forward to a later meeting for further consideration and action.

RESOLUTION NO. 1911

A RESOLUTION EXPRESSING THE APPRECIATION OF THE COMMISSION AT THE FLORIDA POWER & LIGHT COMPANY'S AWARD TO THE CITY OF CORAL GABLES FOR ELECTRIFICATION.

WHEREAS, The Florida Power & Light Company has found the City of Coral Gables to be outstanding in the electrification of its homes, and has presented the City with a plaque commemorating this outstanding electrification;

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

That the Commission hereby expresses to the Florida Power & Light Company its appreciation of this physical token of the extraordinary home electrification in The City of Coral Gables, which it considers even more broadly as a token of unusual progressiveness among the citizens of the community.

was introduced and read.

The resolution was moved, seconded and unanimously carried.

RESOLUTION NO. 1912

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED TWENTY DOLLARS TO REPLACE THE DECK ON THE GRANADA BOULEVARD BRIDGE IN BISCAYNE BAY SECTION PART ONE.

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

That the sum of One Hundred Twenty Dollars (\$120.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of replacing the deck on that certain bridge lying between Cocoplum Plaza and Tahiti Beach on Granada Boulevard in Biscayne Bay Section Part One.

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
- Vice Mayor Avery
- Absent - Mayor McGarry



## RESOLUTION NO. 1913

A RESOLUTION AUTHORIZING THE CITY  
MANAGER TO PAVE OVER THE CAR TRACKS  
ON MIAMI AVENUE IN THE CITY OF MIAMI.

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

That the City Manager be and he is hereby  
authorized to cover with pavement the remaining car tracks  
on Miami Avenue in the City of Miami, and to charge the  
costs thereof against the Transportation Replacement Fund.

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 O'Shaughnessy  
Phillips  
Rinehart  
Vice Mayor Avery  
Absent - Mayor McGarry

## RESOLUTION NO. 1914

A RESOLUTION AUTHORIZING THE EXECUTION  
OF A CERTAIN AGREEMENT WITH THE CORAL  
GABLES FIRST NATIONAL BANK FOR USE OF  
ITS 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 hereby are, authorized to execute and deliver an agree-  
ment between The Coral Gables First National Bank and The City  
of Coral Gables, in words and figures as follows:

IT IS UNDERSTOOD AND AGREED, be and between THE CITY  
OF CORAL GABLES, a Florida municipal corporation, hereinafter  
referred to as Depositor, and THE CORAL GABLES FIRST NATIONAL  
BANK, hereinafter referred to as the Bank, that keys to the  
Night Depository Safe of the said Bank at Coral Way and Ponce  
de Leon Boulevard, Coral Gables, Florida, together with money  
bag(s) Numbered \_\_\_\_\_  
and two keys for the padlock on (each of) said bag(s) have  
been received from said Bank by said Depositor for use by the  
Depositor in making deposits of coin, currency and checks in  
the said Night Depository Safe and for the purpose of placing  
in said Night Depository Safe canceled transfers and tickets  
as referred to in paragraph numbered 4 hereof; and

1. That with respect to deposits of coin, currency  
and checks placed in the said Night Depository Safe the use of  
the said keys, bags and Night Depository Safe shall be in  
strict compliance with the rules and regulations of the Bank  
governing the use of such facilities, a copy of which rules  
and regulations is attached to, marked "Exhibit A," and by  
reference made a part of, this agreement, together with such  
other and additional rules and regulations as the Bank may  
from time to time promulgate; and

2. That for the use of the Night Depository Safe  
as herein provided the Depositor agrees to pay the Bank the



sum of \$15.00 per month, payable in advance on the first day of every month this contract shall be in effect.

3. That on each banking day next following the deposit of any coin, currency or checks by the Depositor in said Night Depository Safe, two employees of the Bank shall open said safe, make a written record of the total number, ownership and condition of said bags, and they shall remove from said safe the said bags and open said bags and shall check the contents of each of said bags so removed against the memorandum therein contained, and if found correct, they shall sign such memorandum. If any discrepancy be found they shall make a note thereof on such memorandum and sign same and the record thus made shall be conclusive of the correctness of the check made by said employees. The coin, currency and checks found in said bags shall be deposited in said Bank to the credit of the Utilities Fund of said Depositor, but the relationship of debtor and creditor shall not exist between the said Bank and the Depositor until the said coin, currency and checks are entered in the deposit book of the Depositor or a bona fide receipt of the Bank is delivered to the Depositor.

4. IT IS FURTHER UNDERSTOOD AND AGREED, by and between the Depositor and the Bank that the Depositor may deposit in the said Night Depository Safe as and when the Depositor shall desire, unsealed packages and unlocked and unsealed bags containing canceled transfers and tickets used on the transportation system operated by the Depositor. Such unsealed packages and unlocked and unsealed bags may be removed by the Bank from the Night Depository Safe on each business day of the Bank and may be held by the Bank unopened until called for during the business hours of the Bank by such persons who from time to time may be designated in writing for that purpose by the City Finance Officer of the Depositor. The instrument designating such person shall carry a specimen of that person's signature, and that person so designated shall have and continue to have full authority to receive and receipt for every such package or bag until the Bank shall have received the written designation and specimen signature of some other person or persons to receive and receipt for such packages and bags, and the Bank is hereby authorized to deliver, without verification or knowledge of the contents thereof, every such package or bag to such person so designated. Each and every such delivery shall be made subject to all the terms and conditions of this contract which are applicable thereto as fully and completely as if the same appeared in full upon the receipt card to be signed for each such delivery.

5. IT IS FURTHER UNDERSTOOD AND AGREED, that the Bank cannot obtain any insurance covering such unsealed packages or bags containing transfers and tickets, either while in the Night Depository Safe or in the possession of the Bank, and that in view of this fact as well as in consideration of the Depositor's desire to use said Night Depository Safe for its own convenience as a means of safekeeping such transfers and tickets, it is expressly agreed that the Bank shall not be liable to the Depositor for any damage whatever arising from the loss or misplacement of any of such unsealed packages or bags or any of the transfers or tickets which may be contained therein by reason of burglary, robbery, theft, fire, wind or other Act of God, larceny, misplacement or otherwise, whether occurring while said articles are in said Night Depository Safe or while in the possession, custody or control of the Bank, or from any cause whatsoever, and the Depositor does hereby agree that it will never attempt to enforce by suit at law or otherwise any possible liability of the Bank for damage to, loss or misplacement of any of such unsealed packages or bags or the contents thereof for any cause whatsoever while in the said Night Depository Safe or in the possession, custody or control of the Bank, and that if any such suit or suits be instituted



against the Bank this contract may be pleaded in absolute bar thereof.

6. That the Bank may, upon ten days written notice addressed to the Depositor by ordinary mail at the address on file with the Bank, cancel and rescind this agreement and request the return of the keys, padlock and depository bags, and the Depositor, upon the expiration of said ten days, agrees to forthwith deliver the said keys, padlock and depository bags to the Bank; and

7. That there shall be attached hereto a certified copy of a Resolution of the City Commission of the City of Coral Gables in a form to be approved by the Bank, duly authorizing said municipality to use the Night Depository facilities of the said Bank, and the Depositor shall not be entitled to the use of the same until such a certified copy is furnished to and approved by the Bank.

IN WITNESS WHEREOF the parties hereto have caused this contract to be executed by their respective duly authorized officers and have caused their respective seals to be affixed hereto this 3rd day of May, A.D. 1939.

THE CITY OF CORAL GABLES, a Florida municipal corporation,

By \_\_\_\_\_  
As Its City Manager.

Attest: \_\_\_\_\_  
As Its Clerk.

THE CORAL GABLES FIRST NATIONAL BANK

By \_\_\_\_\_  
As Its Vice President.

Attest: \_\_\_\_\_  
As Its Cashier.

Approved as to form and substance.

\_\_\_\_\_  
As City Attorney

was introduced and read.

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

RESOLUTION NO. 1915

A RESOLUTION REQUESTING THE LEGISLATURE TO ENACT CERTAIN LEGISLATION AFFECTING CITIES.

WHEREAS, Certain municipal undertakings in the Metropolitan Miami Area can best be accomplished by the united efforts of the several cities, and under such circumstances it would be necessary for the several cooperating cities to make contributions to the cost of a project located outside their respective limits; and,



WHEREAS, Existing charters and laws do not give or clearly give to cities the right to make such cooperative contributions;

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

That the Commission hereby requests the Senator and Representatives from Dade County to introduce and endeavor to have passed in the 1939 session of the Legislature a bill authorizing and empowering cities to make financial or other contributions to the cost of projects being undertaken by other municipalities or by Dade County which may directly or indirectly benefit the contributing cities.

was introduced and read.

The resolution was moved, seconded and unanimously carried.

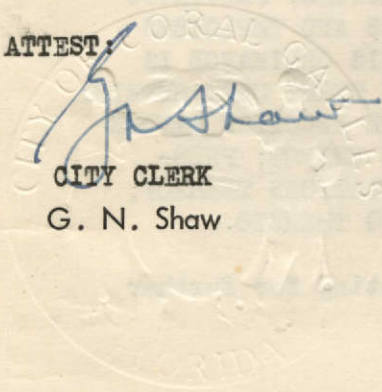
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry

ATTEST



CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF THE CITY COMMISSION  
ON MAY 16, 1939

The Commission of The City of Coral Gables, Florida, convened in regular session at the City Hall at five o'clock P.M. on Tuesday, May 16, 1939.

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

The reading of the minutes of the previous meeting was waived by unanimous consent.

AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF CORAL GABLES, FLORIDA; CREATING A CIVIL SERVICE BOARD, DEFINING ITS MEMBERSHIP, POWERS AND DUTIES; DESIGNATING THE OFFICERS AND EMPLOYEES OF THE CITY WHO ARE CIVIL SERVICE EMPLOYEES; PROVIDING FOR APPOINTMENTS, PROMOTIONS, SUSPENSIONS, REDUCTIONS, AND REMOVALS OF CIVIL SERVICE OFFICERS AND EMPLOYEES; PROVIDING FOR THE STATUS OF OFFICERS AND EMPLOYEES HOLDING POSITIONS WHEN THIS ORDINANCE IS ENACTED; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR A REFERENDUM ELECTION BEFORE THIS ORDINANCE SHALL TAKE EFFECT; PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF; AND OTHER MATTERS RELATING THERETO.

was read in full and carried forward to a later meeting for further consideration and action.

RESOLUTION NO. 1916

A RESOLUTION ORDERING THE NAMES OF CERTAIN CANDIDATES TO BE PLACED UPON THE BALLOTS OF THE ELECTION OF JUNE 13, 1939.

WHEREAS, The City Clerk has reported to the Commission that petitions nominating the following:

Martin F. Avery; Wallace A. Bell; Jack Kehoe; Charles W. Keyes; James P. Kohler; L. W. Larson; Harry W. Morgenthaler; Jordan B. Peck; W. Keith Phillips; Fred H. Ralsten, Hollis Rinehart, Jr; Robert B. Seymour and Joe W. Whitley

have been received and found sufficient, and that said nominees have filed their written acceptances of such nominations; and,

WHEREAS, A petition has been filed nominating Paul D. McGarry for the office of Mayor, and said petition has been found sufficient, and Paul D. McGarry has filed his written acceptance of such nomination;

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

That the City Clerk be and he is hereby instructed to place the names of the above-named candidates upon the official



Ballots of the election of June 13, 1939,  
both in the section of the ballot "For Commissioner"  
and in the section of the ballot "For Mayor";  
and in addition, to place the name of Paul D.  
McGarry in the section of the ballot "For Mayor".

was introduced and read.

The resolution was moved, seconded and unanimously carried.

RESOLUTION NO. 1917

A RESOLUTION APPOINTING CLERKS, INSPECTORS  
AND ALTERNATES FOR THE ELECTION OF  
JUNE 13, 1939.

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 13, 1939, in the capacities set opposite their names:

- Walter E. Schaefer, Clerk
- Lewis H. Fogle, Inspector
- R. J. Beaton "
- George Migford, Sr. "
- H. R. Anderson "
- James B. Moore "
- R. E. Temple "
- Edwin G. Bishop "
- W. C. Russell "
- Charles E. Michel "
- Joe Blacker "
- W. Chilton Day "
- S. J. DeLanoy, Jr. "
- Wm. C. Smith "
- Melanie Rosborough Alternate
- John N. Montgomery "
- Wm. S. Radway "

was introduced and read.

The resolution was moved, seconded and unanimously carried.

The City Attorney discussed with the Commission the question of policy  
in regard to Homestead Exemption applications, and it was decided that the  
Assessor should recognize the application if the house is occupied by the  
applicant as his homestead on or before the last date for filing applications.

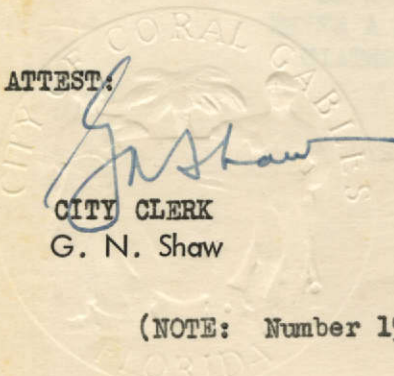
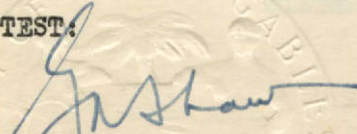
There being no further business, on motion duly seconded and unanimously  
carried, the meeting was adjourned.

APPROVED:



MAYOR  
Paul D. McGarry

ATTEST:

  
  
CITY CLERK  
G. N. Shaw

(NOTE: Number 1918 not assigned to any resolution.)



## MINUTES OF MEETING OF CITY COMMISSION

ON JUNE 6, 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, June 6, 1939.

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

The minutes of the meetings of May 2 and 16, 1939, were read and approved.

Mr. and Mrs. C. P. McDonald appeared to give the Commission certain facts in regard to an application for Homestead Exemption, which had been disapproved by the Tax Assessor and the City Attorney. The Commission requested Mr. and Mrs. McDonald to execute an affidavit covering the facts in the case, and submit it to them for further consideration.

AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF CORAL GABLES, FLORIDA; CREATING A CIVIL SERVICE BOARD, DEFINING ITS MEMBERSHIP, POWERS AND DUTIES, DESIGNATING THE OFFICERS AND EMPLOYEES OF THE CITY WHO ARE CIVIL SERVICE EMPLOYEES; PROVIDING FOR APPOINTMENTS, PROMOTIONS, SUSPENSIONS, REDUCTIONS, AND REMOVALS OF CIVIL SERVICE OFFICERS AND EMPLOYEES; PROVIDING FOR THE STATUS OF OFFICERS AND EMPLOYEES HOLDING POSITIONS WHEN THIS ORDINANCE IS ENACTED; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR A REFERENDUM ELECTION BEFORE THIS ORDINANCE SHALL TAKE EFFECT; PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF; AND OTHER MATTERS RELATING THERETO.

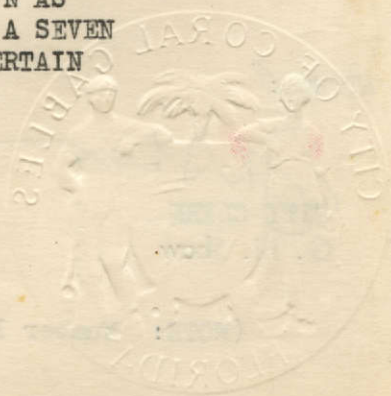
was read by title on first reading, and carried forward to a subsequent meeting for further consideration and action.

AN ORDINANCE AMENDING PARAGRAPH (5) OF SECTION 14 OF ORDINANCE NO. 271, BEING 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, TO PROVIDE A SEVEN AND ONE-HALF FOOT SET BACK FOR CERTAIN FRONTAGES ON LE JEUNE ROAD.

and





AN ORDINANCE AMENDING ORDINANCE NO. 271,  
KNOWN AS THE ZONING ORDINANCE OF THE CITY  
OF CORAL GABLES, SO AS TO PROVIDE FOR  
COMMERCIAL (C-3) USES FOR CERTAIN LOTS  
IN CRAFT SECTION.

which had been read by titles at previous meetings, 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  
Mayor McGarry

Mayor McGarry then declared the ordinances adopted and approved, and ordered their publication as Nos. 317, 318 and 319, respectively.

The City Manager discussed with the Commission the matter of zoning in the negro sections of the City, and particularly that portion of the negro sections abutting upon Le Jeune Road. The Commission instructed that an ordinance be drawn amending the Zoning Ordinance so as to forbid the use of property fronting upon Le Jeune Road south of the Miami-Homestead Highway for use for negro occupancy; and to provide that in the negro sections the minimum ground area for dwellings be 2,500 square feet for single family dwellings, and 3,750 square feet for duplex dwellings; and instructed the City Manager and the City Clerk to inform the Building Inspector not to issue any permits conflicting with these proposed regulations during the time necessary to prepare and adopt proper ordinances.

RESOLUTION NO. 1919

A RESOLUTION AUTHORIZING THE CITY ATTORNEY  
TO NEGOTIATE AND EFFECT A SETTLEMENT OF A  
CERTAIN ACCIDENT DAMAGE CLAIM.

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

That the City Attorney be and he hereby is authorized and instructed to negotiate and effect a settlement of the claim of Marie Boehm, arising out of an accident involving one of the City busses, by the payment of expenses and damages in an amount not exceeding Seven Hundred Dollars (\$700).

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 Attorney submitted to the Commission an agreement under which the City would secure parkway easements to certain lands on Hardee Road and Avenue Caligula, but the Commission considered certain points of the proposal as imposing an indefinite and possible too-great costs to the City, and instructed the City Attorney to negotiate further with the view of eliminating from the agreement the provision for the assumption by the City of all future paving or sidewalk improvements.

The City Attorney was authorized and instructed to secure an abstract to lots which the City is seeking to buy in connection with its present nursery site, and

RESOLUTION NO. 1920

A RESOLUTION APPROPRIATING THE SUM OF FIFTY-SEVEN DOLLARS TO PROVIDE FOR ABSTRACTING.

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

That the sum of Fifty-seven (\$57.00) Dollars be and the same is hereby appropriated for the purpose of securing and paying the cost of an abstract covering those lots now owned by the City in connection with its nursery, and those lots which the City is seeking to acquire to complete the ownership of its nursery tract.

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. 1921

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED DOLLARS TO THE UNIVERSITY OF MIAMI TENNIS TEAM.

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 to the University of Miami Tennis Team for the purpose of assisting in the expenses of its 1939 tour to compete with other colleges.

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  
 Mayor McGarry

RESOLUTION NO. 1922

A RESOLUTION RATIFYING AND CONFIRMING THE PAYMENT TO MORTON B. ADAMS, CITY ATTORNEY, OF A FEE OF FOUR THOUSAND, FIVE HUNDRED DOLLARS FOR SERVICES IN THE VALIDATION OF THE REFUNDING ISSUES OF JANUARY 1, 1937.

WHEREAS, Upon authorization of the City Commission in conference, the City Manager and the Director of Finance have heretofore paid to Morton B. Adams the sum of Four Thousand, Five Hundred Dollars (\$4,500.00) as a fee for his services in the validation proceedings on the Refunding Bonds and Tax Participation Certificates of the issue of January 1, 1937, both in the Circuit Court and the Supreme Court of the State of Florida; and,

WHEREAS, Through oversight, such payment was not made the subject of authorization or ratification by resolution of the Commission;

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

That said payment to Morton B. Adams for special legal services out of funds accruing from the sale of delinquent assets beand the same hereby is ratified and confirmed.

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. 1923

A RESOLUTION RATIFYING AND CONFIRMING THE PAYMENT TO FRANK E. BRYANT, SPECIAL ATTORNEY, OF A FEE OF ONE THOUSAND DOLLARS, FOR SERVICES IN THE VALIDATION OF THE REFUNDING ISSUES OF JANUARY 1, 1937.

WHEREAS, Upon authorization of the City Commission in conference, the City Manager and the Director of Finance have heretofore paid to Frank E. Bryant the sum of One Thousand Dollars (\$1,000) as a fee for his special services in the validation proceedings on the Refunding Bonds and Tax Participation Certificates of the issue of January 1, 1937, both in the Circuit Court and the Supreme Court of the State of Florida; and

WHEREAS, Through oversight such payment was not made the subject of authorization or ratification by resolution of the Commission;

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

That said payment to Frank E. Bryant for special legal



services out of funds accruing from the sale of delinquent assets be and the same hereby is ratified and confirmed.

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. 1924

A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN COMMISSIONS ON VACANT PROPERTY SOLD AT TAX SALE.

WHEREAS, The City is in need of operating funds, and it is desirable that as much money as possible be realized upon taxes from vacant property;

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 a commission of 10% to duly qualified and accredited tax agents for any certificates on vacant property which may be sold through their assistance at the tax sale of 1938 delinquent taxes.

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. 1925

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE A SUPERSEDEAS BOND IN THE CASE OF P.J. CESARANO VS. CITY OF CORAL GABLES, ET AL IN CHANCERY NO. 54754.

WHEREAS, In the case of P. J. Cesarano, Plaintiff, vs. Bertha Oppenheimer, City of Coral Gables, et al., Defendants, the Honorable Paul D. Barns denied the Motion of the City to be dismissed as a party defendant in said cause on the theory that an owner of matured tax sale certificates in a suit foreclosing the same may force the City to have its immature tax certificates and current taxes adjudicated and the property sold for the pro rata benefit of the Plaintiff's matured tax liens and the defendant City's immature tax liens; and



WHEREAS, A Final Decree was entered in said cause on June 2, 1939 ordering the sale of the property to satisfy the liens of the Plaintiff in the amount of \$703.21, and of the Defendant City in the amount of \$92.74; and,

WHEREAS, The City Attorney recommends that this cause be appealed to the Supreme Court of Florida and that further progress in the cause be stayed by procuring an order superseding the effectiveness of the said final decree; and

WHEREAS, In order to procure said order it is necessary that the City execute a bond in such amount and with such terms and conditions as the Chancellor may direct;

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

1. That the City Attorney be, and he is, hereby, directed to forthwith enter an appeal in said cause and make application for an order superseding the said final decree.
2. That the City Manager and the City Clerk be, and they are, hereby, authorized and directed to execute a supersedeas bond in such amount and with such terms and conditions as the Court may direct.

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

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:



CITY CLERK  
G. N. Shaw

6/6/39 *[Signature]*



MINUTES OF MEETING OF CITY COMMISSION  
ON JUNE 14, 1939

Pursuant to requirement of Charter, a special meeting of the Commission of The City of Coral Gables was called by Mayor McGarry, and convened at 2:00 o'clock p.m. on Wednesday, June 14, 1939, at the City Hall.

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

Mayor McGarry explained that the meeting was for the sole purpose of canvassing the returns of the election of June 13, 1939, and declaring the results as indicated by said returns, and that the meeting had been called and was being held under the requirements of paragraph C of Section 9 of the City Charter.

The Clerk then read to the Commission the returns of the Clerk and Inspectors of the General Municipal Election held on the preceding day, describing the oaths and certificates executed by the election officials as a part of the return sheet, and read in full the results of the balloting as set forth in detail upon the returns, stating that a copy of said returns had been properly marked and placed in the permanent files of the Commission.

RESOLUTION NO. 1926

A RESOLUTION ACCEPTING THE RETURNS OF THE  
CLERK AND INSPECTORS OF THE GENERAL  
MUNICIPAL ELECTION OF JUNE 13, 1939 AND  
DECLARING THE RESULTS AS INDICATED THEREBY.

WHEREAS, The City Clerk and Ex-Officio Supervisor of Registration has submitted to the Commission, and there has been filed in the permanent records thereof, the returns of the Clerk and Inspectors of the General Election of June 13, 1939, containing the oaths and certificates of the said election officials, and their sworn report of the ballots cast in said election; and,

WHEREAS, Said returns, reports and certificates are fully and completely made and executed in accordance with law; and,

WHEREAS, Said certificates show the following results of the election:

<u>NAME</u>	<u>VOTES FOR COMMISSIONER</u>	<u>VOTES FOR MAYOR</u>
Martin F. Avery	763	39
Wallace A. Bell	824	157
Jack Kehoe	262	32
Charles W. Keyes	92	130
James P. Kohler	30	4
L. W. Larson	165	20



<u>NAME</u>	<u>VOTES FOR COMMISSIONER</u>	<u>VOTES FOR MAYOR</u>
Paul D. McGarry	-0-	1153
Harry W. Morgenthaler	44	8
Jordan B. Peck	185	16
W. Keith Phillips	882	43
Fred W. Ralsten	795	131
Hollis Rinehart, Jr.	839	33
Robert B. Seymour	224	29
Joe W. Whitley	838	90

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

That it is hereby declared that it appears from the above returns of said election that the results of the election are:

That Messrs. Phillips and Rinehart were elected as Commissioners for terms of four (4) years each from the Friday following the second Tuesday in June, 1939;

That Mr. Joe W. Whitley is elected as Commissioner for a term of two (2) years from the Friday following the second Tuesday in June, 1939.

That Mr. Paul D. McGarry is elected as Mayor for a term of two (2) years from the Friday following the second Tuesday in June, 1939.

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

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 16, 1939

Pursuant to requirement of Charter, the Commission of The City of Coral Gables convened at the City Hall in Coral Gables at 11:59 o'clock A.M. on Friday, June 16, 1939, in order to be in session at twelve o'clock, noon, on the third day following the election of June 13, 1939.

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

Mayor McGarry announced the reason for the meeting, and stated that a temporary writ had been granted, enjoining the induction into office of the newly elected Commissioners. He then requested the Clerk to read the City Attorney's opinion upon the situation, as follows:

"Honorable Mayor and  
City Commissioners  
The City of Coral Gables, Florida

Re: RALSTEN, et al, v. RINEHART, et al.  
In Chancery - No. 58067

Gentlemen:

The individual members of the City Commission of The City of Coral Gables have been enjoined by order signed by the Honorable Paul D. Barns on June 14th, A.D. 1939, from certifying the results of the election held on June 13th, 1939.

My interpretation of this injunction order is that the men shown by the returns of the election to have been elected as City Commissioners for the term of office beginning at noon on Friday, June 16th, 1939, cannot be inducted into office because the Commissioners whose terms expire at that time cannot certify the result of the election.

Section 8 of the City Charter reads as follows:

"The City shall be governed by a Commission consisting of five members elected from the City at large. At a general election to be held on the second Tuesday in June, 1929, there shall be elected five commissioners \* \* \* and the remaining three for the terms of two years, and until their successors in office are elected and qualified."

After this provision the time of subsequent elections is set up and the terms of office of Commissioners elected at these subsequent election is fixed at four and two years. In my opinion the above quoted provision "and until their successors in office are elected and qualified" applies to the present City Commissioners and if newly elected Commissioners are not qualified at noon on Friday, then the three Commissioners whose terms of office expired at that time will hold over until the newly elected Commissioners are qualified.



They cannot be qualified until the injunction order is modified or dissolved.

I noticed for hearing before Judge Barns at 9:00 o'clock A.M. on Friday a Motion to Dismiss the suit filed by Messrs. Ralsten, Bell and Whitley, and a Motion to Dissolve the Temporary Restraining Order entered in said cause.

Judge Barns was not able to hear the Motions at that time because of a pending jury trial which was to be taken up at 9:30 and the hearing on the Motions was deferred to a later date.

Very truly yours

(signed)

Morton B. Adams."

Commissioner Phillips joined the meeting at 12:04 o'clock p.m., and during the reading of the above letter.

Mayor McGarry then stated that in accordance with the above legal opinion, the Commission would adjourn until twelve o'clock, noon, on Saturday, June 17, 1939, and from day to day thereafter until some definite action could be had upon the writ of injunction. He further stated that during these meetings, the Commission would consider no official business except in emergencies, and if it should become necessary to take up emergency business, Commissioner-elect Joe W. Whitley would be asked to sit with the Commission during such considerations and actions.

There being no further business, the meeting was adjourned at 12:06 p.m. until Twelve o'clock, noon, on Saturday, June 17, 1939.

\* \* \* \* \*

MINUTES OF ADJOURNED MEETING  
ON JUNE 17, 1939

Pursuant to adjournment at the meeting of June 16, 1939, the Commission of The City of Coral Gables convened in adjourned session at twelve o'clock noon, on Saturday, June 17, 1939.

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

There being no emergency business, and there having been no disposition of the writ of injunction, by unanimous consent the meeting was adjourned until five o'clock p.m. on Monday, June 19, 1939.

\* \* \* \* \*



## MINUTES OF ADJOURNED MEETING

ON JUNE 19, 1939

Pursuant to adjournment at the meeting of June 17, 1939, the Commission of The City of Coral Gables convened in adjourned session at the City Hall at five o'clock p.m. on Monday, June 19, 1939.

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

There being no emergency business, and no disposition having been made of the writ of injunction, by unanimous consent the meeting was adjourned until five o'clock p.m. on Tuesday, June 20, or earlier on that date upon call of Mayor McGarry.

\* \* \* \* \*

## MINUTES OF ADJOURNED MEETING ON

JUNE 20, 1939

Pursuant to adjournment at the meeting of June 19, 1939, and to appointment by Mayor McGarry of a time for the adjourned meeting of this date and consent of such appointment by all Commissioners except Commissioner O'Shaughnessy, absent on account of serving on Federal Court Jury, such consent including Commissioner-elect Joe W. Whitley, the Commission of The City of Coral Gables convened at the City Hall at two o'clock p.m. on Tuesday, June 20, 1939.

Mayor McGarry in the Chair; Commissioners Phillips, Rinehart and Commissioner-elect Whitley present. Commissioner Avery absent and Commissioner O'Shaughnessy prevented from attendance by jury duty.

Mayor McGarry announced that the temporary writ of injunction having been dissolved by official ruling of Honorable Paul D. Barns, Circuit Judge, the meeting was called for the purpose of administering oaths to the newly elected Commissioners, and to himself as the Mayor-elect.

City Clerk G. N. Shaw then administered the oaths of office to Mayor McGarry as Mayor, and to Messrs. Phillips, Rinehart and Whitley as Commissioners.




There being no further business, by unanimous consent the meeting was adjourned after the appointment of five o'clock p.m. on Tuesday, June 27, for the date of the first business meeting of the Commission.

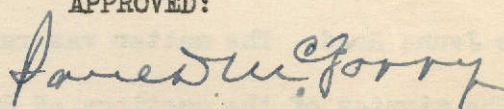
(Following the adjournment, the Mayor and Commissioners Phillips, Rinehart and Whitley proceeded to the office of the City Clerk for a discussion of certain City business, and while there were advised by telephone by City Attorney Morton B. Adams that the order dissolving the writ of injunction had been signed and executed by Circuit Judge Paul D. Barns, and filed for record in the Clerk's office.

Thereupon, at 3:02 o'clock p.m., the City Clerk again administered the oaths of office to Paul D. McGarry as Mayor, and to Messrs. W. Keith Phillips, Hollis Rinehart, Jr., and Joe W. Whitley as Commissioners.)

ATTEST:

  
CITY CLERK  
G. N. Shaw

APPROVED:

  
MAYOR  
Paul D. McGarry



## MINUTES OF MEETING OF THE CITY COMMISSION

ON JUNE 27, 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, June 27, 1939.

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

Mr. John Ravlin presented to the Commission the matter of rights of way for streets and the canal in the Laesch tracts, recently excluded from the City by Court Order. Mr. Ravlin was told that the Commission would confer with the City Attorney, and would consider the matter again at a meeting to be held at five o'clock p.m. on Friday, June 30.

Commissioner Phillips joined the meeting at 5:07 o'clock p.m.

Mr. Stratton and Mr. Pierce appeared in connection with the restriction against negro use for property in that portion of Golden Gate abutting upon Le Jeune Road. The matter was referred to the Zoning Board.

The minutes of the meetings of June 6, 14, 16, 17, 19 and 20 were read and approved.

## RESOLUTION NO. 1927

A RESOLUTION AUTHORIZING THE PURCHASE OF CERTAIN LANDS IN SECTION 14-54-40 FOR INCINERATOR PURPOSES, AND AUTHORIZING A LOAN FROM THE TRUST FUND TO PROVIDE FOR THE COSTS.

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

1. That upon the approval of the marketability of title by the City Attorney, the City Manager and the Director of Finance be and they are hereby authorized to buy the tract consisting of Blocks 139, 140 and Blocks 157 to 166, both inclusive, of Central Miami, a subdivision of Section 14-54-40, for the sum of \$5,000, to be used by the City as a site for its incinerator and dump.

2. That upon approval by the City Attorney of the marketability of title, the City Manager and the Director of Finance be and they hereby are authorized to purchase Blocks 141, 142 and 149 of said subdivision, for the sum of \$4,000, for the same purpose.

3. That for the purpose of providing funds for this purchase, the Director of Finance be and he hereby is authorized to borrow the above amounts from the Trust Fund of The City of Coral Gables, to be repaid to said Trust Fund in such sums and at such interest rates as may be later determined by this Commission.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1928

A RESOLUTION AUTHORIZING SETTLEMENT OF A CERTAIN ACCIDENT CLAIM.

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 hereby are authorized to negotiate and effect a full settlement of the claim of Marcella Hughey, arising out of an accident to a Coral Gables bus on the 3rd day of April, 1939, for a sum not to exceed Three Hundred Fifty (\$350.00) Dollars, said sum to be paid out of the appropriation heretofore made for the year 1938-39 for accident and other liability insurance reserve of the Transportation Department.

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  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1929

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR RIGHT OF WAY DEED FROM THE TRUSTEES OF THE ESTATE OF SHELDON PARKS, COVERING PORTION OF HARDEE ROAD AND AVENUE CALIGULA.

WHEREAS, The City of Coral Gables has no easement for right of way over the Sheldon Parks Estate tract of land in Blocks 122 and 124 of the Riviera Section of Coral Gables where the same crosses Avenue Caligula and overlaps on Hardee Road; and,

WHEREAS, The Trustees of the said Estate have agreed to deliver to the City a Right of Way Deed for certain considerations which are reasonable for the easement needed by the City; and,

WHEREAS, It is to the best interest of the City to acquire the said easement;

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

1. That the City Manager and the City Clerk be, and they are hereby, authorized and directed to execute the Agreement with the Trustees of the Sheldon Parks Estate, copy of which is hereto



attached and made a part hereof.

2. The City Manager is hereby authorized, upon receipt of a Right of Way Deed in the form to be approved by the City Attorney, to deliver to the Trustees of the Sheldon Parks Estate the said Contract duly executed.

#### A G R E E M E N T

THIS AGREEMENT, Made this \_\_\_\_\_ day of June, A.D. 1939, between THOMAS THACHER PARKS of Dade County, Florida, L. BEAUMONT PARKS OF Cuyahoga County, Ohio, and CHARLES L. STOCKER of Cuyahoga County, Ohio, as Trustees of the Estate of Sheldon Parks, deceased, hereinafter called the "Trustees", and THE CITY OF CORAL GABLES, Dade County Florida, a municipal corporation, hereinafter called the "City".

#### W I T N E S S E T H,

That for and in consideration of a Right of Way Deed, duly and regularly executed by the said Trustees, conveying to the City a perpetual easement for street, park and highway purposes, on and over the following described tract of land in Dade County, Florida, to wit:

"Begin at a point 662 feet West and 15 feet North of the Southeast Corner of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 29, Township 54 South, Range 41 East, Dade County, Florida, thence North parallel to the East line of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section 29, 500 feet; thence East at right angles 82.5 feet; thence South along the westerly line of a curved private drive about 500 feet; thence West parallel to the South line of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section 29 to point of beginning.", where the said tract of land overlaps Hardee Road and Avenue Caligula, as shown in Section 10 of RIVIERA SECTION of Coral Gables, in Plat Book 31, page 1, of the Public Records of Dade County, Florida,

the City hereby contracts and agrees, as a part of the consideration for the said deed, as follows:

1. That the City will either pay the portion of State and County taxes for 1939 on this parcel allocable to the property subject to the easement or will have the same cancelled on the State and County records, or will secure an amendment to the 1939 assessment, assessing only the remaining portions of the tract.
2. That the rock wall located near the front line of the premises will be moved back by the City, or at its expense, to a point North of the northerly line of Hardee Road.
3. That the cost of any improvements for paving of or sidewalks on either Hardee Road or Avenue Caligula, which may be done within a period of five (5) years from the date of recording the Right of Way Deed over said land, will not be assessed against the remaining portions of said parcel of land.
4. That the City will either cancel, abate or otherwise relieve the Trustees from the payment of Coral Gables City taxes for the years 1939 and 1940 on the entire parcel of property.

IN WITNESS WHEREOF, The City of Coral Gables has caused this instrument to be executed by its undersigned officers, duly authorized thereunto, and to have its corporate seal hereunto affixed, the day and year first above written.

ATTEST:

THE CITY OF CORAL GABLES

By \_\_\_\_\_

City Manager

\_\_\_\_\_  
City Clerk

6/27/39



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  
Whitley  
Mayor McGarry

RESOLUTION NO. 1930

REQUESTING AND AUTHORIZING FLORIDA POWER & LIGHT COMPANY TO INSTALL ONE (1) 100 CP, OHB TYPE, ANA, COMPANY OWNED STREET LIGHT AT THE SOUTHWEST CORNER OF THE INTERSECTION OF HERNANDO STREET AND SEVILLA AVENUE, 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 STREET LIGHT.

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 Light 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) 100 CP, OHB Type, ANA Street Light on existing wooden pole at the Southwest Corner of the intersection of Hernando Street and Sevilla 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 and thereafter serve the said Street Light hereinabove described in Section 1 hereof.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry



The City Manager was informally authorized to permit the Coral Gables Post #98, The American Legion, to sponsor the sale of fire works at five points on the boundaries of the City.

AN ORDINANCE AMENDING ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES, SO AS TO PREVENT NEGRO OCCUPANCY AND USE OF LOTS IN GOLDEN GATE SUBDIVISION HAVING FRONTAGE ON LE JEUNE ROAD, AND SO AS TO REQUIRE CERTAIN MINIMUM GROUND AREA FOR DWELLINGS IN THOSE SUBDIVISIONS, LYING EAST OF LE JEUNE ROAD AND SOUTH OF THE MIAMI-HOMESTEAD HIGHWAY.

WHEREAS, It appears to this Commission to be very necessary to restrict the use and occupancy of that part of Golden Gate Subdivision lying on the East side of Le Jeune Road, immediately across said road from restricted white subdivisions; and,

WHEREAS, The recent construction in the negro section of the City of a number of small and closely crowded dwellings had indicated the necessity for minimum ground area requirements in said negro sections, in the interest of health and comfort;

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

1. That the Use District Maps and the Building Content and Area District Maps attached to and by reference made a part of Ordinance No. 271, adopted February 16 1937, and known as the "Zoning Ordinance" of The City of Coral Gables be and the same hereby are amended so as to provide and show Lots 1 to 24, both inclusive, Block 1, Golden Gate Subdivision as restricted against use for the purpose of negro dwellings.

2. That Section 21, "Minimum Lot Areas in Certain Sections", of the above described Ordinance be and the same is hereby amended by the addition thereto, at the end thereof, of the following paragraph:

"In all lots and lands lying east of Le Jeune Road and south of the Miami-Homestead Highway no single-family dwelling shall be erected on less than 2,500 square feet of land area, and no duplex dwelling shall be erected on less than 3,750 square feet of land area, and no dwelling designed for the occupancy of more than two families shall be erected on less than 5,000 square feet of land area."

3. That this ordinance is hereby declared to be an emergency measure for the preservation and protection of health, safety and property value, and, being passed by a four-fifths vote of the Commission, shall take effect immediately upon its passage and approval.

was read by title.

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  
Whitley  
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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 320.

The Commission stated to those in assemblance that the first public hearing on the budget would be on Wednesday, July 12, and that ample time would be given the public for study of the budget before the final hearing and the adoption of the budget ordinance.

An affidavit submitted by Mr. and Mrs. C. P. McDonald in support of their request for homestead exemption for the year 1938 on Lot 20, Block 15, Section "B" was referred to the City Attorney for report as to its sufficiency.

The Commission then took up the matter of an interim appropriation to carry the City's operation until the adoption of the regular appropriation ordinance, but deferred final action upon it until a meeting appointed for five o'clock p.m. on Friday, June 30, 1939.

Mayor McGarry then announced the appointment of Commissioner P.J. O'Shaughnessy as Vice-Mayor, which appointment was unanimously confirmed by 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 CITY COMMISSION

ON JUNE 30, 1939

Pursuant to appointment at the meeting of June 27, 1939, the Commission of The City of Coral Gables convened at four o'clock p.m. on Friday, June 30, 1939, in the Commission Chamber at the City Hall.

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

A delegation of officers and stockholders of the Metropolitan Ice Palace appeared to attempt the arrangement of direct lease with the City on the Coliseum building. The group was requested to confer with the City Attorney and attempt to bring back a definite proposal.

Mr. John Ravlin again appeared to request that the City cooperate in clearing up the rights of way for streets and canal affected by the ouster from the City of the Laesch tract. After a discussion of the matter, the City Attorney was instructed to investigate the possibilities of other obstructions to the rights of way, and to attempt to work out a plan upon which the City could assist in keeping open the specific rights of way mentioned by Mr. Ravlin, and to report back to the City Commission.

Commissioner Rinehart then offered:

## RESOLUTION NO. 1931

A RESOLUTION REAPPOINTING E.M.WILLIAMS  
CITY MANAGER OF THE CITY OF CORAL GABLES.

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

That E. M. Williams be and he is hereby re-  
appointed as City Manager of The City of Coral Gables.

and moved its adoption; seconded by Commissioner Phillips.

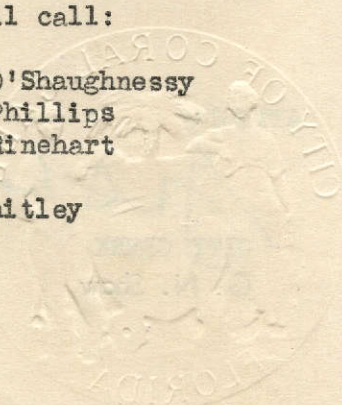
The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart

Mayor McGarry

"No" - Commissioner Whitley

Commissioner Rinehart then introduced:





RESOLUTION NO. 1932

A RESOLUTION REAPPOINTING G.N. SHAW AS CITY CLERK OF THE CITY OF CORAL GABLES.

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

That G. N. Shaw be and he hereby is reappointed City Clerk of The City of Coral Gables, Florida.

and moved its adoption; seconded by Commissioner Phillips.

The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Commissioner Rinehart then introduced:

RESOLUTION NO. 1933

A RESOLUTION REAPPOINTING THOMAS C. MAYES JUDGE OF THE MUNICIPAL COURT.

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

That Thomas C. Mayes be and he hereby is reappointed Judge of the Municipal Court of The City of Coral Gables, Florida.

and moved its adoption; seconded by Commissioner Phillips.

The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Commissioner Rinehart then introduced:

RESOLUTION NO. 1934

A RESOLUTION REAPPOINTING MORTON B. ADAMS CITY ATTORNEY OF THE CITY OF CORAL GABLES.

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

That Morton B. Adams be and he hereby is reappointed City Attorney of The City of Coral Gables, Florida.

and moved its adoption; seconded by Commissioner Phillips.

The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Mayor McGarry  
"No" - Commissioner Whitley



In connection with a filling station being constructed at the corner of Miami-Homestead Highway on Grand Avenue, the recommendation of the Director of Public Safety that a permit be granted for two five hundred-fifty gallon underground gasoline storage tanks and one one thousand gallon underground gasoline storage tank was approved by motion duly seconded and unanimously carried.

There being no further business, the meeting was recessed until eight o'clock p.m. the same date.

\* \* \* \* \*

A The Commission of The City of Coral Gables reconvened at the City Hall at eight o'clock p.m. on Friday, June 30, 1939.

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

RESOLUTION NO. 1935

A RESOLUTION APPROPRIATING AND PROVIDING FOR THE EXPENSES OF THE CITY OF CORAL GABLES DURING THE MONTH OF JULY, 1939, AND UNTIL THE PASSAGE OF THE 1939-40 APPROPRIATION ORDINANCE.

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

Section 1. That for the purpose of operating the City and its properties, and meeting necessary payroll and expense bills during the month of July, 1939, and/or until the passage and taking effect of the appropriation ordinance for the year 1939-40, there is hereby appropriated from cash on hand, and any and all accruing and unappropriated incomes, collections and revenues of the City and its income producing properties, the sum of \$52,650.00, to be used and devoted to the following purposes in the approximate amounts set opposite thereto:

For operating City Departments	\$23,000.00
For the Library	450.00
For the Chamber of Commerce	200.00
For the Public Service Building Project	1,000.00
For Contingencies	1,000.00
For Possible Deficit in the Operation of City Properties	2,000.00
For the University of Miami	<u>25,000.00</u>
Total	\$52,650.00

Section 2. For the purpose of promptly meeting the payrolls and supply bills of the City, should the cash on hand or collections prove inadequate to the payment of the above appropriations, or to the appropriations of the 1939-40 Budget Ordinance when adopted, the Director of Finance be and he is



hereby authorized to temporarily borrow any and all moneys or liquid assets belonging to the Trust Fund, said temporary borrowings to be a first lien upon the taxes and other incomes of The City of Coral Gables during the year 1939-40, and to be repaid out of the first receipts and collections during said year in excess of immediate operating expenses and bills at the time of said excess collections.

Section 3. That in the operation of the City Departments and Properties under this interim appropriation, it is hereby ordered and directed that the detailed proposals of the City Manager's Budget Estimate for the year 1939-40 be observed and insofar as possible, expenses and commitments be confined to a proper proportion of such detailed proposals consistent with the time of operation under this interim 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:

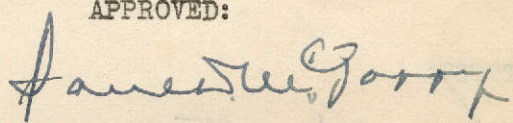
"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

There being no further business, the meeting was adjourned.

ATTEST:

  
CITY CLERK  
G. N. Shaw

APPROVED:

  
MAYOR  
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION  
ON JULY 10, 1939

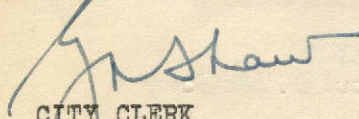
Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of CoralGables convened in special session at the City Hall at 11:50 o'clock A.M. on Monday, July 10, 1939.

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

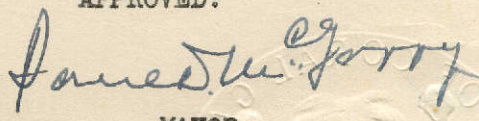
The minutes of the meetings of June 27 and 30, 1939, were read, corrected and approved.

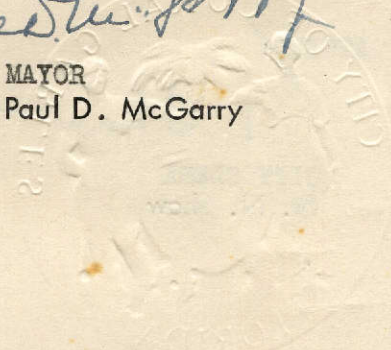
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

  
CITY CLERK  
G. N. Shaw

APPROVED:

  
MAYOR  
Paul D. McGarry





## MINUTES OF MEETING OF THE CITY COMMISSION

ON JULY 11, 1939

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 11:00 o'clock A.M. on Tuesday, July 11, 1939.

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

A delegation of the directors and stockholders of the Metropolitan Ice Palace, Inc. appeared to discuss with the Commission a proposed lease on the Coliseum property. Following a discussion of this matter, Mayor McGarry appointed Messrs. George Caster, Paul Mickler, Donald Peck, J. Allen Brown and A. O. Renuart as a Committee to appraise the Coliseum for the Commission, in order to determine a sale value to be written into a possible lease with the option to purchase, and asked Commissioner Whitley to work with the Committee on the appraisal.

## RESOLUTION NO. 1936

A RESOLUTION APPOINTING MEMBERS OF  
THE ZONING BOARD OF APPEALS.

WHEREAS, Under Ordinance No. 271, as amended, the terms of all members of the Zoning Board of Appeals expired on June 30, 1939, and it becomes necessary to organize a Board of Appeals to conduct the affairs of the Zoning Ordinance;

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

1. That Frank E. Bryant be and he is hereby appointed a member and Chairman of the Zoning Board of Appeals for a term expiring June 30, 1941.
2. That Rodney Miller be and he is hereby appointed a member of the Zoning Board of Appeals for a term expiring June 30, 1941.
3. That Messrs J. Allen Brown, A. O. Renuart and William Shanklin be and they are hereby appointed members of the Zoning Board of Appeals for terms expiring June 30, 1940.

was introduced and read.

Motion for adoption was moved, seconded and unanimously carried.

## RESOLUTION NO. 1937

A RESOLUTION APPOINTING ASSOCIATE SUPER-  
VISING ARCHITECTS OF THE CITY OF CORAL GABLES.

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

That John C. Skinner, George Spohn and Miss Marion Manley be and they are hereby appointed Supervising Architects



of The City of Coral Gables, for the period commencing July 1, 1939 and ending June 30, 1940.

was introduced, read, moved, seconded and unanimously carried.

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, 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 USE REQUIREMENTS ON LOTS 1 TO 10, INCLUSIVE, BLOCK 119; LOTS 12 TO 18, INCLUSIVE, BLOCK 116; AND LOTS 18 TO 21, INCLUSIVE, BLOCK 7, ALL IN COUNTRY CLUB SECTION.

were introduced and read by title.

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 O'Shaughnessy.

The motion was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry

Thereupon the Ordinances were placed on second reading and read again in full.

Motion for adoption of the Ordinances by Commissioner Rinehart; seconded by Commissioner Phillips.

The Ordinances were adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry

Mayor McGarry then declared the Ordinances adopted and approved, and ordered their publication as Nos. 321 and 322, 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:

*James D. McGarry*  
MAYOR  
Paul D. McGarry



## MINUTES OF MEETING OF THE CITY COMMISSION

ON JULY 14, 1939

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 on Friday, July 14, 1939 at 4:00 o'clock p.m.

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

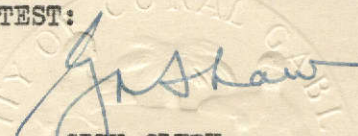
The Commission conferred briefly with Mr. Albert Roberts, Jr., concerning the possible terms of settlement of certain outstanding obligations, and requested Mr. Roberts to attempt to secure a more definite proposition based upon the discussions at this meeting, and again bring the matter before the Commission.

Upon motion duly seconded and unanimously carried, it was decided to take up the question of civil service and pension funds at the first meeting in October, 1939.

The Clerk reported an adverse opinion from the City Attorney upon the application for homestead exemption for the year 1938, made by C. P. McDonald on Lot 20, Block 14, Section "B"; and upon motion duly seconded and unanimously carried, the Clerk was instructed to inform Mr. and Mrs. McDonald that the homestead exemption cannot be allowed.

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

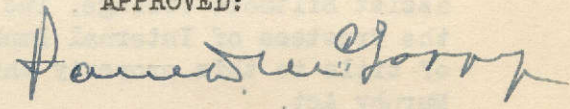
ATTEST:



CITY CLERK

G. N. Shaw

APPROVED:



MAYOR  
Paul D. McGarry



## MINUTES OF MEETING OF THE CITY COMMISSION

ON JULY 18, 1939

The Commission of The City of Coral Gables convened in regular session at 4:05 o'clock p.m. on Tuesday, July 18, 1939.

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

## RESOLUTION NO. 1938

A RESOLUTION AUTHORIZING CITY MANAGER AND CITY ATTORNEY TO ASSIST BILTMORE VILLAGE, INC. IN ACQUIRING THE STATE'S TAX TITLE TO SEABOARD SECTION OF CENTRAL MIAMI.

WHEREAS, The City of Coral Gables has a contract for the purchase of all of the SEABOARD SECTION OF CENTRAL MIAMI; and,

WHEREAS, The title to the said lands with the exception of one cloud, which is now being cleared, has been approved by the City Attorney subject, however, to the unpaid and outstanding taxes against the said lands; and,

WHEREAS, Biltmore Village, Inc., the seller, upon securing tax statements learned that an error had been made in 1936 when it attempted to adjust and pay all of the State and County taxes against said lands from the year 1926 through the year 1936, and the said lands excepting Lots 1 to 12 of Block 139 have been forfeited to the State under the Murphy Act; and,

WHEREAS, There is no other property near Coral Gables available for use as a trash dump and site for the construction of an incinerator, it is exceedingly important to the City that the title to this property be cleared so that the City may acquire the same and use it for said purpose;

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

That the City Manager and the City Attorney be and they are hereby authorized and directed to cooperate with and assist Biltmore Village, Inc. in making its application to the Trustees of Internal Improvement Fund for the reacquisition of title to this property which was forfeited under the Murphy Act.

was introduced and read.

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

Messrs. Pierce and Stratton again appeared before the Commission in connection with the use restrictions pertaining to Golden Gate Sub-division lots fronting on Le Jeune Road, and offered to sell the Commission



the twenty-one (21) lots involved for a total of \$3,975.00. The Mayor informed Messrs. Pierce and Stratton that the City is at present without funds to make such a purchase, but that the City would take the matter under consideration and advisement.

AN ORDINANCE AMENDING ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES, AND ORDINANCE NO. 299, AN AMENDMENT THERETO, AS TO THE QUALIFICATION OF THE MEMBERS OF THE ZONING BOARD, THE ASSOCIATE SUPERVISING ARCHITECTS AND THE STRUCTURAL ENGINEER.

was 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 Ordinance be placed on second reading at once; seconded by Commissioner Rinehart. The motion was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
 Phillips  
 Rinehart  
 Whitley  
 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 O'Shaughnessy  
 Phillips  
 Rinehart  
 Whitley  
 Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 323.

A letter from the Associate Supervising Architects, raising objections to the Zoning Board's proposals as to revision of cubic content requirements was referred to the joint consideration of the Zoning Board and the Associate Supervising Architects.

RESOLUTION NO. 1939

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PROCEED WITH THE APPEAL IN THE CASE OF CESARANO VS. OPPENHEIMER.

WHEREAS, In the case of Cesarano vs. Oppenheimer, a disposition was handed down which is deemed to be of importance



to the protection of taxes and tax liens held by the City of Coral Gables; and,

WHEREAS, The City Attorney has undertaken an appeal from the ruling of the Circuit Court in this case;

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

That the City Attorney be and he is hereby authorized and instructed to proceed and continue with the appeal heretofore instituted by him in the name of The City of Coral Gables from the disposition of the Circuit Court in the case of Cesarano vs. Oppenheimer.

was introduced and read.

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

RESOLUTION NO. 1940

A RESOLUTION AUTHORIZING THE EXECUTION OF A SPECIAL WARRANTY DEED CONVEYING LOT 11, TAMAMI PLACE PLAN #3 TO CORAL GABLES DEVELOPMENT COMPANY.

WHEREAS, The City is the holder of a Special Warranty Deed based upon a tax deed to Lot 11, Tamiami Place Plan #3, which it secured in the protection of tax liens which have subsequently been sold to Coral Gables Development Company; and,

WHEREAS, Said deed is in conflict with the sale of the other City tax liens to said Coral Gables Development Company, and such conflict should be removed;

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

That the City Manager and the City Clerk be and they are hereby authorized to execute to Coral Gables Development Company a Special Warranty Deed conveying to it all the City's right, title and interest in and to Lot 11, Tamiami Place Plan #3.

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  
Rinehart  
Whitley  
Mayor McGarry

It was moved, seconded and unanimously carried that the City Manager be authorized to enter a letter agreement with the Consumers Water Company providing that The City remove the water tower on Salzedo Street adjoining the old fire and police station at its own expense, and that the City assume any liability for injury or property damage, arising out of the



razing of said structure; the City to receive all of the salvaged material except the wooden staves of the water tank.

After discussion with the City Manager, the Commission requested him to have the Consumers Water Company submit sketches and proposals of alterations to the water tower at Alhambra Circle and Ferdinand Street, which tower is reported by the Consumers Water Company to be in a dangerous condition of decay and deterioration.

Mayor McGarry then announced the appointment of Morton B. Adams, Horace L. Cartee, Dennis Cray, Roy Page and Ralph Wilkins as a committee to study the zoning situation south of Bird Road, and to make recommendations to the Zoning Board of Appeals as to necessary and advantageous amendments to the zoning of that portion of the City.

Then, at 5:00 o'clock p.m., on motion duly seconded and unanimously carried, the Commission resolved itself into a Committee of the Whole to conduct a public hearing upon the proposed appropriations for the year 1939-40. Mayor McGarry announced the purpose of the meeting and asked if any present had comments or suggestions upon the City Manager's Budget Estimate.

Mr. A. W. Barrett addressed the Commission and read a communication from the Taxpayers Association of Coral Gables, signed by him as Acting Secretary, on behalf of the Board of Directors.

Mr. McGarry then announced that the Commission was studying carefully the assessed values with the purpose in mind of correcting them so as to conform with actual existing conditions, and was studying the budget estimate with the intention of reducing expenses to the minimum, consistent with the necessity of keeping Coral Gables up to its heretofore high standards of maintenance and service. The Mayor assured those present that the Commission was seeking the means of reduction of taxes, and felt sure that that end could be accomplished.

Several others addressed the Commission upon the same subject and were answered to the same effect.

There being no further comments upon the proposed budget, the



the Commission adjourned its meeting as a Committee of the Whole until five o'clock p.m. on July 25, 1939, and then upon 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 25, 1939.

Pursuant to previous appointment, 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 25, 1939, for the purpose of conducting a second public hearing upon the proposed appropriations for the year 1939-40.

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

## RESOLUTION NO. 1941

A RESOLUTION PRESCRIBING THE BASIS OF ASSESSMENT OF PROPERTY FOR THE TAX YEAR 1939, AND SUBSEQUENT YEARS.

WHEREAS, Under Ordinance No. 269, authorizing a re-adjustment and refunding of the outstanding indebtedness of the City, it is obligated to assess all property within its territorial limits subject to taxation at the full cash value thereof; and,

WHEREAS, The City Charter authorized the City Commission to prescribe the basis of assessment up to the cash value thereof for purposes of taxation;

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

That the basis of assessment of all properties within the territorial limits of the City subject to taxation for the year 1939 and all subsequent years during the life of said refunding bonds, shall be the full cash value thereof.

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  
Whitley

Mayor McGarry

## RESOLUTION NO. 1942

A RESOLUTION ESTABLISHING THE DATES FOR REGULAR MEETINGS OF THE COMMISSION DURING THE MONTHS OF AUGUST AND SEPTEMBER, 1939.

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

That during the months of August and September, 1939, the regular meetings of the Commission of The City of Coral Gables shall be upon the first Tuesday of each of said months, and other meetings shall be held only upon call of the Mayor upon urgent business.

was introduced and read.



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

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, 1939.

was read by title on first reading.

Upon motion duly seconded and carried, the Commission then resolved  
itself into a Committee of the Whole to conduct a hearing upon the  
proposed appropriations.

Mayor McGarry assured those present that the Commission was making  
progress in revising the budget ordinance with proposed changes which  
would considerably decrease both the operating and debt service require-  
ments.

Mr. A. W. Barrett, speaking for the Taxpayers Association of  
Coral Gables, assured the Commission that that Association was appreciative  
of the Commission's attempts to decrease costs and taxes, and stated  
that the Association wished to cooperate with the Commission in every  
way possible toward that end. Mayor McGarry then assured Mr. Barrett  
and those present that the Commission is always gratefully receptive to  
any constructive comments and criticisms upon the City's affairs.

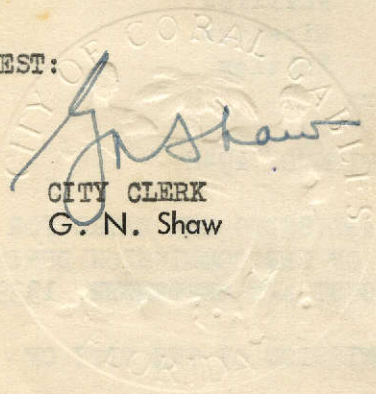
There being no further comments upon the proposed appropriations,  
the Commission adjourned as a Committee of the Whole; and then, upon  
motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry

ATTEST:





MINUTES OF MEETING OF CITY COMMISSION  
ON JULY 26, 1939

On call of special meeting by Mayor McGarry and unanimous consent of all Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at three o'clock p.m. on Wednesday, July 26, 1939.

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

The Commission conferred with Mr. Albert Roberts, Jr. concerning certain outstanding and unrefunded obligations, expressing approval of a plan of action suggested by Mr. Roberts, and requested him to put the terms of the plan in definite form and resubmit it for the possible approval and action of the Commission.

The Commission then recessed, convened as an Equalization Board, and instructed the Tax Assessor to base his roll upon the John C. Donehoo appraisal as amended by the J. Allen Brown Committee of Coral Gables Realtors, and appointed four o'clock p.m. on Tuesday, September 5 for the next Equalization Board meeting.

The Commission then reconvened for further business.

The City Manager then submitted revisions of the Appropriation Ordinance, involving the following changes:

<u>ITEM</u>	<u>REDUCTION</u>	<u>ADDITION</u>
City Manager's Office	\$ 68.17	
Building Inspector's Office	11.82	
Finance & Accounting	9.07	
Maintenance & Operation of City Hall	12.10	
City Auditor		600.00
Parks & Parkways	3,903.55	
Streets, Sewers & Equipment	9,301.65	
Wastes & Garbage Disposal	88.25	
Public Safety	1,387.00	
Health Department	522.00	
News Bureau	12.37	





<u>ITEM</u>	<u>REDUCTION</u>	<u>ADDITION</u>
Library		600.00
Chamber of Commerce	1,000.00	
Federal Water Survey		2,000.00
Public Service Building		1,000.00
Contingent Fund	2,795.48	
Clerical Charges to Debt Service		3,100.00
Departmental Income:		
Road and Bridge Millage	8,000.00	
Drivers' Licenses	3,360.00	
Car Inspections		2,400.00
Deficit in Operation of City Properties	1,652.92	
Profit in Operation of City Properties		3,040.08

Commissioner O'Shaughnessy moved that the Appropriation Ordinance be amended to conform with the above. Motion seconded by Commissioner Rinehart. The amendments were adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, the Appropriation Ordinance, which had been first read on July 25, 1939, was read again in full, as amended.

Commissioner O'Shaughnessy moved that the Ordinance, as amended, be adopted with the provision that further changes would be made if necessary, in order to prevent the operating millage exceeding 14 mills. Motion seconded by Commissioner Rinehart. The Ordinance, as amended was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Mayor McGarry  
"No" - Commissioner Whitley

Mayor McGarry then declared the ordinance adopted and approved, and ordered its publication as No. 324.

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 1, 1939

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, August 1, 1939.

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

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

RESOLUTION NO. 1943

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO ABANDON THE DEFENSE OF THE TWO LAESCH QUO WARRANTO SUITS IN EXCHANGE FOR A DEED OF DEDICATION OF THE STREETS AND WATERWAY THROUGH THE TRACTS INVOLVED IN SAID LITIGATION.

WHEREAS, Katherine K. M. Laesch, in a suit foreclosing an acreage mortgage, has acquired the fee simple title to fifteen (15) acres of land in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 30-54-41, and in said suit the easements of the City for street and waterway right-of-way, as shown in Plat Book 28, at page 30, of the Public Records of Dade County, Florida, were wiped out; and,

WHEREAS, Ernest Laesch has secured in the Circuit Court of Dade County, Florida, a final judgment ousting from the jurisdiction of the City five (5) acres in the SE Corner of the said SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 30, Common Law No. 17799-A, and Katherine K. M. Laesch has pending against the City a quo warranto suit, Common Law No. 18133-B, for the exclusion of her 15 acres in said 20 acre tract; and,

WHEREAS, The City has been offered a deed, dedicating to the use of the public the streets and waterway as shown on the Plat of Part 13 of the Riviera Section of Coral Gables, as recorded in Plat Book 28, at page 30, of the Public Records of Dade County, Florida, on and over the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 30, in exchange for the abandonment of the defense of the above mentioned quo warranto suits; and,

WHEREAS, The apparent tendency in the decisions of the Courts is unfavorable to cities in such suits; and,

WHEREAS, on July 25, 1939, the Supreme Court of the State of Florida rendered a decision in a case somewhat similar to the Laesch situation, in which the Court held that a tax deed issued on City tax sale certificates prior to the entry of a judgment of ouster adjudicating the invalidity of the Special Charter Act insofar as it affects the lands included in the tax deed, and that this act was void ab initio, thereby making it practically certain that the City or the third party holder of tax certificates against the Laesch property cannot collect the same if the judgments of ouster became final; and,

WHEREAS, Said opinion indicates that the City will have a right to collect debt service taxes specially levied as such against these lands, and Ernest Laesch and Katherine K. M. Laesch have offered to pay the debt service portion of the tax certificates outstanding against their said lands, provided the City will cancel the rest of the tax sale certificates outstanding against their lands; and,



WHEREAS, It is the consensus of the Commission that the platted streets and waterway affected by the above described litigation are necessary to the proper and orderly development of other lands remaining within the City of Coral Gables, and in the general locality of the Laesch tracts, and that the closing of said streets and waterway would seriously decrease property value in the southern section of the City and impede, or perhaps prevent, improvements and development now pending in that section;

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

1. That the City Manager and the City Attorney be and they are hereby authorized to accept a deed of dedication of the aforesaid streets and waterway from Ernest Laesch and his wife, provided they have a good and sufficient title to the said property and authority to dedicate the said streets and waterway in the opinion of the City Attorney, in exchange for such proceedings as may be necessary in the aforesaid quo warranto suits to preclude the City from further resisting the exclusion of the said lands from the jurisdiction of the City, provided the tax sale certificates for the years 1931, 1932, 1934, 1935 and 1936 on the Ernest Laesch house are surrendered for cancellation, and further provided that the said Ernest Laesch and his wife, and Katherine K. M. Laesch execute and deliver to the City rights-of-way deeds conveying to the City a right-of-way easement ten feet in width for the purpose of constructing and maintaining electric, telegraph and telephone lines and water mains on and over the center of the portions of Blocks 217, 218, 219 and 220 lying within the above described parcels of land.

2. That the Director of Finance be and he hereby is authorized and directed upon the payment to the City of the debt service portion of the tax sale certificates outstanding against the above mentioned twenty acre tracts of land for the tax years 1935, 1936, 1937 and 1938 to cancel of record the rest of the City held tax sale certificates against said lands.

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 Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

RESOLUTION NO. 1944

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO EXCHANGE CERTAIN TAX SALE CERTIFICATES WITH OWNERS OF CERTIFICATES COVERING LAESCH PROPERTIES.

WHEREAS, The City of Coral Gables and Ernest Laesch have made a trade whereby the City has acquired for the benefit of the public certain highway and waterway easements of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 30, Township 54 South, Range 41 East; and,

WHEREAS, The E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 30-54-41 has been excluded from the jurisdiction of the City by judgment of ouster;

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

1. That the Director of Finance be and he hereby is authorized and directed to request the owners and holders of tax sale certificates covering all lots lying wholly or partially



within the above acreage description to exchange such certificates with the City for City-held tax sale certificates on other property for the tax years 1937 and/or 1938, and to consummate such exchanges, upon the following basis, to-wit:

Such owners and holders of said tax sale certificates shall pay to the City in cash the debt service portion of the face amount of the 1937 and 1938 tax sale certificates to be assigned to it, and the City shall exchange on an equal basis such tax certificates, the face amount of which, less the debt service, shall equal the face amount of the City tax sale certificates on said lots held by third parties.

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 Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

RESOLUTION NO. 1945

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA FOR THE PURCHASE OF ITS TAX TITLE TO LANDS IN THE SEABOARD SECTION OF CENTRAL MIAMI.

WHEREAS, The Engineer and Secretary of the Trustees of the Internal Improvement Fund of the State of Florida, under date of July 25, 1939, delivered to Mr. Charles R. Pierce a letter, copy of which is hereto attached and made a part hereof, in reply to his personal application in behalf of his clients, Biltmore Village, Inc., for the acquisition from the Trustees of the State's tax title to all of Block 150, and Lots 13 to 49, both inclusive, of Block 139, of Seaboard Section of Central Miami Part 7, according to the Plat thereof recorded in Plat Book 20, at page 25, in 1925 Public Records of Dade County, Florida; and,

WHEREAS, The City under its contract to purchase said property from said corporation has authority to use the necessary portion of the moneys appropriated for the purchase thereof in acquiring this cloud upon the title of the said vendor; and,

WHEREAS, It is exceedingly important and necessary to the welfare and health of the City that it acquire this property for use in the establishment of a new trash dump and incinerator plant;

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

1. That the City Manager be and he hereby is authorized and directed to make such formal application as may be necessary to the Trustees of the Internal Improvement Fund of the State of Florida for the purchase of the State's title to the above described lands.



2. That the City Manager and the Director of Finance be and they are hereby authorized and directed to pay to the Trustees of the Internal Improvement Fund of the State of Florida, out of the funds appropriated for the purchase of said property, the amount required to acquire the State's title to said lands, which amount shall be deducted from the purchase price of said property heretofore authorized to be paid to Biltmore Village, Inc.

3. That the City Manager be and he hereby is authorized and directed to take such other formal steps as may be necessary to carry out the general purpose of this resolution.

"TRUSTEES OF THE  
INTERNAL IMPROVEMENT FUND

Of The State of Florida

TALLAHASSEE, FLORIDA

July 25, 1939

Mr. Charles R. Pierce,  
1314 Castile Ave.,  
Coral Gables, Fla.

Dear Sir:

Pursuant to our conversation this morning in reference to the application of the City of Coral Gables to acquire from the Trustees of the Internal Improvement Fund certain parcels described in the application, which said parcels came to the State under the provisions of the Murphy Act, and the indicated urgency for prompt acquisition by the City of said parcels, my suggestion is as follows:

That the Clerk of the Circuit Court of Dade County be requested to prepare a list of the certificates covering the parcels desired to be acquired and that he certify such list to the Trustees of the Internal Improvement Fund;

That upon receipt of said list, the Trustees advertise the parcels covered thereby for sale. Said single advertisement might state that the application to purchase has been received from the City of Coral Gables, which said City proposes to use the land for constructing an incinerator thereon and for other public health purposes, setting an early date for the receiving of bids and the award to purchaser.

Thereupon, if, pursuant to the Murphy Act, the City of Coral Gables appears, in the judgment of the Trustees of the Internal Improvement Fund, to be the highest and best bidder, deed will be executed by the Trustees on behalf of the State to the City of Coral Gables.

If the above is expedited, my judgment is the Trustees will do everything in their power to bring the sale to final consummation in the shortest possible time.

Very truly yours,

(signed)

F. C. ELLIOT,  
Engineer and Secretary."



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 Phillips
- Rinehart
- Whitley
- Mayor McGarry
- Absent - Commissioner O'Shaughnessy

The Clerk then read the following communication from Rodney Miller and Associates:

"RODNEY MILLER  
 Building Construction  
 CORAL GABLES - MIAMI - FLORIDA

August 1, 1939

City of Coral Gables,  
Coral Gables, Florida.

Attention: E.M. Williams, City Manager

Gentlemen:

With reference to your letter of July 27th, outlining the purchase price of the Coliseum Building and adjoining property, please be advised that we will accept this proposition on the terms as outlined in your letter on the condition that it be accepted and executed by the Coral Gables City Commission within ten days.

As soon as your legal department has a contract for sale ready to be submitted to us, kindly advise so that we can close this deal at the earliest possible date.

Very truly yours,

RODNEY MILLER AND ASSOCIATES

By \_\_\_\_\_ (signed)

RM/uc"

which was in reply to the following:

"July 27, 1939

Mr. Rodney Miller and Associates  
Coral Gables, Florida

Gentlemen:

Following your conference with the City Commission as of yesterday, please be advised that the City Commission has agreed to give you a thirty-day option to purchase the Coliseum building and property on the following terms:

The sales price to be \$50,000 upon these terms:



\$5,000 cash, \$15,000 each year for three years, with interest at 4%; a waiver of City taxes during the three-year period.

Yours very truly,

CITY OF CORAL GABLES

(signed)

E. M. Williams  
City Manager

EMW:LS"

RESOLUTION NO. 1946

A RESOLUTION AUTHORIZING CANCELLATION OF THAT CERTAIN LEASE HELD BY HENRY L. DOHERTY & COMPANY, INC., UPON THAT PROPERTY KNOWN AS "THE COLISEUM".

WHEREAS, On the 31st day of January, 1936, The City of Coral Gables did enter into a certain lease with Carl Byoir covering that certain property owned by The City of Coral Gables, and known as "The Coliseum"; and

WHEREAS, Said lease was subsequently modified and authorized to be assigned to Henry L. Doherty & Company, Inc., on December 29th, 1937, by Resolution No. 1776, and was so assigned; and

WHEREAS, The City Commission of The City of Coral Gables has had a report from an appraisal committee of the Coral Gables Real Estate Board recommending to the City that it sell the said property instead of leasing it and fixing as a fair reasonable sale price of the same the sum of Fifty-Thousand (\$50,000.00) Dollars; and

WHEREAS, The City of Coral Gables has received a firm offer to purchase the said building at the said price on terms agreeable to the City; and

WHEREAS, It will best serve the interests of the City to secure a cancellation and termination of the foregoing lease in order that the City may sell the said property;

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

Section 1. That the City Manager and the City Attorney be and they are hereby directed and authorized to present the above stated situation to Henry L. Doherty & Company, Inc. for the purpose of securing from it an agreement to cancel said Lease and immediately surrender possession of said property in consideration of a full and complete release by the City of any and all obligations and covenants entered into by Henry L. Doherty & Company, Inc. under the terms of said lease or in any way whatsoever in connection therewith:

Section 2. That in the event said City Manager and City Attorney are successful in securing the agreement to cancel and terminate the said Lease, the Mayor and City Clerk be and they are hereby expressly authorized to execute an agreement of cancellation of the aforesaid Lease in substantially the form hereto attached and by reference made a part hereof, and to execute such further instruments of general release and/or satisfaction in connection therewith as may be required by said Henry L. Doherty & Company, Inc.

was introduced and read.

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



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 Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

The Clerk then read the following communication from Rodney Miller and Associates:

"RODNEY MILLER  
Building Construction  
CORAL GABLES - MIAMI - FLORIDA

August 1, 1939.

City of Coral Gables,  
Coral Gables, Florida.

Attention E. M. Williams, City Manager.

Gentlemen:

With reference to your letter of July 27th, outlining the purchase price of the Coliseum Building and adjoining property, please be advised that we will accept this proposition on the terms as outlined in your letter on the condition that it be accepted and executed by the Coral Gables City Commission within ten days.

As soon as your legal department has a contract for sale ready to be submitted to us, kindly advise so that we can close this deal at the earliest possible date.

Very truly yours,

RODNEY MILLER AND ASSOCIATES

By \_\_\_\_\_ (signed)

RM/uc"

which was in reply to the following:

"July 27, 1939

Mr. Rodney Miller and Associates  
Coral Gables, Florida

Gentlemen:

Following your conference with the City Commission as of yesterday, please be advised that the City Commission has agreed to give you a thirty-day option to purchase the Coliseum building and property on the following terms:

The sales price to be \$50,000 upon these terms:



\$5,000 cash, \$15,000 each year for three years, with interest at 4%; a waiver of City taxes during the three-year period.

Yours very truly,

CITY OF CORAL GABLES

(signed)

E. M. Williams  
City Manager

EMW:LS"

RESOLUTION NO. 1946 - A

A RESOLUTION AUTHORIZING ASSIGNMENT OF THAT CERTAIN LEASE HELD BY HENRY L. DOHERTY & COMPANY, INC., UPON THAT PROPERTY KNOWN AS "THE COLISEUM".

WHEREAS, On the 31st day of January, 1936, The City of Coral Gables did enter into a certain lease with Carl Byoir covering that certain property owned by The City of Coral Gables, and known as "The Coliseum"; and,

WHEREAS, Said lease was subsequently modified and authorized to be assigned to Henry L. Doherty & Company, Inc., on December 28th, 1937, by Resolution No. 1776, and was so assigned; and,

WHEREAS, the City Commission of The City of Coral Gables has had a report from an appraisal committee of the Coral Gables Real Estate Board recommending to the City that it sell the said property instead of leasing it and fixing as a fair reasonable sale price of the same the sum of Fifty Thousand (\$50,000.00) Dollars; and,

WHEREAS, The City of Coral Gables has received a firm offer from Rodney Miller & Associates to purchase the said building at the said price on terms agreeable to the City; and,

WHEREAS, The said purchaser secured an Agreement from Henry L. Doherty & Company, Inc. for the assignment to the purchaser or his nominee of the aforesaid lease of the Coliseum; and,

WHEREAS, It will best serve the interests of the City to approve this assignemtn of the foregoing lease in order that the City may consummate the sale of the said property to the said Rodney Miller & Associates;

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

That the assignment of the aforesaid lease now held by Henry L. Doherty & Company, Inc. to Rodney Miller & Associates for their nominee, who are to be named as grantee in the deed conveying said property, be and the same is hereby approved.

was introduced and read.

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



AN ORDINANCE AUTHORIZING EXECUTION OF  
AN OPTION CONTRACT WITH RODNEY MILLER  
AND ASSOCIATES FOR THE SALE OF THE  
COLISEUM PROPERTY.

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 Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

Thereupon, the ordinance was read again in full.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

Mayor McGarry then declared the ordinance adopted and approved, and ordered its publication as No. 325.

RESOLUTION NO. 1947

A RESOLUTION AUTHORIZING THE SETTLEMENT  
OF CHANCERY SUIT NO. 55250 BY FLORIDA  
BOND & MORTGAGE COMPANY

WHEREAS, The City Attorney reports that Mr. R.C. Houser testified at the first hearing of the above suit that the Plaintiff had made a voluntary sale of the said property for the total consideration of \$7,800.00, \$1,800 paid in cash, the balance of \$6,000 secured by a mortgage, after having made additions and improvements and repairs to the premises during the year 1939, and after February of said year, at a total cost of approximately \$1,080.00; and,

WHEREAS, The City Attorney reports that the Plaintiff is agreeable to settle the aforesaid law suit by paying the taxes due for the year 1939 on the basis of an assessed valuation in an amount of \$7,500.00; and,

WHEREAS, the loss in taxes to the City by accepting this settlement will not exceed and may not equal the additional costs which will certainly be adjudged against the City if the case is tried, and the City Attorney, therefore, recommends that the same be settled on the above basis;

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

That the City Attorney be and he hereby is authorized and directed to take such steps in the said suit as may be necessary



to consummate the settlement of the same on the basis of a \$7,500.00 assessed valuation of the said property for the year 1938, and have a final decree in the suit of Florida Bond & Mortgage Company v. City of Coral Gables, Chancery No. 55250, entered consummating said settlement.

was introduced and read.

Motion by Commissioner Rinehart that the resolution be adopted; seconded by Commissioner Whitley. The resolution was adopted by the following roll call:

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

AN ORDINANCE ASSESSING AND IMPOSING ON EVERY INSURANCE COMPANY, CORPORATION OR OTHER INSUROR NOW ENGAGED IN OR CARRYING ON, OR WHO SHALL HEREAFTER ENGAGE IN OR CARRY ON, THE BUSINESS OF INSURING PROPERTY AGAINST LOSS OR DAMAGE BY FIRE OR TORNADO, AN EXCISE TAX IN ADDITION TO ANY LICENSE OR EXCISE TAX NOW LEVIED, AMOUNTING TO ONE (1%) PER CENT OF THE GROSS AMOUNT OF RECEIPTS OF PREMIUMS FROM POLICY HOLDERS ON ALL PREMIUMS COLLECTED ON FIRE AND TORNADO INSURANCE POLICIES COVERING PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF CORAL GABLES AND APPROPRIATING THE MONEYS DERIVED FROM SUCH TAX TO THE FIREMEN'S RELIEF AND PENSION FUND.

was introduced and read by title.

Motion by Commissioner Whitley 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 Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

Thereupon the ordinance was read again in full.

Motion for adoption of the ordinance by Commissioner Whitley; seconded by Commissioner Phillips. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 326.



## RESOLUTION NO. 1948

A RESOLUTION AUTHORIZING THE ISSUANCE OF SHORT TERM NOTES OF THE TRUST FUND OF THE CITY OF CORAL GABLES, AND THE PLEDGING AS COLLATERAL THERETO OF ANY AND ALL SECURITIES OWNED BY SAID TRUST FUND.

WHEREAS, By Resolution No. 1935, adopted June 30, 1939, the Director of Finance was authorized to borrow for the account of the Current Fund any and all of the cash and liquid assets belonging to the Trust Fund, in order to provide the Current Fund with money with which to meet pay rolls and other operating expenses of the City and its properties until and in anticipation of the opening of tax collections in November, 1939; and,

WHEREAS, The cash in the Trust Fund is insufficient to meet the necessities of the Current Fund, and it will become necessary either to liquidate or to borrow upon the securities owned by the Trust Fund;

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, for the purpose of meeting deficits in operating moneys, to sell any and all bonds or other securities owned by the Trust Fund, or to issue notes of the City payable not later than December 31, 1939, at interest rates of not more than four per centum (4%) per annum, and to pledge any and all of the bonds or other securities owned by said Trust Fund as collateral for such notes, whichever in his discretion may be most advantageous to the Trust and Current Funds.

That said notes shall be issued as obligations of the Trust Fund of The City of Coral Gables, and shall be executed by the City Manager and the Director of Finance.

was introduced and read.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

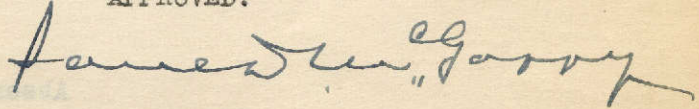
The Commission then unanimously agreed to a meeting to be commenced at 5:15 o'clock p.m. on Wednesday, August 2, 1939, for the purpose of reading the minutes of this and previous meetings.

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 AUGUST 2, 1939

Pursuant to appointment at the meeting of August 1, 1939, 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 Wednesday, August 2, 1939.

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

The minutes of the meetings of July 10, 11, 14, 18, 25, 26 and August 1 were read and approved.

RESOLUTION NO. 1949

A RESOLUTION APPROPRIATING THE SUM OF TWO THOUSAND DOLLARS FOR AN INITIAL PAYMENT UPON AN INCINERATOR SITE AND AUTHORIZING AND DIRECTING THE PAYMENT OF THAT SUM TO BILTMORE VILLAGE, INC.

WHEREAS, The Secretary of the Internal Improvement Fund assured the City on August 2, 1939, that the Internal Improvement Board would accept the City's bid as the best bid for the State Tax Title to certain property being sought by the City for an incinerator site; and,

WHEREAS, Biltmore Village, Inc., in order to acquire certain lots essential to the completion of the proposed incinerator site, must have Two Thousand (\$2,000) Dollars to take up an option on said lots;

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 directed to pay to Biltmore Village, Inc. Two Thousand Dollars (\$2,000) of the consideration heretofore authorized by Resolution No. 1927, adopted June 27, 1939, upon delivery of a deed by Biltmore Village, Inc. to The City of Coral Gables, covering said proposed incinerator tract, and specifically the lots to be acquired with the advance payment herein authorized.

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 Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy



## RESOLUTION NO. 1950

A RESOLUTION APPROPRIATING FROM THE  
CONTINGENT FUND AMOUNTS TO COVER  
CERTAIN MISCELLANEOUS EXPENSES.

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

That the following sums be and the same are hereby appropriated from the Contingent Fund for the purpose of meeting expenses heretofore informally authorized by the Commission, and for the purposes specifically set forth beside said amounts:

Dade County Municipal Association meeting . . .	\$109.40
Florida League of Municipalities dues . . . .	70.00
Entertainment of English Naval Officers . . . .	12.00
Appraisal of Coral Gables Real Estate . . . .	300.00
Secretarial expense of the Mayor . . . . .	300.00
Greater Miami Drum & Bugle Corps contribution ..	100.00

was introduced and read.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner O'Shaughnessy

AN ORDINANCE AMENDING ORDINANCE NO. 156,  
AS AMENDED BY ORDINANCE NO. 197, OF THE  
CITY OF CORAL GABLES SO AS TO IMPOSE A  
FIFTY DOLLAR PER ANNUM LICENSE UPON  
AWNING CONTRACTORS.

was introduced and read by title on first reading and carried forward to a later meeting for consideration and action.

By unanimous consent, the Commission directed that all awning contractors at present licensed by The City of Coral Gables be notified of this proposed change, and requested to submit their views to the next meeting of the Commission.

AN ORDINANCE AMENDING ORDINANCE NO. 271,  
OF THE CITY OF CORAL GABLES, KNOWN AS THE  
ZONING ORDINANCE, SO AS TO PROVIDE A 15,500  
CUBIC FEET, R1 DISTRICT, TO BE KNOWN AS  
CF5A DISTRICT.

was read by title on first reading, and carried forward to a later meeting for further consideration and action.

AN ORDINANCE AMENDING ORDINANCE NO. 271  
OF THE CITY OF CORAL GABLES, KNOWN AS THE  
ZONING ORDINANCE, SO AS TO PROVIDE FOR  
SPECIFIC FACING OF BUILDINGS ON CERTAIN  
LOTS AND STREETS.

was read by title and carried forward to a later meeting for further consideration and action.

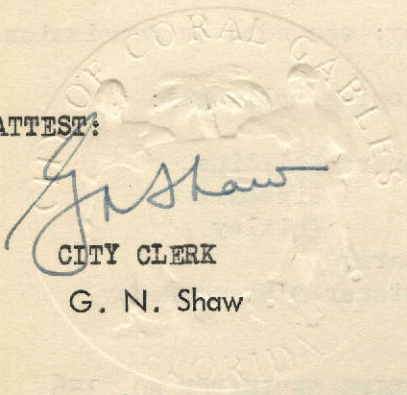


The action of the Zoning Board of Appeals in permitting a house on Lots 1 and 2, Block 2, Granada Terrace to face north on Avenue Mariana provided that walls be put in the porte cochere at the west rear of the house, was unanimously confirmed, the opinion being expressed that such a matter would not require the adoption of an ordinance.

The recommendation of the Zoning Board of Appeals that a house of 15,400 cubic feet content be permitted on Lots 13 and 14, Block 118, Riviera Section, was considered but 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 AUGUST 16, 1939

Pursuant to call of special meeting and unanimous consent of the Commissioners in the City, the Commission of The City of Coral Gables convened in special session at the City Hall at five o'clock p.m. on Wednesday, August 16, 1939.

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

RESOLUTION NO. 1951

A RESOLUTION APPOINTING EDMUND B. SIGMAN ACTING MUNICIPAL JUDGE TO SERVE DURING THE ABSENCE FROM THE CITY OF JUDGE THOMAS C. MAYES.

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

That during the absence from the City on vacation of Municipal Judge Thomas C. Mayes, Edmund B. Sigman be and he is hereby appointed Acting Municipal Judge to serve in the place and stead of Judge Mayes.

was introduced and read.

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

RESOLUTION NO. 1952

A RESOLUTION APPROPRIATING THE SUM OF TWO THOUSAND, FIVE HUNDRED DOLLARS FROM THE CONTINGENT FUND FOR THE PURCHASE AND IMPROVEMENT OF CERTAIN PROPERTY IN GOLDEN GATE, FOR STREET AND PARKWAY PURPOSES.

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

1. That the sum of Two Thousand, Five Hundred Dollars (\$2,500) be and the same is hereby appropriated from the Contingent Fund for the purchase of the West 40 feet of Lots 1 to 21, inclusive, Block 1, Golden Gate, and if possible, the South 16 ft. of the east 60 feet of Lot 1 of said block; and for the improvement of said tract with a driveway entering from Le Jeune Road on the north thereof, proceeding southward along the east line of said west 40 feet and emerging, if possible, through the south 16 feet of Lot 1 and Lot 72 to Washington Street; or otherwise, eastward through the south 16 feet of the west 40 feet of Lot 1 to Le Jeune Road; and for the development of a screen planting on the remainder of said west 40 feet of Lots 1 to 21.



2. That the City Manager and the Director of Finance be and they are hereby authorized to purchase the west 40 feet of Lots 1 to 21, Block 1, at a cost not to exceed \$1,987.50 and upon terms favorable and satisfactory to them; and the South 16 feet of Lot 72, Block 1, at a cost not to exceed \$150.00 providing, however, that if it is possible to purchase said south portion of Lot 72, the vendors of Lots 1 to 21 shall deed to the City without additional consideration the south 16 feet of the East 60 feet of Lot 1, all in Golden Gate Subdivision.

3. That, within the amount appropriated hereby, the Street Department and the Parkway Department are hereby authorized and instructed to proceed with the construction of said roadway and with the development of said screen planting.

was introduced and read.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Absent - Commissioner O'Shaughnessy  
Mayor McGarry

RESOLUTION NO. 1953

A RESOLUTION PROVIDING THAT BUILDING PERMITS SHALL EXPIRE AFTER SIXTY DAYS IF CONSTRUCTION HAS NOT BEEN COMMENCED WITHIN THAT PERIOD.

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

That hereafter all building permits shall be issued for a term of sixty (60) days from the date thereof, and at the end of said sixty day period if construction of the building or structure authorized thereby has not been commenced and substantial progress made thereon, said building permit shall be deemed to have expired and shall be cancelled by the Building Inspector; provided, however, that upon application to the Building Inspector for renewal of such permit and amendment of plans to conform to any revisions in the building code or zoning ordinance or other regulations of the City which may have been executed since the issuance of such permit, the Building Inspector shall grant a renewal or successive renewals of such building permit, but each renewal shall not be granted for a term not to exceed sixty days from the date thereof.

was introduced and read.

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



The City Manager discussed with the Commission an application by Mr. Wisehart for the erection of certain negro dwellings in Coconut Grove Warehouse Center, north of the Dixie Highway, and the City Manager was authorized to issue such permit provided that the dwellings be set back at least fifty (50) feet from said Dixie Highway.

The City Attorney was instructed to draft an ordinance, with the advice of the Zoning Board and the special committee on zoning south of Bird Road, so as to provide for set backs, minimum ground area, and minimum cubic content of buildings for property fronting upon the Miami-Homestead Highway between Le Jeune Road and the Western City limit, so as to require for said property buildings consistent with the future development and importance of said highway.

RESOLUTION NO. 1954

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SETTLE AND COMPROMISE SUIT BY JOSEPH WEINTRAUB IN CHANCERY NO. 57905A INVOLVING THE ASSESSMENT OF HIS RESIDENCE.

WHEREAS, On the 1939 assessment roll, the property of Joseph Weintraub and wife has been assessed at a figure reasonably approaching what the said parties contend is the actual value of their residence; and,

WHEREAS, The parties have agreed to dismiss the suit instituted in Chancery, No. 57905-A, questioning the 1938 assessment of their property providing the City will pay the costs thereof; and,

WHEREAS, The City Attorney recommends the settlement of said suit;

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 enter an order dismissing said cause at the cost of the plaintiff, upon the Plaintiffs paying the taxes levied upon said property for the year 1938, less a four percent (4%) discount thereon.

was introduced and read.

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

"Ye<sub>s</sub>" - Commissioners Phillips  
Rinehart  
Whitley  
Absent - Commissioner O'Shaughnessy  
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

8/16/39 *gms*



MINUTES OF MEETING OF CITY COMMISSION  
ON AUGUST 18, 1939

Pursuant to call of special meeting and unanimous consent of the Commissioners in the City, the Commission of The City of Coral Gables convened in special session at the City Hall at five o'clock p.m. on Friday, August 18, 1939.

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

RESOLUTION NO. 1955

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Absent - Commissioner O'Shaughnessy  
Mayor McGarry

RESOLUTION NO. 1956

A RESOLUTION AUTHORIZING ASSIGNMENT OF THAT CERTAIN LEASE HELD BY HENRY L. DOHERTY & COMPANY, INC., UPON THAT PROPERTY KNOWN AS "THE COLISEUM" AND THE EXECUTION AND DELIVERY OF CONTRACT IN CONNECTION THEREWITH.

WHEREAS, On the 31st day of January, 1936, The City of Coral Gables did enter into a certain lease with Carl Byoir covering that certain property owned by The City of Coral Gables, and known as "The Coliseum"; and,

WHEREAS, Said lease was subsequently modified and authorized to be assigned to Henry L. Doherty & Company, Inc., on December 28th, 1937, by Resolution No. 1776, and was so assigned; and,



WHEREAS, The City Commission of The City of Coral Gables has had a report from an appraisal committee of the Coral Gables Real Estate Board recommending to the City that it sell the said property instead of leasing it and fixing as a fair reasonable sale price of the same the sum of Fifty Thousand (\$50,000.00) Dollars; and,

WHEREAS, The City of Coral Gables has received a firm offer from COLISEUM, INC. (as nominee of Rodney Miller and Associates) to purchase the said building and property at said price on terms agreeable to the City, expressly conditioned, however, upon the City securing an assignment by Henry L. Doherty & Company, Inc. to Coliseum, Inc. of the above described lease on terms set forth in the agreement attached hereto and by reference made a part hereof; and,

WHEREAS, It will best serve the interests of the City to secure and approve such assignment of the foregoing lease in order that the City may consummate the sale of the said property to Coliseum, Inc. (as nominee of said Rodney Miller and Associates);

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

1. That the assignment of the aforesaid lease now held by Henry L. Doherty & Company, Inc. to Coliseum, Inc. (as nominee of Rodney Miller and Associates), which is named as grantee in the deed about to be delivered conveying the above described Coliseum property, be and the same is hereby approved.

2. That the Mayor or City Manager and the City Clerk be, and they are hereby expressly authorized and directed to execute and deliver the attached agreement, all of the terms and provisions whereof are hereby expressly authorized, ratified and approved; and,

3. That consent is also hereby given to the assignment without recourse by Henry L. Doherty & Company, Inc. to Coliseum, Inc. of its right, title and interest as lessor under the sub-lease from Henry L. Doherty & Company, Inc. to H. B. Taber, dated June 1, 1938 and filed for record in Deed Book 1913 at page 521 of the public records of Dade County, Florida, which said lease was subsequently assigned by said Taber to Metropolitan Ice Palace, Inc. by Assignment dated September 22, 1938 and filed for record in Deed Book 1915, at page 423 of the public records of Dade County, Florida.

4. That any previous resolution inconsistent with the terms and provisions hereof be and the same is hereby amended in accordance with the terms and provisions hereof.

was introduced and read.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Absent - Commissioner O'Shaughnessy  
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

*[Signature]*  
8/18/39



## MINUTES OF MEETING OF CITY COMMISSION

ON SEPTEMBER 12, 1939

Pursuant to call of special meeting by Mayor McGarry and unanimous consent of the Commission, the Commission of The City of Coral Gables convened in special session at the City Hall at five o'clock p.m. on Tuesday, September 12, 1939.

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

AN ORDINANCE CLOSING MILLER ROAD AND ABANDONING IT AS A PUBLIC HIGHWAY BETWEEN RIVIERA DRIVE AND ORDUNA BOULEVARD AND REMOVING THE BRIDGE OVER THE CORAL GABLES CANAL AT THIS POINT AND PLACING NECESSARY BARRIERS AND WARNINGS TO PROTECT TRAFFIC FROM HAZARDS OCCASIONED BY THE REMOVAL OF SAID BRIDGE.

was introduced and read by title and carried forward to a later meeting for further consideration and action.

## RESOLUTION NO. 1957

A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT FOR INVESTIGATION OF WATER RESOURCES OF SOUTHEASTERN FLORIDA.

WHEREAS, The City of Coral Gables has appropriated the sum of Two Thousand Dollars (\$2,000) as a contribution toward the expense of a survey of the water resources of Southeastern Florida during the period from July 1, 1939 to June 30, 1943, and has agreed to provide the balance of its share of the costs from subsequent budgets; and,

WHEREAS, The County of Dade, The City of Miami and The City of Miami Beach have each appropriated moneys and are authorizing the execution of the attached Cooperative Agreement with the United States Geological Survey for the purpose of carrying out said survey;

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

1. That the Mayor and the City Clerk be and they are hereby authorized and directed to execute the attached Cooperative Agreement for Investigation of Water Resources along with Dade County, The City of Miami and The City of Miami Beach.

COOPERATIVE AGREEMENT  
FOR INVESTIGATION OF WATER RESOURCES

THIS AGREEMENT is entered into as of the first day of July, 1939, by the UNITED STATES GEOLOGICAL SURVEY, as party of the first part, and DADE COUNTY, a political subdivision of the State of Florida, THE CITY OF MIAMI, THE CITY OF MIAMI BEACH and THE CITY OF CORAL GABLES, each being a municipality in and of the State of Florida (and such other counties and municipalities of the southern



part of the State of Florida as may hereafter elect to, and by appropriate action, become parties hereto), as parties of the second part.

1. The parties hereto agree that, subject to the availability of appropriations, and in accordance with their respective authorities, there shall be maintained in cooperation an investigation of the water resources of Southeast Florida during the period from July 1, 1939, to June 30, 1943.

2. The following amounts shall be contributed for the purpose of this investigation to cover all of the cost of the necessary field and office work directly related to this investigation, excluding any general administrative or accounting work in the office of any party, and excluding the cost of publication, by any party, of the results of the investigations:

(a) \$26,000 by the party of the first part during the period from July 1, 1939, to June 30, 1940, and \$29,000 for the period July 1, 1940, to June 30, 1941, of which amounts a portion may be held in reserve, for later release if funds permit, in order that the available Federal funds may be distributed proportionately among the cooperative States and municipalities.

(b) \$26,000 by the parties of the second part during the period from July 1, 1939, to June 30, 1940, and \$29,000 for the period July 1, 1940, to June 30, 1941, except that the contribution of the parties of the second part shall equal but shall not exceed that of the United States Geological Survey.

(c) The following amounts to be contributed by the party of the first part and like amounts by the parties of the second part for the periods indicated, and such contributions shall be in accord with the terms of paragraphs 2 (a) and (b) and subject to the availability of appropriations:

July 1, 1941, to June 30, 1942 . . . . \$20,000  
July 1, 1942, to June 30, 1943 . . . . \$15,000

(d) The maximum amounts which each party of the second part shall be obligated to contribute hereunder shall be the products obtained by multiplying the respective amounts recited in the preceding sub-paragraphs designated (b) and (c) by the percentage factor hereinafter specified for such party and set forth in sub-paragraph (a) of paragraph numbered 7, it being understood and agreed that the failure or neglect of any party or parties of the second part to fulfill any obligation assumed hereunder shall not render any other party or parties of the second part liable for the payment of any shortage or deficiency resulting from such failure or neglect.

3. Expenses incurred in the performance of this investigation may be paid by either the party of the first part or by the parties of the second part in conformity with the laws and regulations respectively governing each party, provided that so far as may be mutually agreeable all expenses shall be paid in the first instance by the party of the first part with appropriate reimbursement thereafter by the parties of the second part. Each party to the cooperation shall furnish to the other parties such statements or reports of expenditures as may be needed to satisfy fiscal requirements.

4. The field and office work pertaining to this investigation shall be under the direction of an authorized representative of the party of the first part, who shall supervise the work and approve the expenditures of the funds contributed by all parties.



5. The areas to be investigated and the scope of the investigation shall be determined by mutual agreement between the parties hereto or their authorized representatives and the methods of investigation shall be those usually followed by the party of the first part subject to modification by mutual agreement. If the work is not being carried on in a mutually satisfactory manner, either the party of the first part or the parties of the second part may terminate this agreement on formal notice.

6. The records and reports resulting from this investigation shall be released for public inspection as promptly as possible. All parties shall have the privilege of publishing the reports, provided, that publications by any party shall contain a statement of the cooperative relations between the parties hereto.

7. As simple rules to govern and guide the parties of the second part in their cooperation hereunder, they agree among themselves as follows:

(a) Except as there may be modifications and reductions by reason of the addition of parties of the second part, the parties of the second part which are signatories hereto agree that the aggregate cost to be borne by the parties of the second part hereunder shall be specifically divided among them as follows:

24% of such aggregate cost shall be borne by Dade County,

48% of such aggregate cost shall be borne by The City of Miami,

24% of such aggregate cost shall be borne by The City of Miami Beach, and

4% of such aggregate cost shall be borne by The City of Coral Gables.

(b) It is contemplated that other municipalities in Southeastern Florida and possibly other counties which have considered the question of participating in the investigation provided for hereby, but which have not taken formal action to that end, may shortly take such action and desire to become parties hereto. In such event the representatives of such additional party or parties of the second part, in advance of becoming a party hereto, shall consider with the committee hereinafter provided for and created, the financial contribution which each such additional signatory may be willing to make. Each such contribution shall be definitely fixed and agreed upon and shall reduce pro rata the percentages as hereinbefore specified in sub-paragraph (a) for each of the original signatories hereto.

(c) None of the parties of the second part shall have the power to withdraw from this agreement, or fail or refuse to pay its agreed contribution hereunder, without the consent of parties of the second part representing at least 75% of the aggregate amount to be contributed by all parties of the second part.

(d) To facilitate the progress of the work and the handling of details and dealings between the party of the first part and all parties of the second part, it is hereby provided that each of the parties of the second part, including the original signatories and any additional agencies hereafter electing to become parties hereto, shall have the right to designate a representative (who may or may not have been designated by any other agency) and these designees shall constitute a committee which shall have the following powers and duties:



- (1) To effect an organization from among its members;
- (2) To represent all of the parties of the second part in dealing with the party of the first part and in such capacity to do all things necessary and proper to carry into effect the purposes and provisions of this agreement.

IN WITNESS WHEREOF, the parties hereto have caused this instrument and five exact duplicates hereof to be executed in their names and their corporate seals to be affixed hereto and to each of said duplicates, all by their respective officers and representatives thereunto duly authorized and all as of the 31st day of August, 1939.

UNITED STATES GEOLOGICAL SURVEY

By \_\_\_\_\_  
Acting Director.

DADE COUNTY, A POLITICAL SUB-DIVISION OF THE STATE OF FLORIDA

By \_\_\_\_\_  
Chairman of Board of County Commissioners

ATTEST:

E. B. LEATHERMAN, Clerk  
Circuit Court of Dade County

By \_\_\_\_\_  
Deputy Clerk

THE CITY OF MIAMI, FLORIDA

By \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

THE CITY OF MIAMI BEACH, FLORIDA

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

THE CITY OF CORAL GABLES, FLORIDA

By \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

was introduced and read.

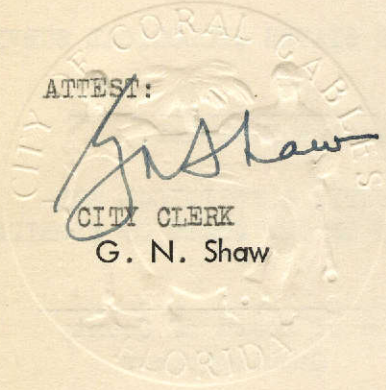
Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The resolution was adopted by the following roll call:

*[Handwritten signature]*  
9/12/39



"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

There being insufficient time to handle other matters before the  
Commission, by unanimous agreement a meeting was called for four o'clock  
p.m. on Wednesday, September 13, 1939, and the meeting was adjourned.



APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION  
ON SEPTEMBER 13, 1939

Pursuant to appointment at the meeting of September 12, 1939, the Commission of The City of Coral Gables convened in special session at the City Hall at four O'Clock p.m. on Wednesday, September 13, 1939.

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

The minutes of the meetings of August 2, 16 and 18, 1939, were read and approved.

RESOLUTION NO. 1958

A RESOLUTION APPOINTING ROBERT PENTLAND, JR.  
CITY AUDITOR FOR THE FISCAL YEAR 1939-40.

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

That Robert Pentland, Jr. be, and he hereby is, appointed the City Auditor for the fiscal year ending June 30, 1940 at the fee provided in the 1939-40 Budget Ordinance.

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  
Mayor McGarry  
"No" -- Commissioner Whitley  
Absent - Commissioner Rinehart

A proposed ordinance requiring all milk or milk products served or sold in restaurants, stores or public eating or drinking places be Grade "A" Pasteurized milk, and requiring all bottles, etc. enclosing raw milk to be labeled and marked, etc., was introduced and discussed, but upon motion duly seconded and carried, was tabled.

AN ORDINANCE CLOSING NAVARRE AVENUE  
BETWEEN GALIANO STREET ON THE EAST  
AND A LINE DRAWN NORTH AND SOUTH  
ACROSS THE SAME, ONE HUNDRED FEET  
EAST OF THE EAST BOUNDARY OF PONCE  
DE LEON BOULEVARD.

was introduced and read and carried forward to a later meeting for further consideration and action.



AN ORDINANCE CLOSING MILLER ROAD AND ABANDONING IT AS A PUBLIC HIGHWAY BETWEEN RIVIERA DRIVE AND ORDUNA BOULEVARD AND REMOVING THE BRIDGE OVER THE CORAL GABLES CANAL AT THIS POINT AND PLACING NECESSARY BARRIERS AND WARNINGS TO PROTECT TRAFFIC FROM HAZARDS OCCASIONED BY THE REMOVAL OF SAID BRIDGE.

which had been first read at the meeting of September 12, 1939, was read again in full.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, Mayor McGarry declared the Ordinance adopted and approved and ordered its publication as No. 327.

AN ORDINANCE RATIFYING AND APPROVING THE ASSIGNMENT OF THAT CERTAIN LEASE HELD BY HENRY L. DOHERTY & COMPANY, INC. UPON THAT PROPERTY KNOWN AS "THE COLISEUM" AND THE EXECUTION AND DELIVERY OF CONTRACT IN CONNECTION THEREWITH AS EXECUTED PURSUANT TO AUTHORITY OF RESOLUTION NO. 1956, ADOPTED AUGUST 18, 1939.

was introduced and read by title and carried forward to a later meeting for further consideration and action.

RESOLUTION NO. 1959

A RESOLUTION APPROVING AND RATIFYING CERTAIN EXPENDITURES DURING THE YEAR 1938-39, NOT PREVIOUSLY COVERED BY RESOLUTION.

WHEREAS, The auditors have called attention to the fact that certain expense items during the year 1938-39 were not previously authorized by resolution of the Commission; and,

WHEREAS, The Commission informally authorized said expenditures, and the failure to provide by resolution therefor was oversight;

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

That the following disbursements during the year 1938-39 be, and the same are hereby ratified and approved as payments from the Contingent Fund of that year:

G. N. Shaw, expenses to Atlanta re: Incinerator Project	\$125.00
Paul D. McGarry, expenses to Atlanta re: " "	100.00
G. N. Shaw, expenses to Atlanta, St. Paul, Washington, New York and return re: Incinerator, Municipal Officers Convention and bond matters	450.00
G. N. Shaw, for a certain special and confidential investigation	10.00
G. N. Shaw, for drafting return sheet forms for 1939 and subsequent general elections	30.00



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  
Whitley  
Mayor McGarry
- Absent - Commissioner Rinehart

RESOLUTION NO. 1960

A RESOLUTION APPROPRIATING THE SUM OF FIFTEEN HUNDRED DOLLARS FROM THE CONTINGENT FUND FOR ASSISTANCE IN THE DEVELOPMENT OF THE FAIRCHILD TROPICAL GARDEN.

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

That the sum of Fifteen Hundred (\$1500.00) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of assisting in the development and construction of buildings at the Fairchild Tropical Garden, said sum to be used for the manufacture of cement tile and other material to be donated toward the construction of said buildings.

was introduced and read.

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

- "Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry
- Absent - Commissioner Rinehart

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1939 AND ENDING JUNE 30, 1940; 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 and carried forward to a later meeting for further consideration and action.

The Clerk reported that the Zoning Board, at a meeting on the same date, had conducted a hearing upon the apartment building being built by Upton C. Ewing on Biltmore Way near Anderson Road, which is in violation of the Zoning Ordinance by a deficiency of cubic content, and that the



Zoning Board had recommended that objections to the existing violation be removed by the closing in of the two porches on the building, which will bring the cubic content up to the required minimum, which already had been agreed to by Mr. Ewing.

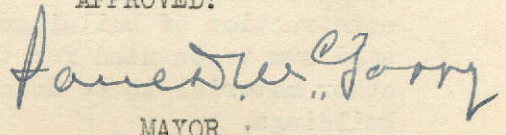
The Commission confirmed this action, and after hearing the circumstances of the violation, Commissioner Phillips moved that Mr. Ewing be advised that any further similar and intentional violation by him of the Zoning Ordinance or the Building Code would cause the City Commission to order the revocation of his license; the motion was moved, seconded and unanimously 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



MINUTES OF MEETING OF THE CITY COMMISSION  
ON SEPTEMBER 19, 1939

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock, Tuesday, September 19, 1939.

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

The minutes of the meetings of September 12 and 13, 1939, were read and approved.

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1939 AND ENDING JUNE 30, 1940; 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.

which previously had been read at the meeting of September 13, 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 O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 328.

AN ORDINANCE CLOSING NAVARRE AVENUE BETWEEN GALIANO STREET ON THE EAST AND A LINE DRAWN NORTH AND SOUTH ACROSS THE SAME ONE HUNDRED FEET EAST OF THE EAST BOUNDARY LINE OF PONCE DE LEON BOULEVARD.

which previously had been read at the meeting of September 13, 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 O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 329.



AN ORDINANCE RATIFYING AND APPROVING  
THE ASSIGNMENT OF THAT CERTAIN LEASE  
HELD BY HENRY L. DOHERTY & COMPANY, INC.  
UPON THAT PROPERTY KNOWN AS "THE  
COLISEUM" AND THE EXECUTION AND DELIVERY  
OF CONTRACT IN CONNECTION THEREWITH AS  
EXECUTED PURSUANT TO AUTHORITY OF  
RESOLUTION NO. 1956 ADOPTED AUGUST 18, 1939.

which previously had been read, at the meeting of September 13, 1939, was  
read again in full.

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

"Yes" - Commissioner O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, Mayor McGarry declared the ordinance adopted and approved,  
and ordered its publication as No. 330.

RESOLUTION NO. 1961

A RESOLUTION APPROPRIATING THE SUM OF  
THREE HUNDRED DOLLARS TO ASSIST IN  
THE SUPPORT OF THE FLORIDA EXHIBIT AT  
THE NEW YORK WORLD'S FAIR.

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

That the sum of Three Hundred (\$300.00) Dollars be  
and the same hereby is appropriated from the Contingent Fund  
for the purpose of assisting in the support of the Florida  
Exhibit at the New York World's Fair through the year 1940.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

AN ORDINANCE CLOSING THE TAHITI  
BRIDGE OVER THE CORAL GABLES  
CANAL NEAR THE BAY.

was read by title, and carried forward to a later meeting for further con-  
sideration and action.

AN ORDINANCE AMENDING ORDINANCE NO. 271  
OF THE CITY OF CORAL GABLES, KNOWN AS  
THE ZONING ORDINANCE, SO AS TO PROVIDE  
FOR COMMERCIAL USES OF LOTS 31 TO 40,  
BLOCK 22, SECTION "L".

was introduced and read by title.



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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, the ordinance was read again in full.

Motion for adoption of the ordinance by Commissioner Phillips; seconded by Commissioner Whitley. The ordinance was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Mayor McGarry then declared the Ordinance adopted and approved, and ordered its publication as No. 331.

AN ORDINANCE GRANTING AN EXCEPTION TO THE REQUIREMENTS OF ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES, AS TO THE CUBIC CONTENT REQUIREMENT OF LOT 7, BLOCK 1, GRANADA GROVES SECTION.

was 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 ordinance be placed on second reading at once; seconded by Commissioner Whitley.

The motion was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, the Ordinance was read again in full.

Motion for adoption by Commissioner Whitley that the ordinance be adopted; seconded by Commissioner Phillips. The ordinance was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Mayor McGarry then declared the ordinance adopted and approved, and ordered its publication as No. 332.



## RESOLUTION NO. 1962

A RESOLUTION APPROVING AND ACCEPTING  
THAT CERTAIN PLAT DATED JULY, 1939,  
OF THE ESTATE OF JAMES DEERING ON  
KEY BISCAIYNE.

WHEREAS, Richard F. Howe, as Executor of, and under the last will and testament of, James Deering, Deceased, has had prepared by M. B. Garris, a plat known as "Estate of James Deering, Key Biscayne, Dade County, Florida", setting forth the holdings of said estate in fractional Sections 4, 5, 8 and 9, Township 5<sup>4</sup> South, Range 42 East, and has requested the acceptance of said plat for record; and,

WHEREAS, Said plat has been examined by the officers of the City, and to the best of their belief and knowledge, has been found to be correct;

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

That that certain plat dated July, 1939, known as "Estate of James Deering, Key Biscayne, Dade County", prepared by M. B. Garris, Civil and Consultant Engineer, be, and the same is hereby, accepted and approved by The City of Coral Gables; and the Tax Assessor be, and he hereby is, authorized and instructed to be governed by said plat in future assessments of the property covered thereby.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

## RESOLUTION NO. 1963

A RESOLUTION AUTHORIZING A. B. CURRY TO  
SIGN CHECKS OF THE CITY DURING THE  
ABSENCE FROM THE CITY OR ILLNESS OF  
E. M. WILLIAMS, CITY MANAGER.

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

That A. B. Curry, Director of Public Service, be and he hereby is authorized and empowered to countersign checks of the City of Coral Gables in the place and stead of City Manager E. M. Williams at and during such times as City Manager Williams may be absent from the City or absent from the office due to illness.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart



## RESOLUTION NO. 1964

A RESOLUTION AUTHORIZING ADVANCE ON  
FEE OF THE CITY AUDITOR.

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

That the sum of Five Hundred (\$500.00) Dollars be and  
the same is hereby authorized to be paid to Robert Pentland, Jr.  
as an advance on his fee for the special investigation of  
the shortage in the accounts of the Building Inspector's office.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Commissioner O'Shaughnessy moved that a date for the public hearing  
requested by A. M. Bishop, former police officer, be fixed by Mayor McGarry  
and the Attorney for Mr. Bishop; seconded by Commissioner Phillips; The  
Motion was adopted by unanimous vote.

AN ORDINANCE AMENDING ORDINANCE NO. 271  
OF THE CITY OF CORAL GABLES, KNOWN AS THE  
ZONING ORDINANCE, SO AS TO PROVIDE FOR  
SPECIFIC FACING OF BUILDINGS ON CERTAIN  
LOTS AND STREETS.

and

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF  
THE CITY OF CORAL GABLES, KNOWN AS THE  
ZONING ORDINANCE, SO AS TO PROVIDE A 15,500  
CUBIC FOOT, R1 DISTRICT, TO BE KNOWN AS  
CF5A DISTRICT.

which previously had been read at the meeting of August 2, 1939, were read  
again in full.

Motion for adoption of the ordinances by Commissioner Phillips;  
seconded by Commissioner Whitley. The ordinances were adopted by the  
following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart.



Mayor McGarry then declared the ordinances adopted and approved, and ordered their publication as No. 333 and 334, respectively.

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



APPROVED:

*Paul D. McGarry*

MAYOR

Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION  
ON OCTOBER 3, 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, October 3, 1939.

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

The minutes of the meeting of September 19, 1939, were read and approved.

Messrs. Paul Gerber, Cary Weisiger and S. S. Pederson appeared to offer objections to the closing and removal of the Tahiti Beach Bridge. Mr. Roy Page spoke to the Commission in favor of the removal of said bridge. The Commission took the matter under advisement, stating that while it felt the ultimate development of the canal front property required the removal of said bridge, it had no intention of injuring anyone by premature action.

A proposal to advertise the City in the "Ad-Jector" in Miami was referred to the Publicity Department for report and recommendation.

Mr. E. L. Semple appeared in regard to taxes for 1937 and 1938 on Lots 19 to 21, inclusive, Block 7, Country Club Section #1, stating that in view of the proximity of these lots to the Commercial Uses of the Biltmore and the Casa Loma Hotels, and the fact that until now the lots had been zoned for single family residences for which there was no market under the circumstances, in his opinion the lots had been greatly over-assessed for those two years. The matter was referred to the City Attorney and the City Clerk for report and recommendation.

RESOLUTION NO. 1965

A RESOLUTION APPROPRIATING THE SUM OF SEVEN HUNDRED FIFTY DOLLARS FROM THE CONTINGENT FUND FOR LOT CLEANING.

WHEREAS, It is deemed advisable to improve the appearance of vacant lots in the business district and upon the principal thoroughfares of the City; and,

WHEREAS, Before such lot cleaning can be commenced as a local improvement chargeable against the affected property, it will be necessary for the City Manager to conduct experimental lot cleaning to determine the degree and extent of clearing and improvement which can reasonably be effected, and the cost thereof;

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

That the sum of Seven Hundred Fifty Dollars (\$750.00) be



and the same is hereby appropriated from the Contingent Fund for the purpose of providing the City Manager with a fund with which to commence the experimental cleaning of vacant lots, in anticipation of the continuation of such work as a local improvement, the cost of which is to be charged against the affected property.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

The suggestion that the fountains in the several plazas of the City be renovated and the flow of water resumed in such fountains was referred to the City Manager for investigation and report.

RESOLUTION NO. 1966

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO CHARGE OFF CERTAIN ACCOUNTS RECEIVABLE.

WHEREAS, H. W. Newell, Jr., was, at the time of his dismissal from the City's service indebted to the City to the extent of Nine (\$9.00) Dollars in excess of the wages due him at that time, and said sum is still standing against him on the books of the City, and is considered uncollectible; and,

WHEREAS, George Rianhard absconded while still owing the City Fifty (\$50.00) Dollars for an advance upon his salary, and said sum was declared by the bonding company to be a voluntary advance by the City, and as such not recoverable under his bond, and said sum is still standing open upon the books of the City and is deemed uncollectible;

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

That the Director of Finance be and he hereby is authorized and directed to charge off said sums of Nine (\$9.00) Dollars owed by H. W. Newell, Jr., and Fifty (\$50.00) Dollars owed by George Rianhard, and the City Auditor be and he is hereby authorized to take into account said charge-off in preparing his report of the condition of the City's accounts as of June 30, 1939.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart



AN ORDINANCE AMENDING SECTION ONE (1)  
OF ORDINANCE NO. 95, SO AS TO PROVIDE  
ADDITIONAL PERMIT FEES FOR CONSTRUCTION,  
REMOVAL AND RAZING WORK NOT DONE BY OR  
UNDER THE DIRECTION OF QUALIFIED CON-  
TRACTORS, ENGINEERS, ETC.

was introduced and read by title on first reading, and carried forward to a later meeting for further consideration and action.

A communication from Wallace F. Perry, Attorney, proposing to sell to the City the right of way to the University Concourse as it is affected by Lots 1 and 2, Block 4, Katie Biscayne Subdivision, Plat Book 5, Page 50, was referred to the City Attorney for investigation and report.

AN ORDINANCE AMENDING ORDINANCE NO. 76  
OF THE CITY OF CORAL GABLES, KNOWN AS  
THE LICENSE ORDINANCE, AS TO LICENSES  
ON SLOT MACHINES VENDING MERCHANDISE.

was introduced and read by title on first reading.

Motion by Commissioner O'Shaughnessy 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 Whitley.

The motion was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, the ordinance was read again in full.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 335.

Certain recommendations of the Zoning Board of Appeals was then reported to the Commission by the City Clerk, but were carried over until some later date in order to give the Commission more opportunity to study the suggested amendments.

The City Attorney was authorized to effect the claims of Mrs. Paulyne Kantor and Mrs. Roy B. Whitaker, arising out of the bus accident of April 3, 1939,



for the amounts suggested in his letter to City Manager Williams under date of September 29; namely: \$266.00 to cover all claims and expenses.

RESOLUTION NO. 1967

A RESOLUTION APPROPRIATING THE SUM OF SEVEN HUNDRED FIFTY DOLLARS TO PROVIDE ADDITIONAL FORCES IN THE GARBAGE AND WASTES DEPARTMENT.

WHEREAS, The garbage disposal tonnage so far this year has far exceeded the anticipations of the budget, and it is anticipated that this increase will be continued throughout the year, due to the number of newly occupied homes in the City; and,

WHEREAS, The receipts from garbage removal fees have also exceeded budget anticipations; and,

WHEREAS, It is apparent that additional forces will be required to cope with the increasing garbage removal situation;

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

That the sum of Seven Hundred Fifty Dollars (\$750.00) be and the same is hereby appropriated from the Contingent Fund to the Department of Wastes and Garbage Removal to provide an additional crew for a six months period to enable said department to maintain the promptness and regularity of garbage removal and destruction.

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  
Whitley

Mayor McGarry

Absent - Commissioner Rinehart

RESOLUTION NO. 1968

A RESOLUTION APPROPRIATING THE SUM OF THREE THOUSAND DOLLARS TO PROVIDE ADDITIONAL FORCES IN THE DEPARTMENT OF STREETS, SEWERS AND EQUIPMENT.

WHEREAS, The demand upon the Department of Streets, Sewers and Equipment for driveway construction and sidewalk repairs, fee services, is interfering with the regular and orderly repair of streets by said department, a very necessary service if the streets are not to be permitted to deteriorate to a point requiring expensive reconstruction; and,

WHEREAS, It is now apparent that the income from driveway construction fees and street and sidewalk repair fees will be far in excess of the amount anticipated in the budget, and sufficient to support a crew of men to be assigned exclusively to such work;

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

That the sum of Three Thousand (\$3,000) Dollars be and



the same is hereby appropriated from the Contingent Fund for the purpose of providing additional street and sidewalk repair and driveway construction forces in the Department of Streets, Sewers and Equipment.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

RESOLUTION NO. 1969

A RESOLUTION DIRECTING THE TAX ASSESSOR TO MAKE CERTAIN AMENDMENTS OF THE 1939 ASSESSMENTS OF LAND IN BLOCKS 12, 13, 14 AND 15, SECTION "D".

WHEREAS, Representation has been made to the City Commission that the 1939 assessment of Lots 3 to 8, Block 15, and Lots 21 to 28, Block 13, Section "D", is excessive, and the Commission has investigated the probable market value of such lots and has found evidence to support said representation; and,

WHEREAS, The findings of the Commission are that the probable value of each of Lots 3 to 8, Block 15, Section "D" is \$250, and the probable value of each of Lots 21 to 28, Block 13, Section "D" is \$300.00;

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

That the Tax Assessor be and he is hereby directed to amend his assessments for the year 1939 so as to provide for said lots 3 to 8, inclusive, Block 14, Section "D" a value of \$250.00 each, and for said Lots 21 to 28, inclusive, Block 13, Section "D", a value of \$300.00 each; and to amend his assessments on all lots in Blocks 12, 13, 14 and 15, Section "D", fronting on Country Club Prado, so as to conform with the revised values, after taking into account the usual corner and other influences.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

The City Manager was directed to investigate and report on the cost



of trucks required to be purchased by the City in order to release equipment to be used on the Miami Master Airport Project.

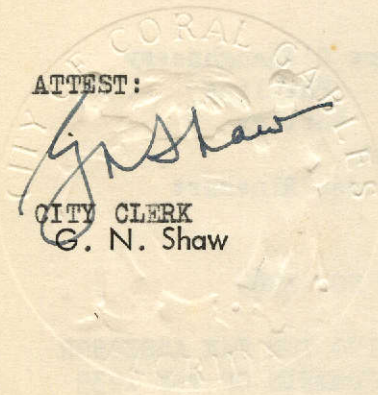
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry

ATTEST:



CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF THE CITY COMMISSION  
ON SEPTEMBER 27, OCTOBER 6 AND 12, 1939

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. on Wednesday, September 27, 1939, for the purpose of hearing testimony on the charges and the additional charges preferred by the City Manager to support the discharge of A. M. Bishop from the Police Department.

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

A. M. Bishop and his attorney, William J. Pruitt were present and filed motions directed at the sufficiency of the charges.

After some discussion by counsel for Bishop and for the City, counsel for the City suggested that amended charges be drawn and served on the attorney for Bishop. The Commission being of the opinion that a redraft of the charges would clarify the record, adjourned the hearing until amended charges could be served upon Bishop and until he could have opportunity to prepare his pleadings to the same.

The meeting was then adjourned until a date to be agreed upon by counsel for the City and counsel for Mr. Bishop.

\* \* \* \* \*

Pursuant to adjournment at the meeting of September 27, 1939, and to agreement between counsel for Mr. Bishop, counsel for the City, and the City Commissioners, the Commission of The City of Coral Gables convened in adjourned session at the City Hall at 2:30 o'clock p.m. on Friday, October 6, 1939.

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

The City Attorney read the amended charges, copy of which had been furnished to attorney for Mr. Bishop. A. M. Bishop and his attorney, William J. Pruitt, were present and filed motion to quash the charges and to reinstate Mr. Bishop. After due consideration, the Commission denied the motion.

Mr. Bishop, through his attorney, filed a plea of not guilty to each of the charges, and the Commission then heard the testimony of the following witnesses introduced by the City:



Csaky  
Ditsler  
Warwick  
MacDonald  
Key

Kimbrough  
Biery  
Reeves  
DeMar  
Sox

The hour being late, the meeting was adjourned to a time to be agreed upon by the attorneys for the respective parties.

\* \* \* \* \*

Pursuant to adjournment at the meeting of October 6, 1939, and to agreement between the counsel for A. M. Bishop and counsel for the City, and to unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in adjourned session at the City Hall at three o'clock p.m. on Thursday, October 12, 1939.

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

A. M. Bishop and his attorney, William J. Pruitt, were present.

The City recalled Director of Public Safety, D. E. Sox, who testified further in support of the charges. The City thereupon rested its case, and Attorney Pruitt made a motion for a finding in favor of Mr. Bishop on the testimony offered by the City, which motion was denied.

A. M. Bishop, through his attorney, then called the following witnesses who testified in behalf of Mr. Bishop:

Oby T. Bishop, Mrs. Oby T. Bishop, Fred Boatwright

Mr. Bishop then testified in his own behalf.

The City then called D. E. Sox, who testified in rebuttal, and attempted to call Joe DeMar for that purpose, but it was reported that the latter was ill and unable to attend court.

The City rested its case, and the taking of testimony was closed.

The Commission gave counsel opportunity to argue the case, but argument was waived, and without objection Mr. Pruitt left with the City Commission a transcribed copy of testimony of Joe DeMar on cross examination, which copy was duly and regularly sworn to by the stenographer who had taken down the hearing in shorthand.

The hearing being concluded, the Commission retired to consider their judgment, and shortly returned to the Commission Chamber, all members being



present, and by motion duly seconded, adopted the following resolution,  
Mr. Whitley voting "No".

RESOLUTION NO. 1970

A RESOLUTION RULING UPON THE HEARING  
UPON CHARGES PREFERRED AGAINST A.M. BISHOP.

WHEREAS, The City Commission convened at 2:30 o'clock P.M. on Friday, October 6, 1939, in special session for the purpose of hearing the testimony which might be offered in support of certain amended charges preferred against A. M. Bishop, former police officer of The City of Coral Gables, by the City Manager, and evidence of said Bishop to refute in defense of said charges, and adjourned said hearing to the 12th day of October, 1939, at 3:00 o'clock P.M., at which time the taking of testimony was resumed and the parties completed the introduction of testimony and announced that they rested the case and the defense to the charges; and,

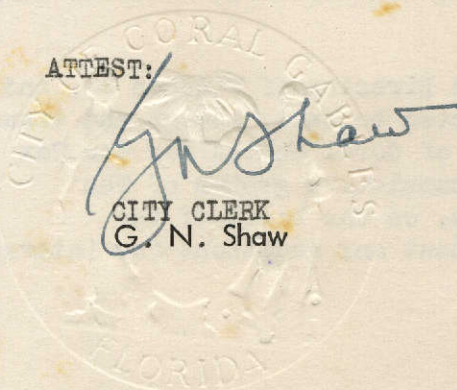
WHEREAS, The City Commission has heard all of the testimony of all of the witnesses introduced by the City Manager and all of the testimony of all of the witnesses introduced by A. M. Bishop in his defense, and has carefully considered and weighed the said testimony;

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

1. That from all the testimony presented to the City Commission, it is of the opinion that A. M. Bishop is not guilty of the second charge listed in the amended charges against him.
2. That from all the testimony presented to the City Commission, it is of the opinion that A. M. Bishop is not guilty of the third charge listed in the amended charges against him.
3. That the Commission finds from the evidence that the respondent is guilty of sleeping in an automobile with his feet sticking out the window, which car was at that time parked on a public street in The City of Coral Gables in the vicinity of a barroom; that the past record of the respondent shows repeated suspensions and discharges for conduct unbecoming an officer.
4. The City Commission, therefore, having heard all of the testimony, having carefully considered the same, and having determined the propriety of the discharge and removal of the said A. M. Bishop by the City Manager, and having determined from all of the evidence in the case that the removal of the said Bishop will promote the efficiency of the police department of The City of Coral Gables, the discharge and removal of the said A. M. Bishop from the police department of The City of Coral Gables by the City Manager be and the same is hereby affirmed and approved.

The meeting was then adjourned.

ATTEST:



APPROVED:

*Paul D. McGarry*  
MAYOR  
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION  
ON OCTOBER 17, 1939

Pursuant to call of special meeting by Mayor McGarry, the Commission of The City of Coral Gables convened at the City Hall at four o'clock p.m. on Tuesday, October 17, 1939.

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

The Commission resolved itself into a Committee of the Whole to discuss with representatives of theseveral departments the terms of the proposed Civil Service Ordinances. There were present, as employee representatives, G. H. Small, T. L. Smith, Chester Smith, Charles E. Lloyd, A. T. Kelley, Jr. and W. G. Kimbrough.

The Clerk read the Civil Service Ordinances in full and thereafter there was free discussion between the employee representatives and the Commission upon the terms of the proposed ordinances.

At 5:15 o'clock p.m., the meeting as a Committee of the Whole was adjourned and the Commission, all members being present, convened in regular session for the transaction of any necessary City business.

A communication was read from the Junior Woman's Club requesting the use of the Mayor's office and its ante-room on the second floor of the City Hall as quarters for the free dental clinic being sponsored by that organization. On motion duly seconded and unanimously carried, the use of that office for that purpose was authorized.

RESOLUTION NO. 1971

A RESOLUTION AUTHORIZING THE SALE OF  
TAX SALE CERTIFICATES FOR THE TAX  
YEARS 1937 AND 1938 IN AGGREGATE CUMULA-  
TIVE AMOUNTS OF TEN THOUSAND DOLLARS OR  
MORE AT THE AGGREGATE FACE AMOUNT  
THEREOF WITHOUT INTEREST AND PENALTIES.

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

That the City Clerk and Director of Finance be, and he is hereby, authorized and directed to sell, assign and transfer Tax Sale Certificates of The City of Coral Gables for the Tax Years 1937 and 1938 in aggregate cumulative groups of Ten Thousand (\$10,000) Dollars or more, on the basis of the aggregate face amount thereof without any additions for interest and penalties.

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  
Whitley  
Mayor McGarry

RESOLUTION NO. 1972

A RESOLUTION DIRECTING THE CITY CLERK TO ELIMINATE THE CITY'S CANCELLATION CHARGE IN CONNECTION WITH THE CANCELLATION ON THE CITY BOOKS OF OUTSTANDING TAX CERTIFICATES FOR THE TAX YEAR 1931 AND/OR ANY TAX YEAR PRIOR THERETO PRESENTLY HELD IN ESCROW OR TRUST BY 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 directed from this date on to make no charge for the account of the City for the cancellation of outstanding Tax Certificates of The City of Coral Gables for the tax year 1931 and/or any tax year prior thereto presently held in escrow or trust by The City of Coral Gables, when the fees of the Clerk of the Circuit Court for such cancellations are assumed by the person or agency requesting such cancellation.

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  
Whitley  
Mayor McGarry

RESOLUTION NO. 1973

A RESOLUTION AGREEING THAT THE CITY, UPON REQUEST, WILL JOIN IN THE CANCELLATION 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 BEARING THE SAME DATE.

WHEREAS, It is reported that there will soon be a settlement between Coral Gables, Inc. and the Coral Gables Development Company as to the properties upon which said companies hold conflicting or overlapping liens and such settlement will involve the cancellation of that certain assignment from Coral Gables, Inc. to The City of Coral Gables, dated May 14, 1929, and the contract between the City and Coral Gables Properties, Inc. of the same date; and,

WHEREAS, It is suggested that the above companies will desire that the City join in such cancellation;



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

That, upon request, the City will join in and adopt appropriate resolutions for the cancellation 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 of the same date.

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  
Whitley  
Mayor McGarry

RESOLUTION NO. 1974

A RESOLUTION AUTHORIZING THE EXCHANGE OF CERTAIN TAX CERTIFICATES FOR TAX CERTIFICATES COVERING LOTS OVER WHICH THE CITY NEEDS STREET RIGHT-OF-WAY.

WHEREAS, The County is undertaking the widening and straightening and improvement of LeJeune Road, and has called upon The City of Coral Gables to procure the right-of-way necessary for straightening LeJeune Road through Blocks 9, 10 and 15 of Industrial Section of Coral Gables; and,

WHEREAS, Certain Tax Sale Certificates covering the lots in these blocks have been sold by the City;

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

1. That the Director of Finance be, and he hereby is, authorized and directed to exchange tax sale certificates held by third parties and covering Lots 12, 13 and 14 of Block 9, Lots 1 to 17, inclusive, 17-A, 18 and 19 of Block 10, and Lot 1 of Block 15 of Industrial Section of Coral Gables for tax sale certificates on other property for the tax years 1937 and/or 1938 upon the following basis, to-wit:

Such owners and holders of said tax sale certificates shall pay to the City in cash the debt service portion of the face amount of the 1937 and/or 1938 tax sale certificates to be assigned, and the City shall exchange on an equal basis such tax certificates, the face amount of which less the said debt service portion thereof shall equal the face amount of the City tax sale certificates on said lots held by third parties.

2. In further consideration of the above exchanges, the City agrees to hold intact the Tax Certificates so received for a period of one year after the completion of the straightening of LeJeune Road, and hereby gives and grants to the respective transferrors of said certificates the exclusive option to purchase, on a pro rata basis of face amount of certificates, partial certificates covering such portions of all or any part



of the lots presently affected by said certificates which are not included within the boundaries of the newly located site of LeJeune Road.

was introduced and read.

Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Whitley. The resolution was adopted by the following rollcall:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1974-A

A RESOLUTION APPOINTING A COMMITTEE TO ASSIST THE CITY MANAGER IN PLANNING AND NEGOTIATING FOR AN INCINERATOR, AND PROVIDING FOR TRAVEL EXPENSES IN CONNECTION WITH SUCH ACTIVITY.

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

That Commissioners O'Shaughnessy and Whitley be and they are hereby appointed a committee to assist the City Manager and the Director of Public Service in planning and negotiating for the construction and financing of a garbage incinerator, and that said committee shall have power to send some proper representative of the City to interview incinerator manufacturers; and,

BE IT FURTHER RESOLVED: That the sum of Three Hundred Fifty Dollars (\$350.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of providing necessary travel expenses for the negotiations authorized above.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1975

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE TO FEDERAL HOUSING ADMINISTRATION OF THE THIRD FLOOR OF THE CITY HALL FOR A TERM OF FIVE (5) YEARS AND FIXING THE MEASURE OF RENTALS.

WHEREAS, The Federal Housing Administration desires quarters for its local office in The City of Coral Gables and is agreeable to paying such rental as will save the City harmless from any and all expenses incident to their occupation of a portion of the City Hall; and,



WHEREAS, The entire third floor of the City Hall is not now used nor useful to the City at the present time, and there is no contemplation that the City will need this space within a period of more than five (5) years;

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

Section 1. That the City Manager be authorized and directed to execute to the Federal Housing Administration a lease of the entire third floor of the City Hall for a consideration of One Hundred Dollars (\$100.00) per month, and in said lease to agree to furnish elevator service, water and electric service, and janitor service.

Section 2. That said lease shall extend for a period of five (5) years, and shall provide that the tenant may vacate the said premises without further obligation or responsibility under the said lease upon giving thirty (30) days written notice to the City.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1976

A RESOLUTION APPROPRIATING FOR THE  
INSTALLATION OF CERTAIN FIRE PLUGS.

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

That the sum of Three Hundred Thirty-six Dollars (\$336.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of providing for the installation of fire plugs at or near the corner of Cordova and Coral Way, and on Granada Boulevard at a point north of Cocoplum Plaza, to be designated by the Director of Public Safety.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1977

A RESOLUTION APPROPRIATING THE SUM OF  
SEVENTY-FIVE DOLLARS FOR TRAVEL EXPENSES  
OF THE CITY ATTORNEY.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL



GABLES, FLORIDA:

That the sum of Seventy-five (\$75.00) Dollars be and the same is hereby appropriated from the Contingent Fund to provide the travel expenses of City Attorney Morton B. Adams to Nashville for the purpose of investigating and reporting upon the conditions attaching to outstanding City of Coral Gables bonds.

was introduced and read.

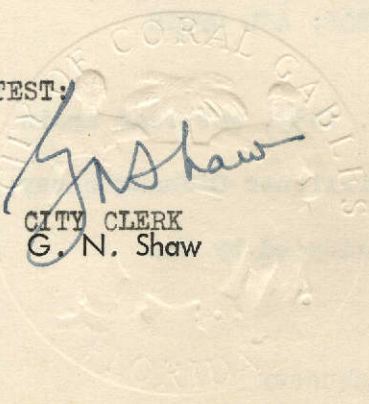
Motion for adoption by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart. The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Commissioners Whitley, O'Shaughnessy and Phillips, and Director of Publicity R.M. Munroe were appointed a committee to investigate and report upon certain advertising and publicity proposals which had been made to the City 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:

MAYOR  
Paul D. McGarry

Handwritten initials and date: 10/17/39



MINUTES OF MEETING OF THE CITY COMMISSION  
ON OCTOBER 19, 1939

Pursuant to call of special meeting by Mayor McGarry and unanimous consent of the Commissioners, the Commission of The City of CoralGables convened in special session at the City Hall at 4:30 o'clock p.m. on Thursday, October 19, 1939.

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

The minutes of the meetings of October 3, 6 and 12, 1939, were read and approved.

AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF CORAL GABLES, FLORIDA: CREATING A CIVIL SERVICE BOARD, DEFINING ITS MEMBERSHIP, POWERS AND DUTIES; DESIGNATING THE OFFICERS AND EMPLOYEES OF THE CITY WHO ARE CIVIL SERVICE EMPLOYEES; AUTHORIZING THE PROMULGATION OF RULES TO GOVERN APPOINTMENTS, PROMOTIONS, SUSPENSIONS, REDUCTIONS, AND REMOVALS OF CIVIL SERVICE OFFICERS AND EMPLOYEES; PROVIDING FOR THE STATUS OF OFFICERS AND EMPLOYEES HOLDING POSITIONS WHEN THIS ORDINANCE BECOMES EFFECTIVE; PROVIDING FOR A REFERENDUM ELECTION BEFORE THIS ORDINANCE SHALL TAKE EFFECT, PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF; AND OTHER MATTERS RELATING THERETO.

which had been first read at the meeting of October 17, 1939, 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 O'Shaughnessy
- Phillips
- Rinehart
- Whitley
- Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 336.

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE", SO AS TO PROVIDE FOR R-1, SINGLE FAMILY RESIDENCE, USES IN THOSE AREAS PREVIOUSLY DESIGNATED AS APARTMENT USE AREAS IN THE FLAGLER SECTION.

WAS Introduced and read.

Motion by Commissioner O'Shaughnessy 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 Whitley. The motion was carried by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Mayor McGarry then declared the ordinance adopted and approved, and ordered its publication as No. 337.

RESOLUTION NO. 1978

A RESOLUTION APPROPRIATING THE SUM OF SEVENTY-FIVE DOLLARS TO PAY ONE-HALF THE COST OF CERTAIN SIGNS.

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

That the sum of Seventy-five (\$75.00) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of defraying one-half the cost, not to exceed the amount of this appropriation, of certain mosaic tile signs to be placed at entrances of the City along Tamiami Trail by the Coral Gables Chamber of Commerce.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1979

A RESOLUTION APPROPRIATING THE SUM OF FOUR HUNDRED FIFTY DOLLARS FOR THE REMOVAL OF THE TRAFFIC CIRCLE IN EAST PONCE DE LEON BOULEVARD, AND THE IMPROVEMENT OF THE SURROUNDING AREA.

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

That the sum of Four Hundred Fifty (\$450.00) Dollars be and the same is hereby appropriated from the Contingent



Fund for the purpose of removing the traffic circle in East Ponce de Leon Boulevard and the necessary paving following such removal, and for the clearing and beautification of land in the neighborhood of said existing traffic circle.

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  
Whitley  
Mayor McGarry

It was then moved, seconded and unanimously carried that the Tahiti Beach Bridge over the Coral Gables Waterway be temporarily reopened pending further action thereon by the City Commission, and until such time as the development of the waterways and lands abutting thereon should make advisable the closing and removal of said bridge.

RESOLUTION NO. 1980

A RESOLUTION AUTHORIZING AN ADJUSTMENT OF DELINQUENT TAXES ON LOTS 20 AND 21, BLOCK 7, COUNTRY CLUB SECTION #1.

WHEREAS, The zoning restrictions applying to Lots 20 and 21, Block 7, Country Club Section #1 until recently amended, tended to depreciate the value and marketability of said lots, and such adverse effect was not taken into account upon the assessment rolls of The City of Coral Gables;

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

That the Tax Collector be and he hereby is authorized and instructed to accept, in full settlement of the tax sale certificates for the years 1937 and 1938 upon Lots 20 and 21, Block 7, Country Club Section #1, the sum of Twenty-five (\$25.00) Dollars per lot per year, plus cancellation fees.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

AN ORDINANCE AMENDING SECTION ONE (1) OF ORDINANCE NO. 95 SO AS TO PROVIDE ADDITIONAL PERMIT FEES FOR CONSTRUCTION, REMOVAL AND RAZING WORK NOT BY OR UNDER THE DIRECTION OF QUALIFIED CONTRACTORS AND ENGINEERS, ETC.



was introduced and read upon second reading, having been first read at the meeting of October 3, 1939. Motion for adoption of the Ordinance by Commissioner O'Shaughnessy; seconded by Commissioner Whitley. The Ordinance was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 338.

RESOLUTION NO. 1981

A RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTAIN CLAIM ARISING OUT OF A BUS ACCIDENT.

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

That the City Manager and the City Attorney be and they hereby are authorized to negotiate a settlement of a claim of Mrs. Roy B. Whitaker, arising out of The City of Coral Gables bus accident on April 3, 1939, for the sum of One Hundred Fifty (\$150.00) Dollars.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1982

A RESOLUTION FIXING THE PROCEDURE FOR CLEARING VACANT PROPERTY.

WHEREAS, Many vacant lots in The City of Coral Gables are unsightly and possible source of unhealthful conditions because of the unsightly and unsanitary matter on the lots; and,

WHEREAS, The City Commission does not consider that the expense of clearing these lots should be paid out of the general funds, and the City Charter in Section 78 authorizes the clearing of such property at the expense of the property owner after notice; and,

WHEREAS, The City Commission is of the opinion that the general welfare of the City requires that these lots be cleared;

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

- 1. That the City Manager be, and he hereby is, authorized and directed to select the vacant lots in the City

*Assessment*

10/19/39 *WNO*



which are most in need of clearing and scarifying to remove the unsightly and unsanitary matter thereon and to give written notice to the owners of such property of the unsightly and unsanitary condition of the same and advise them that if they do not clean the lots and clear them of such unsightly and unsanitary matter within thirty (30) days from the date of the said notice that the City will perform the work, charge the expense of the same to the lot and fix a lien against the lot to secure the payment of such expense.

2. The City Manager be and he hereby is also directed to advise the lot owners that if they desire the City will give them an estimate of the cost of such work and will do it for the property owner upon receipt of the amount of the cost paid in advance.

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  
Whitley  
Mayor McGarry

RESOLUTION NO. 1983

A RESOLUTION AUTHORIZING THE TAX ASSESSOR TO CORRECT HIS ROLL TO SHOW EXEMPTION OF LOTS 34 AND 35, BLOCK 1, GOLDEN GATE.

WHEREAS, Certain church property was not declared to the Tax Assessor before the adjournment of the Board of Equalization, and is shown upon the rolls as taxable, and it is not the desire of the City Commission to work a hardship upon the negro congregation owning said property;

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 directed to amend and correct his 1939 assessment roll so as to show exemption, because of its ownership by a church, of Lots 34 and 35, Block 1, Golden Gate.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

The protest of the William Mann Company as to the commercial use of certain property in Granada Groves Section, fronting on Tamiami Trail and Tangier Street, was referred to the City Attorney for investigation and report.



RESOLUTION NO. 1984

A RESOLUTION AUTHORIZING AN ADJUSTMENT OF THE 1939 ASSESSMENT ON LOT 19 AND EAST HALF OF LOT 20, BLOCK 125, COUNTRY CLUB SECTION NO. 6.

WHEREAS, Some misunderstanding arose between the Board of Equalization and the Tax Assessor as to the amount of value to be assigned to the property at 739 Avenue Aledo, and the Tax Assessor has closed his roll and the minutes of the Board of Equalization have been closed by adjournment *sini die*;

NOW, THEREFORE, 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 and correct his roll so as to show as the total value of Lot 19 and the East half of Lot 20, Block 125, Country Club Section #6, the sum of \$7,500.00.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
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 25, 1939

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 8:30 o'clock A. M. on Wednesday, October 25, 1939.

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

RESOLUTION NO. 1985

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 1986

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS FOR AN ADVERTISEMENT 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 Dollars (\$250.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of securing appropriate advertisement in the 1939-40 edition of "Kim's Guide to Florida".

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  
Rinehart  
Whitley  
Mayor McGarry



The Commission then conferred with Messrs. Ed. C. Wright and Albert Roberts, Jr. concerning unrefunded bonds and interest coupons held by Mr. Wright and his clients.

RESOLUTION NO. 1987

A RESOLUTION CREATING A PLANNING BOARD AND THE DIRECTOR OF PLANNING; PRESCRIBING THE DUTIES OF THE PLANNING BOARD AND OF THE DIRECTOR OF PLANNING; AND PROVIDING FOR THE ADOPTION OF THE RECOMMENDATIONS OF SAID BOARD.

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

That there be created a Planning Board composed of three or five members, one of whom shall be designated Director of Planning. That the Director of Planning shall be employed continuously by the City, and the duties of the Planning Board shall embrace:

As to Zoning:

- (a) A study of the trend of business and residential development, and the elimination and prevention of nuisances.
- (b) Revision of existing commercial definitions.
- (c) A study of local areas to determine whether the ordinance should be changed to conform to type and size of existing buildings.
- (d) A study of set-backs, or the distance between buildings and property lines, with a view to amending the ordinance where existing requirements are impractical.
- (e) The dissemination of zoning information to architects, builders and the public generally, with a view to avoiding exceptions to the ordinance and preventing non-conforming designs.
- (f) Acting as the City's advocate before the Zoning Board of Appeals and the Board of Supervising Architect.

As to Beautification:

- (a) Determination of future necessity for parks and neighborhood playgrounds as to location, size and equipment.
- (b) The study of parkways and plazas to be developed in the future for the purpose of properly planning their landscaping.
- (c) Study of our waterways, with a view to developing them most advantageously.
- (d) The study of existing parks, parkways and plazas with a view to beautifying and utilizing them to the greatest advantage of the public.
- (e) Cooperation with all city departments in order to coordinate their activities with the city plan.



- (f) Cooperation with the University and other public institutions of the City on matters concerning their future growth and development.
- (g) Arrangement for the accumulation and propagation of trees and plants necessary to meet the requirements of the plan.
- (h) And such other matters as may be referred to it by the City Commission.

2. When in the opinion of the Planning Board, it becomes necessary to make revisions in the zoning ordinance or the city plan, the Director of Planning shall present to the City Commission the results of the studies made by and the recommendations of the Planning Board and of the departments of the City concerned for its consideration and approval.

was introduced by Commissioner O'Shaughnessy 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  
Whitley  
Mayor McGarry

RESOLUTION NO. 1988

A RESOLUTION APPOINTING E. M. WILLIAMS  
DIRECTOR OF PLANNING AND FIXING THE  
SALARY FOR THAT OFFICE.

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

That E. M. Williams be and he is hereby appointed  
Director of Planning of The City of Coral Gables, for the duties  
outlined in Resolution No. 1987 and Resolutions and Ordinances  
which may be hereafter adopted in connection therewith, at a  
salary of Two Hundred Fifty (\$250.00) Dollars per month, to  
become effective November 1, 1939.

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  
Whitley  
Mayor McGarry

RESOLUTION NO. 1989

A RESOLUTION APPOINTING A. B. CURRY  
CITY MANAGER OF THE CITY OF CORAL  
GABLES.

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

That A. B. Curry be and he hereby is appointed City  
Manager of The City of Coral Gables, Florida, at the salary  
provided in the budget for that office, to become effective  
November 1, 1939.

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  
Whitley

Commissioner Whitley stated that he wished the record to show that his original vote upon Resolution Nos. 1987 and 1988 had been "No", and that his vote had been changed to "Yes" out of respect to the majority feeling of the Commission upon the subject, and in order that the matters might be carried without a dissenting vote. He stated that the reason for his original opposition to the actions was his reluctance to assume the expense of the new departments.

RESOLUTION NO. 1990

A RESOLUTION FIXING THE SALARY OF THE  
CITY CLERK AND DIRECTOR OF FINANCE.

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

That, effective November 1, 1939, the salary of the  
City Clerk and Director of Finance be fixed at Three  
Hundred Fifty (\$350.00) Dollars per month.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
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 7, 1939

The Commission of The City of Coral Gables convened in regular session at the City Hall, on Tuesday, November 7, 1939, at 7:30 o'clock p.m.

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

The Mayor appointed Commissioners O'Shaughnessy, Phillips and Whitley, and Mr. J. Allen Brown, as a committee, with Mr. Phillips as Chairman, to investigate and report to the Commission upon the several publicity proposals under discussion. Mr. Phillips, as Chairman, then designated three o'clock p.m. on Thursday, November 9, at the City Hall, for the first meeting of the Committee and invited those present who were interested in publicity proposals to meet with the committee at that time.

The Mayor appointed Commissioner O'Shaughnessy to confer with the Director of Finance and Auditor E. H. Radloff in regard to the City's accounts.

RESOLUTION NO. 1991

A RESOLUTION PERMITTING CERTAIN EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 147 AS TO NEGRO BARBERS IN THE COLORED SECTIONS OF CORAL GABLES.

WHEREAS, Provisions for an Examining Board for Barbers and for examination of barbers made by Ordinance No. 147, adopted September 29, 1930, operate at present only for the white barbers of the City, and no provision has yet been made for such an examining board to function in the colored section; and,

WHEREAS, It would be obviously unfair to charge the colored barbers operating in the colored sections of the City the examination fee of \$20.00 unless and until provision is made to examine and qualify them under the same conditions as are now provided for the white barbers;

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

That, unless and until an Examining Board for Barbers in the colored section of the City is set up and made operative under the terms of Ordinance No. 147, the City Health Officer and the City Health Inspector be and they are hereby authorized to disregard the Twenty (\$20.00) Dollar examination fee provided for and required by said Ordinance in the case of all such negro barbers.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner Whitley. The resolution was adopted by unanimous vote.



## RESOLUTION NO. 1992

A RESOLUTION RESCINDING RESOLUTION NO. 1982 adopted OCTOBER 19, 1939, ENTITLED: "A RESOLUTION FIXING THE PROCEDURE FOR CLEARING VACANT PROPERTY".

WHEREAS, Resolution No. 1982, adopted October 19, 1939, carries provisions similar to those of Ordinance No. 9, adopted August 3, 1925, and it is considered that said Ordinance more specifically and adequately provides for the purpose than does Resolution No. 1982;

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

That Resolution No. 1982, adopted October 19, 1939, entitled: "A Resolution Fixing the Procedure for Clearing Vacant Property" be and the same is hereby rescinded and repealed.

was introduced and read.

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

## RESOLUTION NO. 1993

A RESOLUTION PROVIDING FOR THE DEPOSITING OF THE FUNDS OF THE CITY OF CORAL GABLES AND AUTHORIZING THE SIGNING OF CHECKS AND DRAFTS OF THE CITY OF CORAL GABLES BY CERTAIN OFFICIALS.

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

1. That The Coral Gables First National Bank, The Coconut Grove Exchange Bank and the Central Hanover Bank and Trust Company of the City of New York, 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 is hereby authorized to deposit said moneys in any or all of said depositories upon being adequately secured with collateral as required hereby. Upon making any such deposit, the Director of Finance shall require that the depository file with him or in the name of The City of Coral Gables in the custody of some 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, whenever it shall be found that the amount of collateral as defined above is in excess of the deposits accrued thereby.

2. That such depositories be and they are hereby authorized to make payments from moneys of The City of Coral Gables on deposit therein upon and according to checks and drafts of The City of Coral Gables signed by G. N. Shaw, as Director of Finance or as Treasurer; and countersigned by A. B. Curry, as City Manager; and the said G. N. Shaw and A. B. Curry, in the above respective capacities, be and they hereby are authorized to sign, endorse, accept, make, execute and deliver any and all checks and drafts on behalf of said City of Coral Gables.



3. That the provisions and authorizations herein contained shall become effective immediately upon the passage and adoption of this resolution, and shall remain in effect until it shall be otherwise ordered by the Commission of The City of Coral Gables.

4. That the provisions hereof as to the filing of collateral for deposits shall not, until otherwise ordered, apply to moneys deposited with the Central Hanover Bank & Trust Company of New York for the payment of interest coupons or other service of the Issue of January 1, 1937, Refunding Bonds, or to moneys deposited in said bank for the payment of dividends upon Tax Participation Certificates of the Issue of January 1, 1937.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry

Mayor McGarry announced the appointment of J. J. Henry and Louis E. Miller, Master Plumbers, as members of the Examining Board of Plumbers.

On motion duly seconded and unanimously carried, the appointments were confirmed.

RESOLUTION NO. 1994

A RESOLUTION AUTHORIZING THE TAX ASSESSOR  
TO ALLOW A CERTAIN HOMESTEAD EXEMPTION  
APPLICATION UNDER CERTAIN CONDITIONS.

WHEREAS, Mr. Thomas L. Webb, of 7000 Ingraham Highway, attempted to make homestead exemption application in person at the City Hall during the period when such applications were acceptable; and personally secured from the City Hall an application for such exemption, to be executed and returned by mail; and states that he did execute and mail such application but it is not now in, and indications are that it did not reach, the Tax Assessor's files;

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

That upon being furnished with a satisfactory affidavit by Mr. Webb as to the facts described above, the Tax Assessor be and he is hereby authorized to accept Mr. Webb's application for homestead exemption and make allowance of such exemption for the year 1939.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry



## RESOLUTION NO. 1995

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO SETTLE THE PENDING SUIT WITH THE CITY OF MIAMI REGARDING THE TRANSPORTATION SYSTEM.

WHEREAS, It is exceedingly important to the interests of the citizens of The City of Coral Gables and The City of Miami that the two cities settle and compromise the issues in the pending suit regarding the transportation system of The City of Coral Gables; and,

WHEREAS, The City of Miami has modified another street railway franchise ordinance without a referendum vote; and,

WHEREAS, The best interests of The City of Coral Gables will be subserved by securing a modification of its street railway franchise so as to authorize the use of motor busses, and at the same time agreeing with The City of Miami that the gross receipts tax against the motor busses is a valid tax;

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 propose to the City Attorney of The City of Miami a settlement and compromise of the pending suit, Chancery No. 49686, and a dismissal of the same upon the enactment by The City of Miami of an ordinance amending and modifying, so as to permit the use of busses, City of Miami Ordinance No. 422, granting the street railway franchise.

2. That the City Attorney be and he hereby is authorized and directed upon the enactment of said ordinance by the City Commission of the City of Miami to take the necessary steps to dismiss the said law suit with prejudice to The City of Coral Gables and pay the costs incurred therein.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner Whitley. The resolution was adopted by unanimous vote.

A communication from Mr. George E. Merrick, offering to deed to the City the waterways and undredged canal lands controlled by him was referred to the City Attorney for study and report.

An application by The Theater of the Fifteen to be permitted to give plays on Sunday night was held to be in order, and the Commission stated that it would raise no objection to such Sunday night performances.

The Commission stated that the policy of the City as to drainage wells and other local improvements would be to install the improvement and bill the neighboring and/or affected property at cost.

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE ZONING ORDINANCE, AS TO SIDE YARDS ON LOTS 28 AND 29, BLOCK 40, COUNTRY CLUB SECTION; CUBIC CONTENT ON LOT 6 AND A PART OF LOT 5, BLOCK 43, COUNTRY CLUB SECTION; AND AS TO GARAGE APARTMENT ON LOTS 35 & 36, BLOCK 32, SECTION "B".

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, the ordinance was read again in full.

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

"Yes"- Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Mayor McGarry then declared the ordinance adopted and approved, and ordered its publication as No. 339.

On motion by Commissioner O'Shaughnessy; duly seconded and unanimously carried, the City Manager was authorized to proceed with the necessary preliminaries to calling for bids for the construction of a fifty-ton garbage incinerator.

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

ATTEST:

CITY CLERK

APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION  
ON NOVEMBER 21, 1939

The Commission of TheCity of Coral Gables convened in regular session at the City Hall at 4:20 o'clock p.m. on Tuesday, November 21, 1939, after having first made an inspection tour of the City with the City Manager, A. B. Curry, commencing at 3:00 o'clock p.m.

Mayor McGarry in the Chair; Commissioners O'Shaughnessy, Phillips and Whitley present. Commissioner Rinehart unavoidably absent on business.

Mr. George E. Merrick appeared to request the City to intervene in a foreclosure affecting the right-of-way of the canal west of the Mahi Shrine Golf Course, and with an offer to deed to the City the canal property of the Coral Gables Rock Company.

Mr. John Ravlin explained to the Commission his position in connection with the above mentioned foreclosure suit, and declared his intention to do everything within his power to promote and expedite the completion of the Coral Gables waterway system.

Mayor McGarry asked Mr. Ravlin to do whatever he could toward slowing up the litigation, in order to give the City a chance to examine its position and determine what is best to be done for the protection of the interests of the City and its property owners.

Lt. R. E. Gillette, U. S. Naval Reserve, petitioned the Commission for the City's assistance in providing quarters for the local unit of the U. S. Naval Communications Reserve. The matter was referred to the City Manager, with assurance to Lt. Gillette that the City would cooperate and assist in every way possible.

Mr. John Ravlin again appeared to present to the Commission a proposal for opening the Coral Gables Waterway westward to and beyond Ponce de Leon Boulevard, with the proposal to purchase from the City sufficient 1937, 1938 and 1939 taxes to provide the City with funds with which to build the necessary bridge at Ponce de Leon Boulevard. The matter was referred to the City Manager for study and report.



## RESOLUTION NO. 1996

A RESOLUTION AUTHORIZING CERTAIN ADJUSTMENTS OF 1939 ASSESSMENTS IN THE COLORED SUBDIVISIONS OF THE CITY.

WHEREAS, The Board of Equalization examined into the cost of residential construction in the colored subdivisions of the City, and determined that a proper assessment basis for such construction was 10¢ per cubic foot; and,

WHEREAS, It has come to the attention of the Tax Assessor and the City Commission that not all of the new construction in said subdivisions during the year 1938 were based upon such a standard factor, with the result that certain disparities and discrepancies exist;

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 to re-examine the assessments for 1939 of new residential construction in Golden Gate and McFarlane Homestead subdivisions, and at his discretion and best judgment to adjust the valuations of such properties down to the level of 10¢ per cubic foot content.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Commissioner Phillips, on behalf of his committee, then reported a proposed program of publicity for the current fiscal year. After a discussion of the proposals, and after discussing publicity matters with R. M. Munroe, the matter was referred again to the Committee, with recommendation that the program be somewhat revised and returned to the Commission for action.

## RESOLUTION NO. 1997

A RESOLUTION APPROPRIATING FOR THE EXPENSE OF MOVING THE PUBLICITY DEPARTMENT'S DARK ROOM.

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

That the sum of Sixty (\$60.00) Dollars be and the same is hereby appropriated from the Contingent Fund for the expense of moving from the third floor to other quarters the Publicity Department's dark room; and of securing water connections thereto.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

RESOLUTION NO. 1998

A RESOLUTION APPROPRIATING THE SUM OF  
FOUR THOUSAND, TWO HUNDRED DOLLARS FOR  
THE REPAVING OF DE SOTO BOULEVARD.

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

That the sum of Four Thousand, Two Hundred Dollars  
(\$4,200.00) be and the same is hereby appropriated from  
the City's share of county road and bridge millage for the  
purpose of repaving and reconditioning De Soto Boulevard;  
and the City Manager be and he hereby is authorized and  
instructed to proceed with such repaving, at a cost not to  
exceed the amount of this appropriation.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

RESOLUTION NO. 1999

A RESOLUTION APPROPRIATING FOR THE  
INSTALLATION OF A CIRCULATING PUMP  
AT THE DE SOTO PLAZA FOUNTAIN.

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

That the sum of Five Hundred (\$500.00) Dollars be and  
the same is hereby appropriated from the Contingent Fund for  
the purpose of providing and installing an electrically  
operated circulating pump at the De Soto Boulevard Plaza  
fountain; and the City Manager be and he hereby is authorized  
to proceed with said installation.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

On motion by Commissioner O'Shaughnessy, duly seconded and unanimously  
carried, the City Manager was instructed to proceed with the cleaning of lots,



at a cost not to exceed the balance existing in the appropriation heretofore recently made for said purpose.

RESOLUTION NO. 2000

A RESOLUTION APPROPRIATING THE SUM OF \$113.85 FOR THE PAYMENT OF CERTAIN LEGAL COSTS.

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

That the sum of One Hundred Dollars and Eighty-five Cents (\$113.85) be and the same is hereby appropriated from the Contingent Fund for the purpose of paying the balance of the City's share of costs in the case of W. W. Blount vs. City of Coral Gables.

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  
Whitley  
Mayor M Garry  
Absent - Commissioner Rinehart

RESOLUTION NO. 2001

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS FOR AN ACTUARIAL STUDY OF THE PROPOSED PENSION AND RETIREMENT FUND PLAN.

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

That the sum of Two Hundred Fifty (\$250.00) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of engaging an actuary to study and make recommendations upon the proposed pension and retirement fund plan, for City of Coral Gables employees.

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  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

RESOLUTION NO. 2002

A RESOLUTION AUTHORIZING THE TAX ASSESSOR TO REVISE 1939 ASSESSMENT OF LOTS 6, 7 & 8, BLOCK 10, SECTION "A".

WHEREAS, The Commission has heretofore allowed an assessment of \$7,500 for 1938 on Lots 6, 7 & 8, Block 10, Section "A", such valuation having been clearly established by sale and transfer of the property and by evidence introduced in court in



litigation involving said 1938 taxes; and,

WHEREAS, It is now found that the Assessor has assessed a higher valuation for the year 1939 on said property and such higher valuation seems inconsistent and unsupportable;

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 revise his 1939 assessment roll so as to show for Lots 6, 7 & 8, Block 10, Section "A", a valuation of Seven Thousand, Five Hundred (\$7,500.00) Dollars.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE, AS TO USE REQUIREMENTS FOR LOTS 17 TO 20, INCLUSIVE, BLOCK 2, SECTION "K" AND LOTS 6 & 7, BLOCK 41, DOUGLAS SECTION; AS TO CUBIC CONTENT REQUIREMENT ON SALZEDO STREET IN THE DOUGLAS SECTION; AND AS TO SET BACKS IN COCONUT GROVE TERRACE.

and

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE, AS TO THE RESUBDIVISION OF LOTS 10 AND 11, BLOCK 19, SECTION "D", AND OF LOTS 1, 2, 3, COCONUT GROVE TERRACE AND THE FACING OF HOUSES THEREON.

were introduced and read by title on first reading.

Motion by Commissioner O'Shaughnessy 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 Whitley. The motion was carried by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Thereupon, the Ordinances were read again in full.

Motion for adoption of the Ordinances by Commissioner O'Shaughnessy; seconded by Commissioner Whitley. The ordinances were adopted by the following roll call:



"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry  
Absent - Commissioner Rinehart

Mayor McGarry then declared the Ordinances adopted and approved, and ordered their publication as No. 340 and No. 341, respectively.

The meeting was then adjourned until 5:15 o'clock p.m. on Wednesday, November 22, 1939.

\* \* \* \* \*

Pursuant to adjournment at the meeting of November 21, 1939, the Commission of The City of Coral Gables convened in adjourned session at the City Hall at 5:15 o'clock p.m. on Wednesday, November 22, 1939.

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

The minutes of the meetings of October 17, 19, 25, and November 7, 1939, were read, corrected and approved.

RESOLUTION NO. 2003

A RESOLUTION AUTHORIZING ADJUSTMENT OF  
1939 ASSESSMENT ON LOTS 24 & 25, BLOCK 6,  
AND LOT 1, BLOCK 50, COUNTRY CLUB SECTION.

WHEREAS, There has been submitted to the City Commission substantial evidence that the City assessment exceeds the actual construction cost of the building at 3211 Alhambra Circle; and,

WHEREAS, The Commission, as an Equalization Board, declared its policy of revising assessments to meet proven construction costs;

NOW, THEREFORE, 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 revise his 1939 assessment of the building on Lots 24 and 25, Block 6, and Lot 1, Block 50, Country Club Section, so as to show an assessed value of Seventeen Thousand, Five Hundred (\$17,500.00) Dollars, plus land and other underlying value.

was introduced and read.

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

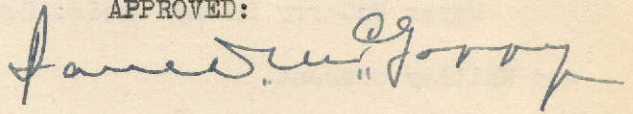
The resolution was adopted by the following roll call:



"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

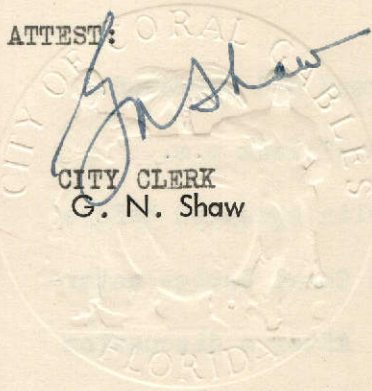
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:



MAYOR  
Paul D. McGarry

ATTEST:



CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF THE CITY COMMISSION  
ON DECEMBER 4, 1939

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 3:35 o'clock p.m. on Monday, December 4, 1939.

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

The minutes of the meeting of November 21 were read and approved.

Commissioner Phillips joined the meeting at 3:48 o'clock p.m.

Mr. J. A. Bouvier, Mr. Roy Page and Mr. John Ravlin appeared before the Commission in connection with the extension of the Coral Gables waterways and the treatment and removal of rock therefrom. After a discussion of the proposed method of handling the material, Commissioner Rinehart moved that a permit be granted to take out rock from the canal and to crush it on the job, the permit to extend for a period of ninety (90) days, upon the following conditions:

That the applicant agree to crush only wet rock and use every facility to eliminate dust; that he agree to muffle the machines while in operation so as to reduce noise; no stock piles to be maintained in excess of 600 cubic yards; that the operation be limited to the period from eight o'clock a.m. to six o'clock p.m., Sundays excluded; the City to retain the right to suspend operation or to revoke the permit at any time, and the applicant to agree to immediately suspend operations upon the order of the City Manager.

Motion seconded by Commissioner Phillips and carried by unanimous vote.

Commissioner Phillips then reported for the publicity committee of which he was chairman, and recommended, on behalf of that committee, that the Commission provide and appropriate for the following publicity activities for the remainder of the fiscal year: for advertising in local newspapers: Miami Herald, \$500; Miami Daily News, \$400; Coral Gables Riviera, \$250; for assistance in American Legion Directory, \$100; for advertisement in Orange Bowl Program, \$50; for publicity booklets, \$350; for extra help during season in publicity department, \$300; for advertisement in convention issue of Florida Municipal Record, \$200.



On motion duly seconded and carried, the report of the committee was approved and adopted.

RESOLUTION NO. 2004

A RESOLUTION APPROPRIATING TWO THOUSAND, ONE HUNDRED FIFTY DOLLARS FOR PUBLICITY PURPOSES.

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

That the sum of Two Thousand, One Hundred Fifty Dollars (\$2,150.00) be and the same is hereby appropriated for the following purposes during the fiscal year 1939-40:

For advertising in local newspapers:	
Miami Herald	\$500.00
Miami Daily News	400.00
Coral Gables Riviera	250.00
For assistance in American Legion Directory	
Legion Directory	100.00
For advertisement in Orange Bowl Program	
Bowl Program	50.00
For Publicity Booklets	350.00
For extra help during season in Publicity Department	300.00
For advertisement in convention issue of Florida Municipal Record	200.00

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
- Whitley
- Mayor McGarry

RESOLUTION NO. 2005

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED SEVENTY-FIVE DOLLARS FOR CERTAIN TRAVEL EXPENSES.

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

That the sum of One Hundred Seventy-five (\$175.00) Dollars be and the same is hereby appropriated from the Contingent Fund for the following purposes:

1. To defray the expenses of the City Attorney to Tallahassee to appear before the Supreme Court in the case of Zimmerman vs. City of Coral Gables and to the Florida League of Municipalities convention .....\$75.00
2. To defray the expenses of one Commissioner, the City Manager and the City Clerk to the Florida League of Municipalities Convention ....\$100.00

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

On motion duly seconded and unanimously carried, the following were appointed as members of the Planning Board, heretofore provided for and established by ordinance, for the terms set opposite their respective names:

- E. Dean Parmelee ..... one year;
- Donald F. Peck ..... one year;
- Denman Fink ..... two years;
- M. B. Garris ..... two years;

said terms to expire, respectively, on December 31, 1940 and December 31, 1941.

Mr. Wallace Perry, Attorney, then addressed the Commission on the subject of Lots 1 and 2, Block 4, Katie Biscayne Subdivision, underlying University Concourse near the intersection of Le Jeune Road, requesting that his client be paid One Thousand (\$1,000) Dollars as consideration for a dedication of the street right of way through those lots. The Commission offered Mr. Perry a One Hundred Fifty (\$150.00) credit on future taxes as consideration for such a dedication, and upon Mr. Perry's declining this offer, suggested that he discuss the matter with the City Clerk to attempt to reach some reasonable consideration.

RESOLUTION NO. 2006

A RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND REFUNDS OF TAX PAYMENTS.

WHEREAS, Due to an erroneous statement, Paul Quillian paid taxes for 1938 on Lot 3, Block 23, Country Club Section, intending such payment to be applied to Lot 5, Block 23, Country Club Section; and,

WHEREAS, Through a misunderstanding concerning his ownership, Abram Barker paid taxes for 1938 on Lots 14 and 15, Block 36, Crafts Section, in which lots he has no title or interest whatever; and,

WHEREAS, The Commission is of the opinion that these errors were of such nature that Messrs. Quillian and Barker should not be burdened thereby;

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

That the Tax Collector be and he hereby is authorized and directed to:



1. Refund to Abram Barker the amount paid by him for 1938 taxes on Lots 14 and 15, Block 36, Crafts Section.

2. Transfer and use the amount paid by Paul Whillian for 1938 taxes on Lot 3, Block 23, Country Club Section to and for the purpose of cancelling tax sale certificate upon Lot 5, Block 23, Country Club Section.

3. Hold as open tax liens the 1938 taxes reopened by the refunds above authorized, and to convert said open taxes to tax sale certificates when possible.

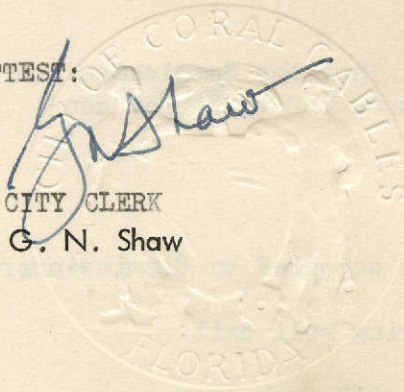
was introduced and read.

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  
Whitley  
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:

MAYOR  
Paul D. McGarry

12/4/39



MINUTES OF MEETING OF THE CITY COMMISSION  
ON DECEMBER 18, 1939

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 7:00 o'clock p.m. on Monday, December 18, 1939.

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

RESOLUTION NO. 2007

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2008

A RESOLUTION AUTHORIZING THE CITY MANAGER TO REQUIRE THE FURNISHING OF PRIVATELY OWNED AUTOMOBILES BY CITY EMPLOYEES WHOSE DUTIES NECESSITATE SUCH EQUIPMENT; AND TO PAY MONTHLY ALLOWANCES AS COMPENSATION THEREFOR; AUTHORIZING THE DISPOSITION OF SUCH EQUIPMENT NOW OWNED BY THE CITY; AND PROVIDING FOR THE PROTECTION OF THE CITY IN CONNECTION WITH PRIVATELY OWNED VEHICLES USED IN THE SERVICE.

WHEREAS, It is deemed advisable to relieve the City of the uncertainties and liabilities arising from the furnishing of city-owned vehicles of passenger type, and to require such of the City's employees as need such vehicles in the performance of their duties to furnish equipment of their own; and,



WHEREAS, The City is now possessed of certain passenger vehicles previously used in such services which would no longer be required for the City's use, disposition for which must be arranged; and,

WHEREAS, Arrangement must be made to compensate adequately, for operation, depreciation, and other expenses, such employees as may be required by the City Manager to provide automobiles in connection with their employment;

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

1. That the City Manager be and he hereby is authorized to discontinue the provision of city-owned passenger vehicles to City officers and employees, and to require said employees to provide and furnish their own cars for the performance of such duties and services as may necessitate them, and to provide for the payment to such employees of fixed monthly allowances as compensation for the expense of operation, the depreciation upon, and the insurance of such cars against liability for both property damage and public liability, such insurance to specifically provide for the indemnification of both the City and the employee.

2. For the purpose of disposing of such equipment now owned by the City and of enabling said employees to acquire equipment needed in their employment, the City Manager is authorized to sell said presently city-owned cars to them at prices to be fixed by him after appraisal by some competent automobile dealer, and to allow payment therefor in monthly installments over a period not exceeding twenty-four (24) months, retaining a lien by the City upon said vehicles until the installment payments have been completed, and requiring the carrying of fire, windstorm and theft insurance for the protection of the City during said period; or, in the event such equipment is not purchased by City employees as above authorized, to dispose of it by such means as may, in his opinion, be to the best advantage of the City, and to reserve any and all proceeds of such disposition in a fund to be used for the replacement of other City automotive equipment.

3. For the purpose of minimizing the operating cost of privately owned vehicles for City services to the mutual advantage of the City and the operator, the City Manager is authorized further hereby to provide for the placing of "fleet" or "group" insurance thereon, both as to liability and as to fire, windstorm and theft, and to charge to and deduct from the monthly allowance of each operator of a vehicle under the provisions hereof the proper and respective portion of the cost of said insurance; and to provide for the sale to said operators by the City of gasoline, oil and lubricants at the City's cost, also to be deducted from said monthly allowances, and to arrange for the City Purchasing Agent to cooperate with such operators in securing for them the benefit of any discounts or special prices which may be available to the City upon tires, parts, or equipment.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry



AN ORDINANCE AMENDING ORDINANCE NO. 251 OF THE CITY OF CORAL GABLES, ADOPTED OCTOBER 4, 1935, SO AS TO PROVIDE A FIXED PENALTY FOR THE FIRST VIOLATION OF THE PROVISIONS THEREOF, CONCERNING AUTOMOBILE INSPECTIONS.

was introduced and read on first reading, and carried forward to a later meeting for further consideration and action.

The Commission then took under consideration the objections filed against the operation of a private school at the corner of Salzedo Street and Sidonia Avenue. Mr. Ed C. Wollman, Jr., and Mrs. Jane D. Clark, residents and property owners in the neighborhood, addressed the Commission in objection to the operation. Miss Kennedy, the owner of the school, and Attorney Edward Brigham, spoke in behalf of the operation.. The Mayor then advised those present that under the existing ordinance the Commission has no jurisdiction over the matter, such operations being permitted in apartment, hotel and commercial areas, but asked Miss Kennedy to request her guests and the parents of her pupils to refrain from parking in front of the other buildings in the neighborhood, and to attempt to keep the noise of the playgrounds at a minimum.

RESOLUTION NO. 2009

A RESOLUTION AUTHORIZING THE APPOINTMENT OF A CONSULTING ENGINEER IN CONNECTION WITH THE PROPOSED INCINERATOR CONSTRUCTION; AND APPROPRIATING THEREFOR.

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

That the City Manager be and he is hereby authorized to engage the services of an engineer familiar with incinerator construction and operation as an assistant and consultant in connection with the analysis of bids and specifications for the proposed incinerator, and for supervision of the construction if and when undertaken, at a fee of not to exceed Five Hundred (\$500.00) Dollars, for which purpose said amount of Five Hundred (\$500.00) Dollars be and the same is hereby appropriated from the Contingent Fund.

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
- Whitley
- Mayor McGarry



RESOLUTION NO. 2010

A RESOLUTION APPROPRIATING THE SUM OF FIVE THOUSAND, FOUR HUNDRED DOLLARS FOR NEW MOTOR EQUIPMENT.

WHEREAS, The City has heretofore agreed to furnish certain motor equipment as its contribution to the Miami Master Airport Project, and in order to release such equipment, it becomes necessary to provide other new equipment for the general operations of the City;

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

Section 1. That the sum of Five Thousand, Four Hundred Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of purchasing three (3) trucks; and the City Manager be and he is hereby authorized to proceed with such purchase within the limits of this appropriation.

Section 2. That the City Manager be and he is hereby authorized and directed to lend to the City of Miami, and the Works Progress Administration, for use in the construction of the Miami Master Airport, and as the contribution of the City of Coral Gables thereto, three (3) motor trucks to be selected by him, released from and replaced in the City's services by the purchase hereinabove authorized.


was introduced and read.

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

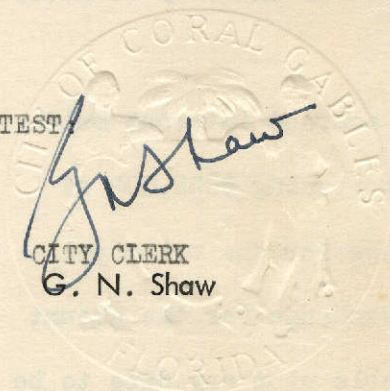
- "Yes" - Commissioners O'Shaughnessy
- Phillips
- Rinehart
- Whitley
- Mayor McGarry

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

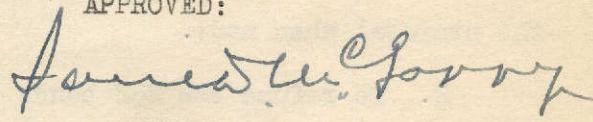
ATTEST



CITY CLERK  
G. N. Shaw



APPROVED:



MAYOR  
Paul D. McGarry

*Handwritten initials*



MINUTES OF MEETING OF THE CITY COMMISSION  
ON DECEMBER 19, 1939

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 3:45 o'clock p.m. on Tuesday, December 19, 1939, for the purpose of conferring with Messrs. Ed. C. Wright, Al Roberts, Jr., and George Wylie concerning certain outstanding unrefunded bonds and interest coupons of the City, held or represented by them.

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

Attorney Dan H. Redfearn was also present, at the request of the Commission.

Messrs. Wright and Roberts reiterated the proposals made to the Commission at the meeting of October 25, as follows:

1. The City to pay temporary service upon the bonds and interest coupons in an amount equal to three-fourths of one mill, and to receive therefor coupons at the ratio of Three Dollars (\$3.00) in coupons to each Two Dollars (\$2.00) in cash payments made by the City. Both the City and the holders of the bonds to refrain from litigation for a period of one year, except by mutual consent; Messrs. Wright and Roberts to attempt, during the period of the agreement, to consolidate the unrefunded claims against the City and to submit to the City a proposition for the refunding of all those claims, without obligation upon the part of the City to accept the proposal when made.

2. To refund the 252 bonds and accompanying accrued interest held by Messrs. Wright and Roberts, or their clients, by issuing \$252,000 of refunding  $4\frac{1}{2}\%$  bonds, callable after 1950, in exchange for the principal thereof, and by issuing  $3\frac{1}{2}\%$  bonds equal to and in exchange for the amount of the accrued interest, said  $3\frac{1}{2}\%$  bonds to be callable upon any date to be established by the City.

3. To sell to the City the principal of the bonds at 90¢ on the dollar and the accrued interest thereon at 75¢ on the dollar, without consideration of interest on past due interest.



and stated that these terms were the lowest that would be considered by them or by their clients.

Mayor McGarry, on behalf of the Commission, advised Messrs. Wright, Roberts and Wylie that the Commission considered it would be most unfair to the holders of the more than 90% of the City's debt which had been exchanged on the terms of the January 1, 1937 Refunding Agreement, to accept and consent to any of the proposals made for the refunding of this small minority of the debts; and further, that the terms suggested were beyond the reasonable capacity of the City to pay.

The Commission then resolved itself into a regular meeting scheduled for this date, at 5:30 o'clock p.m., all members being present.

RESOLUTION NO. 2011

A RESOLUTION APPROPRIATING FOR A TRAFFIC LIGHT AT THE INTERSECTION OF BIRD AND RED ROADS.

WHEREAS, Dade County has agreed to provide a traffic light for the intersection of Bird and Red Roads, contingent upon the installation of said light and the payment of the monthly service thereof by The City of Coral Gables; and,

WHEREAS, It is deemed highly necessary to provide such a light during the racing season;

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

That the sum of One Hundred Dollars (\$100.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of installing and operating a traffic signal light at the intersection of Red and Bird Roads; and the City Manager be and he is hereby authorized to make such installation and to assume the payment of the monthly services thereof.

was introduced and read.

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

- "Yes" - Commissioners O'Shaughnessy
- Phillips
- Rinehart
- Whitley

Mayor McGarry

AN ORDINANCE REQUIRING THE LICENSING OF AIRCRAFT AND AIRMEN OPERATING OVER THE CITY OF CORAL GABLES; ADOPTING THE RULES AND REGULATIONS ESTABLISHED BY THE CIVIL AERONAUTICS AUTHORITY OF THE UNITED STATES AND THE STATE OF FLORIDA GOVERNING AIR TRAFFIC; PRESCRIBING CERTAIN CONDITIONS GOVERNING LANDING FIELD AND AIRPORTS; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; PRESCRIBING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; DECLARING THIS TO BE AN EMERGENCY MEASURE; AND DISPENSING WITH THE READING OF SAME ON TWO SEPARATE DAYS BY A FOUR-FIFTHS VOTE OF THE COMMISSION.

*lynd*  
12/19/39



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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, the ordinance was read again in full.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Mayor McGarry then declared the ordinance adopted and approved and ordered its publication as No. 342.

RESOLUTION NO. 2012

A RESOLUTION APPROPRIATING THE SUM OF ONE THOUSAND, FOUR HUNDRED NINETY-FOUR DOLLARS AND TWENTY-FIVE CENTS FOR SPECIAL AUDIT SERVICES.

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

That the sum of One Thousand, Four Hundred Ninety-four Dollars and Twenty-five Cents (\$1,494.25) be and the same is hereby appropriated from the Contingent Fund and from accrued and previously unappropriated revenues for the purpose of paying the costs of the special audit of the building, plumbing and other permits and the preparation of the report of the shortage therein.

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  
Rinehart  
Whitley  
Mayor McGarry

A communication from Mitchell D. Price in behalf of Mrs. Ernest, the owner of the property at the northwest corner of North Greenway Drive and Granada Boulevard, objecting to the noise arising from the operation of the



Country Club was referred to the City Manager for study and report.

AN ORDINANCE AMENDING ORDINANCE NO. 251 OF THE CITY OF CORAL GABLES, ADOPTED OCTOBER 4, 1935, SO AS TO PROVIDE A FIXED PENALTY FOR FIRST VIOLATION OF THE PROVISIONS THEREOF, CONCERNING AUTOMOBILE INSPECTIONS.

which had been first read at the meeting of December 18, 1939, 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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved and ordered its publication as No. 343.

The Commission authorized the City Manager to offer the City Park to the University of Missouri football team for the purpose of practice for their game on January 1.

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

*[Handwritten initials]*  
12/19/39



MINUTES OF MEETING OF THE CITY COMMISSION  
ON DECEMBER 22, 1939

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 8:45 a.m. on Friday, December 22, 1939.

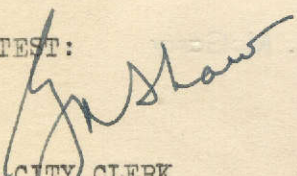
Mayor McGarry in the Chair; Commissioners O'Shaughnessy; Phillips, Rinehart and Whitley present.

The Commission discussed with City Attorney Adams and Attorney Dan H. Redfearn the mandamus action filed on December 20, by the American National Bank of Nashville, Tennessee.

Commissioner O'Shaughnessy then moved that Attorney Dan. H. Redfearn be requested to confer with the City Attorney upon the City's defense material in this case, the said attorneys to report to the Commission their recommendations for the protection of the City's interests; motion seconded by Commissioner Whitley and carried by unanimous vote.

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

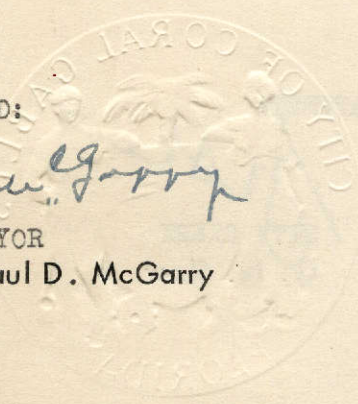
ATTEST:

  
CITY CLERK  
G. N. Shaw

APPROVED:

  
MAYOR

Paul D. McGarry





MINUTES OF MEETING OF THE CITY COMMISSION  
ON JANUARY 4, 1940

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 7:45 o'clock p.m. on Thursday, January 4, 1940.

The minutes of the meetings of December 4, 18, 19 and 22, 1939 were read and approved.

Mayor McGarry in the Chair; Commissioners O'Shaughnessy, Rinehart, Whitley present. Commissioner Phillips absent because of important prior business engagement.

The South of Bird Road Zoning Committee, consisting of Horace Cartee, Chairman, and Messrs. D. A. Cray, Ralph H. Wilkins, Roy Page and Morton B. Adams, appeared in connection with the zoning of the negro subdivisions on Le Jeune Road and Dixie Highway, as did Messrs. Fin Pierce, D. Earl Wilson, Walter Harris, F. W. Webster and M. Wisehart. Judge John Holland was also present and addressed the Commission from the viewpoint of a property owner in the Riviera Section, requesting that the City take any steps possible to eliminate negro houses on Le Jeune Road and on the Dixie Highway. Following a discussion of this situation, the Commission ordered that the matter be held in suspense pending an investigation of the possibility of the widening and improvement of the Dixie Highway out of County or State funds, investigation of the cost of purchasing the presently colored property abutting LeJeune Road, and other factors of the proposed zoning.

The City Manager was requested to contact the City of Miami in an effort to have the Miami zoning east of the City of Coral Gables line to Douglas Road correspond with the Coral Gables zoning on its portion of the Highway.

Mr. John Ravlin requested permission to remove the fill across the Coral Gables waterway at Ponce de Leon Boulevard, stating that he and his associates were willing to buy city tax certificates sufficient to provide the City with funds with which to replace this fill with a bridge. The Commission was of the opinion that the City's expending money for a bridge would be unwise and unjustified unless and until further development in the surrounding Riviera Section. Mr. Ravlin then requested the City to permit him to remove the fill



at his expense and to place the material on both sides of the canal on Ponce de Leon Boulevard, in order to create approaches for a future high bridge. The City Manager was instructed to cause a traffic count to be made at this bridge and report the findings back to the Commission as data necessary to their consideration of the above request.

RESOLUTION NO. 2013

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED DOLLARS TO PROVIDE CITY OF CORAL GABLES TROPHIES IN THE 1940 ALL AMERICAN AIR MANEUVERS.

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

That the sum of One Hundred Dollars (\$100.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of purchasing and providing trophies to be given in the name of The City of Coral Gables at the 1940 All American Air Maneuvers of the City of Miami.


was introduced and read.

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

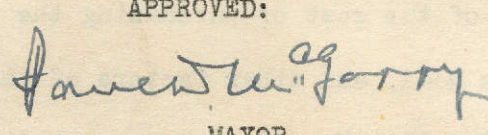
"Yes" - Commissioners O'Shaughnessy  
Rinehart  
Whitley  
Mayor McGarry  
Absent - Commissioner Phillips

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

ATTEST:

  
CITY CLERK  
B. G. N. Shaw

APPROVED:

  
MAYOR  
Paul D. McGarry



## MINUTES OF MEETING OF THE CITY COMMISSION

ON JANUARY 8, 1940

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 9:00 o'clock A.M. on Monday, January 8, 1940.

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

## RESOLUTION NO. 2014

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry

## RESOLUTION NO. 2015

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED FIFTY DOLLARS FOR A PORTION OF THE COST OF A FLOAT IN THE ORANGE BOWL PARADE.

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

That the sum of One Hundred Fifty Dollars (\$150.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of paying one-half the cost of a City of Coral Gables float in the Orange Bowl Parade of Saturday, December 30, the balance of the cost of said float to be paid by the Coral Gables Chamber of Commerce.

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 Phillips  
Rinehart  
Whitley  
Mayor McGarry  
"No" - Commissioner O'Shaughnessy

The Commission then discussed proposals as to a bridge over the Coral Gables waterway at Ponce de Leon Boulevard, made by Mr. Ravlin at the meeting of January 4, and decided that the City could not undertake the cost of a new bridge structure at this time but if the developers wish to put in the bridge at their expense the City will render such assistance as may be in its power, at cost.

The City Manager was then requested to inquire as to the cost of purchasing the balance of Lots 1 to 21, inclusive, Block 1, Golden Gate and moving to other locations the four negro houses on these lots.

The Commission then discussed the zoning of the Dixie Highway and facts brought before the Commission in that connection at the meeting of January 4.

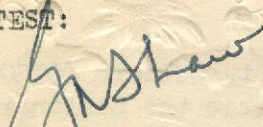
AN ORDINANCE AMENDING ORDINANCE NO. 271  
OF THE CITY OF CORAL GABLES, KNOWN AS THE  
"ZONING ORDINANCE", SO AS TO PROVIDE CERTAIN  
SET-BACKS AND USE RESTRICTIONS FOR PROPERTY  
FACING OR ABUTTING ON THE MIAMI-HOMESTEAD  
HIGHWAY FROM LE JEUNE ROAD TO THE EASTERN  
CITY LIMITS.

was read by title on first reading and carried forward to a later meeting for further consideration and action.

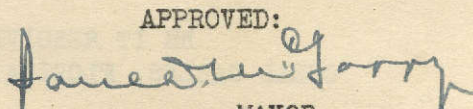
The City Manager was requested to have the Planning Board bring in recommendations for the proper restriction of all property in Golden Gate, McFarlane Homestead and Coconut Grove Warehouse Center subdivisions.

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

JANUARY 16, 1940 :

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 16, 1940.

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

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

The Commission discussed the matter of laundry, dry cleaner and tailor licenses, but deferred action until the next meeting.

After conferring with a number of owners of property abutting on the Dixie Highway, it was moved, seconded and unanimously carried that from Oak Avenue to the eastern City limits on the north side of Dixie Highway, permits for negro residence construction should be granted, provided all of the terms of the Zoning Ordinances are followed, and provided that buildings be set back at least fifteen (15) feet from the property line or from the line of the proposed wider Highway; and that as to the south side of the Dixie Highway, between said limits, and the remainder of Dixie Highway on both sides to Le Jeune Road, permits should be withheld pending further advice from the State and County authorities as to the probability of prompt action upon the widening of the roadway.

A request for change in zoning to permit \$2,500 houses in the Flagler Section was denied by unanimous action.

## RESOLUTION NO. 2016

AUTHORIZING THE CITY MANAGER, OF AND ON BEHALF OF THE CITY OF CORAL GABLES, FLORIDA, BY LETTER UNDER SEAL OF SAID CITY, TO REQUEST, DIRECT AND AUTHORIZE FLORIDA POWER & LIGHT COMPANY TO INSTALL, CONNECT, RESTORE TO SERVICE AND/OR SERVE ADDITIONAL STREET LIGHTS; TO CHANGE THE LOCATION OF CERTAIN STREET LIGHTS AND TO AUTHORIZE PAYMENT BY THE CITY IN CONNECTION THEREWITH, AND TO INCREASE THE CANDLEPOWER OR WATTAGE OF CERTAIN STREET LIGHTS, ALL IN ACCORDANCE WITH THAT CERTAIN MUNICIPAL STREET LIGHTING AGREEMENT NOW IN EFFECT BETWEEN THE CITY OF CORAL GABLES, FLORIDA, AND SAID COMPANY DATED THE 14TH DAY OF AUGUST, 1928, SUPPLEMENTARY AND SUPPLEMENTAL AGREEMENTS THERETO, AND 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.



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

1. That the City Manager, of and on behalf of The City of Coral Gables, Florida, be and he is hereby authorized, as it may be deemed necessary and advisable from time to time, to request, direct and authorize, by written letter under the City's seal, Florida Power and Light Company to install, connect, restore to service and/or serve street lights within the corporate limits of The City of Coral Gables, Florida; to change the location of certain street lights and to authorize payment by the City of the cost in connection therewith, and to increase the candlepower or wattage of certain street lights, all in accordance with that certain Municipal Street Lighting Agreement now in effect between the City of Coral Gables, Florida, and Florida Power & Light Company, dated the 14th day of August, 1938, supplementary and supplemental agreements thereto.

2. That upon receipt of a letter by Florida Power & Light Company from the City Manager, under the City's seal, requesting said Company to make any or all of the street lighting changes hereinabove designated in Section 1 hereof, Florida Power & Light Company, by virtue of this Resolution, be and it is hereby authorized to honor such request as written notice from The City of Coral Gables, Florida, to make the requested changes in accordance with the said Municipal Street Lighting Agreement now in effect between The City of Coral Gables, Florida, and Florida Power & Light Company, dated the 14th day of August, 1938, supplementary and supplemental agreements thereto, and said Company may consider said request as the direct request of the City Commission of The City of Coral Gables, Florida, in connection with the said City Manager requesting and directing said street lighting changes hereinabove enumerated in Section 1 hereof, and that such letter from the City Manager to said Company shall be construed as written notice under the said Municipal Street Lighting Agreement, supplementary and supplemental agreements thereto.

3. That the City Clerk, of and on behalf of The City of Coral Gables, Florida, serve a certified copy of this Resolution upon Florida Power & Light Company, showing the said City Manager's authority to request the street lighting changes from time to time as hereinabove set out in Section 1 hereof.

was introduced and read.

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

- "Yes" - Commissioners O'Shaughnessy
- Phillips
- Rinehart
- Whitley
- Mayor McGarry

RESOLUTION NO. 2017

A RESOLUTION APPROPRIATING THE SUM OF \$161.79 FOR POLICE PISTOL PRACTICE AND FOR THE FLAMINGO OPEN PISTOL TOURNAMENT.

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

That the sum of \$161.79 be and the same is hereby appropriated from the Contingent Fund for the purpose of providing \$61.79 for ammunition for police pistol practice under Federal Bureau of Investigation supervision, and for contributing \$100.00 to the support of the 1940 Flamingo Open Pistol Tournament.



was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

*Agree*

RESOLUTION NO. 2018

A RESOLUTION APPROPRIATING THE SUM OF \$92.50 TO PURCHASE AND PAY RENTAL UPON A POSTAGE METER.

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

That the sum of \$92.50 be and the same is hereby appropriated from the Contingent Fund for the purpose of purchasing a postage meter and sealing machine, and one slogan plate to be used therein and for the payment of the rental of \$5.00 per month on said meter for the balance of the current fiscal year.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

After a discussion of the situation in regard to the exclusion from the City of the Dorn Tract in Section 32-54-41, the City Attorney was authorized to negotiate for and effect the disposition of the City's taxes outstanding against said tract upon any terms he might consider to be to the best advantage of the City.

RESOLUTION NO. 2019

A RESOLUTION AUTHORIZING THE EXCHANGE OF DEEDS BY THE CITY CONVEYING UNDUG PORTIONS OF THE MAHI WATERWAY FOR DEEDS CONVEYING AND RELEASING TO THE CITY THE DUG PORTION OF THE WATERWAY.

*Streets  
Contracts  
Property*

WHEREAS, The City of Coral Gables has acquired from the Coral Gables Rock Corporation such title as it had in and to the waterways of the Coral Gables Canal by deed dated November 24, 1939, recorded in Deed Book 2015 at page 390 of the Public Records of Dade County, Florida; and,

WHEREAS, The said Rock Corporation had through <sup>MESNE</sup> ~~its~~ conveyances and foreclosure of acreage mortgages lost title to some of said tract and its title was subject to acreage mortgages of other portions of said canal right-of-way; and,

WHEREAS, On the lateral Mahi Waterway the canal has been

*Lynd*  
1/16/40



dug to a width of approximately 60 feet on the South side of said right-of-way from the main canal on the East to Alhambra Circle on the West; and,

WHEREAS, The City has negotiated with the owners and holders of the fee simple title and acreage mortgages covering said section for partial release of the said mortgage and for deeds conveying and releasing to the City the presently dug approximately 60 feet of the said waterway in exchange for deeds from the City to the northerly 40 feet of the said right-of-way;

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

1. That the Mayor and the City Clerk be, and they are hereby authorized and directed to execute and deliver to J. E. Ravlin, Trustee, a Special Warranty Deed conveying the title acquired from the Coral Gables Rock Corporation in and to the approximately 40 feet on the northerly side of said Mahi Waterway abutting and adjoining Lots 14 to 22, inclusive, of Block 241, Riviera Section, and abutting and adjoining Lots 4 to 22, inclusive, of Block 223, Riviera Section, in exchange for deeds from the said J. E. Ravlin, Trustee, conveying to the City the dug 60 foot southerly portion of said right-of-way immediately adjoining the above described 40 foot strip of undug canal right-of-way and the portion of Ponce de Leon Boulevard lying within the  $S\frac{1}{2}$  of the  $N\frac{1}{2}$  of the  $SW\frac{1}{4}$  of the  $SE\frac{1}{4}$  of Section 30-54-41, and the covenant by the said Ravlin to release the City from any and all damages resulting to Lots 19 to 26, inclusive, of Block 223, Riviera Section from any change of grade of Ponce de Leon Boulevard and the bridge crossing the canal.

2. That the Mayor and the City Clerk be, and they hereby are authorized and directed to execute and deliver a special warranty deed to Riviera Waterway and Land Company the north 40 foot undug portion of the said waterway adjoining Lots 1 to 14, inclusive, Block 241, Riviera Section, in exchange for a deed and release of the southern dug 60 feet of said canal right-of-way and release as to Lots 1, 2, 3, 4, 60, 61, 62, and 63 of Block 241, Riviera Section, from any and all damage resulting from the change in the grade of Ponce de Leon Boulevard and the bridge adjoining said lots.

3. That each party to the above described conveyances shall affix such documentary stamps as may be required and pay the fees for the recording of their respective deeds.

was introduced and read.

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

RESOLUTION NO. 2020

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PERMIT THE REMOVAL OF THE FILL IN THE MAHI WATERWAY AT PONCE DE LEON BOULEVARD UPON CERTAIN TERMS.

WHEREAS, It has been determined that very few persons now use Ponce de Leon Boulevard between Sunset Road and Hardee Road and the adjacent area is but sparsely developed; and,

WHEREAS, The continuance of the present effort to open and widen said Mahi Waterway is considered to be essential and important to the development of that area; and,



WHEREAS, The existing fill in the Mahi Waterway, being a part of Ponce de Leon Boulevard South, is an obstacle to the proper opening and widening of said waterway;

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 issue a permit for the removal of said fill in the Mahi Waterway in Ponce de Leon Boulevard, provided that the fill removed therefrom shall be placed in Ponce de Leon Boulevard abutting the waterway in position to be used as approaches to a future bridge at this point, and provided that the owners of the lots abutting the street where this fill will be placed shall evidence to the City in writing their waiver of objection to the placing of said fill.

was introduced and ready, duly seconded and unanimously carried.

A permit to operate a kindergarten in the house on Lot 11, Block 8, Section "A" was referred to the Zoning Board for proper action under the Zoning Ordinance.

In connection with a request for zoning information by the Atlantic Refining Company, the Commission expressed the willingness to act favorably upon a zoning exception to permit a 50% enlargement of the present building and activity in connection with the Atlantic Filling Station at the northeast corner of Alhambra Circle and Ponce de Leon Boulevard, the enlargement to consist of extension of the plant to the two lots immediately east of the present site; provided, however, that such extension and enlargement is not to be in the nature of any additional non-conforming use of the property, but is to be confined to an increase in the existing non-conforming use.

Upon a request for permit to erect a porte cochere in connection with the house on Lot 4, Block 19, Granada Section, which, under existing conditions would necessitate bringing said porte cochere within two feet of the building line, the City Commission unanimously decided that since the next neighboring house on the side of the porte cochere is fifty feet distant and owns and occupies the intervening land and the owner of said house and intervening land has advised the City Clerk that they have no objection to the construction, it would be proper to grant the permit without further formality in the nature of amendments or exceptions to the Zoning Ordinance, and instructed the Clerk to so inform the Building Inspector.



## RESOLUTION NO. 2021

APPROVING A PROPOSED SUPPLEMENTAL LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY, PROVIDING FOR THE AMENDMENT OF SECTION 4 OF ARTICLE I OF THAT CERTAIN MUNICIPAL STREET LIGHTING AGREEMENT NOW IN EFFECT BETWEEN THE CITY OF CORAL GABLES, FLORIDA, AND FLORIDA POWER & LIGHT COMPANY, DATED THE 14TH DAY OF AUGUST, 1928, IN CONNECTION WITH CHANGING THE LOCATION OF CERTAIN STREET LIGHTS, AND THE DISCONTINUANCE OF A STREET LIGHT AT ONE LOCATION BY SUBSTITUTING OR RESTORING TO SERVICE ANOTHER SIMILAR STREET LIGHT AT ANOTHER LOCATION, 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 SUPPLEMENTAL LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY.

BE IT RESOLVED BY THE 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 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 Supplemental Letter Agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

City of Coral Gables, Florida,  
Coral Gables, Florida.

Gentlemen:

This relates to that certain Municipal Street Lighting Agreement now in effect between us dated the 14th day of August, 1928, and to all supplementary and supplemental agreements thereto.

In view of the fact that many times it is necessary to discontinue a street light at one location and restore to service another street light at another location, and in order that this may be done without the necessity of a formal resolution, we hereby agree that as of the            day of           , 19           , Section 4 of Article I of the said Municipal Street Lighting Agreement shall be amended to read as follows:

"Section 4. To change the location of any street light in use or to substitute for any street light in use at one location any other street light of the same type and ownership and of the same or greater candlepower and wattage, not in use, at any other location, upon the payment by the City of the cost of such change or substitution, and upon written notice from the City, evidenced by a letter from the City's City Manager, under City's corporate seal, setting forth that such change in location or substitution of street light has been duly authorized by City's governing body."

It is understood and agreed that except as expressly provided herein, the said Municipal Street Lighting Agreement, and all



supplementary and supplemental agreements thereto, shall remain in full force and effect between us.

If you agree to the foregoing, kindly so indicate by causing this letter and the attached copies to be executed by your duly authorized officials, under your corporate seal, in the spaces provided below for that purpose.

Very truly yours,

We agree to the foregoing this day of \_\_\_\_\_, 19 \_\_\_\_\_.

FLORIDA POWER & LIGHT COMPANY

By \_\_\_\_\_ Manager

CITY OF CORAL GABLES, FLORIDA

ATTEST:

By \_\_\_\_\_ City Manager

\_\_\_\_\_  
Assistant Secretary

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED as to form and correctness this day of \_\_\_\_\_, 19 \_\_\_\_\_.

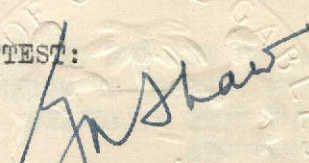
\_\_\_\_\_  
Attorney for City of Coral Gables, Florida

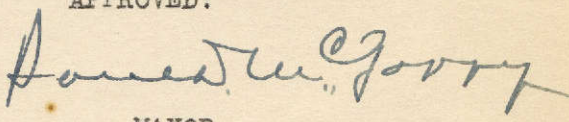
was introduced and read.

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

- "Yes" - Commissioners O'Shaughnessy
- Phillips
- Rinehart
- Whitley
- 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 JANUARY 30, 1940

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, January 30, 1940.

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

The minutes of the meetings of January 4, 8 and 16, 1940, were read, corrected and approved.

RESOLUTION NO. 2022

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2023

A RESOLUTION APPROPRIATING THE SUM OF THREE THOUSAND DOLLARS FOR THE PURPOSE OF NECESSARY CLEAN-UP AND REPLACEMENT WORK FOLLOWING RECENT FREEZING TEMPERATURES.

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

That the sum of Three Thousand (\$3,000) Dollars be and the same is hereby appropriated from the Contingent Fund for the purpose of providing necessary forces and materials to remove and replace trees, shrubs and other City property damaged in the recent freezing temperatures; and the City Manager be and he hereby is authorized and instructed to undertake such rehabilitation work at once, within the limits 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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

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

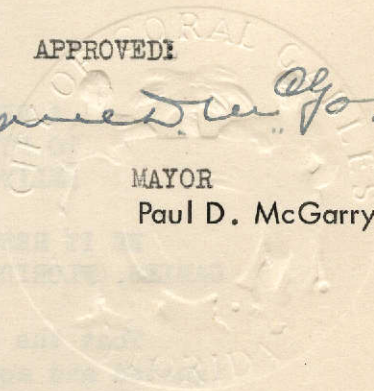
ATTEST:

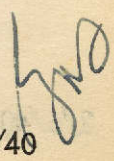
CITY CLERK

APPROVED:



MAYOR  
Paul D. McGarry



1/30/40 



MINUTES OF MEETING OF THE CITY COMMISSION  
FEBRUARY 6, 1940

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 6, 1940.

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

The minutes of the meeting of January 30 were read and approved.

RESOLUTION NO. 2022-A

A RESOLUTION DESIGNATING THE CORAL GABLES RIVIERA TO PUBLISH THE ADVERTISEMENT OF SALE OF 1939 DELINQUENT TAXES.

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

That the Coral Gables Riviera be and it is hereby designated and appointed to publish the advertisement of unpaid 1939 taxes for sale for delinquency, and the Tax Collector be and he hereby is instructed to cause proper advertisements to be run in said newspaper, weekly, for the proper period under the statutes of the State of Florida and the Charter and Ordinances of The City of Coral Gables.

was introduced and read.

Motion for adoption by Commissioner Whitley; seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2023-A

A RESOLUTION APPROPRIATING FROM THE DEPRECIATION AND INSURANCE RESERVE THE SUM OF FIVE THOUSAND, FOUR HUNDRED DOLLARS TO PURCHASE NEW EQUIPMENT FOR THE TRANSPORTATION SYSTEM.

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

That the sum of Five Thousand, Four Hundred Dollars (\$5,400.00) be and the same is hereby appropriated from the Reserve for Depreciation and Insurance, for the purpose of purchasing a Type 30 G Twin Coach, for use in the City's Transportation System; and the City Manager be and he is hereby authorized and instructed to proceed with and conclude the purchase of said vehicle.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry



## RESOLUTION NO. 2024

A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS TOWARD THE EXPENSES OF THE MIAMI BILTMORE INTERNATIONAL 4-BALL TOURNAMENT.

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 contributing to the purse and toward expenses of the Miami Biltmore International 4-Ball Golf Tournament during the year 1940.

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 Phillips  
Rinehart  
Whitley  
Mayor McGarry  
"NO" - Commissioner O'Shaughnessy

AN ORDINANCE AMENDING ORDINANCE NO. 76 OF THE CITY OF CORAL GABLES, KNOWN AS THE LICENSE ORDINANCE, AND AMENDMENTS THERETO, AS TO LICENSE FEES FOR LAUNDRY AND DRY CLEANING PLANTS, LAUNDRY AND DRY CLEANING AGENCIES AND DISTRIBUTORS, AND FOR TAILORS.

was 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 the Ordinance be placed on second reading at once; seconded by Commissioner Whitley. The motion was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

The ordinance was then read again in full.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 344.

It was unanimously agreed that Mayor McGarry, Commissioner O'Shaughnessy and City Clerk Shaw be sent to Washington to urge the adoption of the proposed



amendments to the Municipal Bankruptcy Act, and that expenses therefor would be appropriated later when the amount thereof could be estimated.

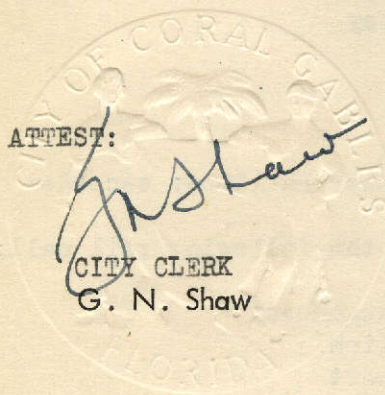
The City Attorney discussed with the Commission the claim by Mrs. Vetter for injuries received when she is alleged to have fallen on a damaged sidewalk, and was authorized to settle the matter out of court for an amount not to exceed One Hundred Dollars (\$100.00).

AN ORDINANCE GRNATING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE, AS TO USE REQUIREMENTS ON LOTS 5 AND 6, BLOCK 21, SECTION "L"; ON LOTS 13 AND 14, BLOCK 24, SECTION "L"; AND ON LOTS 20 AND 21, BLOCK 10, COCONUT GROVE SECTION; AND AS TO SET-BACKS ON LOTS 4 AND 5, BLOCK 1, GRANADA TERRACE

was introduced and read by title on first reading and carried forward to a later meeting for further consideration and action.

The City Manager discussed with the Commission the matter of corner windows, which are deemed by theSupervising Architects as not being permissible under the building code and zoning ordinance. The Commission was of the opinion that this modern architectural feature is gaining in popularity and demand, and requested the City Manager to advise the Supervising Architects that it is the Commission's wish that they carefully examine each plan submitted incorporating such corner windows, and if in their judgment such windows are not detrimental to the architecture of the proposed building and its surroundings, to permit their use.

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



APPROVED:

*Paul D. McGarry*

MAYOR

Paul D. McGarry



## MINUTES OF MEETING OF THE CITY COMMISSION

ON FEBRUARY 20, 1940.

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 20, 1940.

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

The minutes of the meeting of February 6, 1940, were read and approved.

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE, AS TO USE REQUIREMENTS ON LOTS 5 AND 6, BLOCK 21, SECTION "L"; ON LOTS 13 AND 14, BLOCK 24, SECTION "L"; AND ON LOTS 20 AND 21, BLOCK 10, COCONUT GROVE SECTION; AND AS TO SET BACKS ON LOTS 4 AND 5, BLOCK 1, GRANADA TERRACE.

which had been read at the meeting of February 6, 1940, 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  
Whitley

Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 345.

The Clerk reported approval of the Zoning Board to an exception as to side set-backs in the case of proposed building at 1027 Avenue Andalusia, in which the proposed house will only permit side yards totalling 14 feet, 6 inches, against the requirement of 15 feet under the terms of the Zoning Ordinance. In view of the small discrepancy and the fact that ample lawns exist adjoining the property on both sides, it was moved, seconded and unanimously carried that the Building Inspector be authorized to issue the permit without further formal action.

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE, AS TO MINIMUM CUBIC CONTENT REQUIREMENTS IN DAVIS ORCHARD SUBDIVISION

was introduced and read.



Motion by Commissioner O'Shaughnessy 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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

The ordinance was then 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  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 346.

AN ORDINANCE FIXING CERTAIN BUILDING AND PERMIT FEES TO BE EFFECTIVE UNTIL JUNE 30, 1940, AND AMENDING, UNTIL THAT DATE, OTHER ORDINANCES IN CONFLICT HEREWITH.

was introduced and read by title on first reading and carried forward to a later meeting for further consideration and action.

A communication was received from the Real Estate Board, asking for additional lighting on Ponce de Leon Boulevard, and for more strict enforcement of the speed and traffic laws. The matter was referred to the City Manager and the Director of Public Safety for investigation and report.

Communications were received from owners of property abutting the approaches of the Hardee Road Bridge, advancing objections to raising of the level of that bridge and its approaches. The Clerk was instructed to advise the property owners that the City has no present intention of altering or raising the bridge.

RESOLUTION NO. 2025

A RESOLUTION AUTHORIZING THE SETTLEMENT OF A CERTAIN DAMAGE CLAIM, AND APPROPRIATING THEREFOR.

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

That the City Attorney be and he is hereby authorized to negotiate and effect a settlement of claims by



Miss Mary Vetter based on injuries alleged to have been received by falling on a defective sidewalk, provided that the settlement shall not involve the payment of an amount in excess of One Hundred Dollars (\$100.00); and there hereby is appropriated from the Contingent Fund the amount necessary to make such payment within the limits of this resolution.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry


Mayor McGarry and Commissioner O'Shaughnessy then discussed with the Commission their observations on their trip to Washington to appear before a Congressional Committee in connection with proposed amendments to the Municipal Bankruptcy Act, and recommended to the Commission that the City immediately undertake the steps necessary to filing a petition under the present act, so as to be prepared in the event the proposed amendments do not carry. Thereupon:

AN ORDINANCE DECLARING THE NECESSITY OF FILING A PETITION IN BANKRUPTCY; ADOPTING THE REFUNDING PLAN SET FORTH IN ORDINANCE NO. 269 AS AMENDED BY ORDINANCE NO. 289, AS A PLAN OF COMPOSITION IN SUCH BANKRUPTCY PROCEEDINGS; AND AUTHORIZING THE CITY ATTORNEY TO FILE A PETITION IN BANKRUPTCY

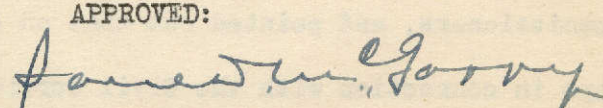
was read by title on first reading and carried forward to a later meeting for further consideration and action.

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 AN EXECUTIVE MEETING OF THE  
CITY COMMISSION ON FEBRUARY 20, 1940.

Pursuant to call of conference meeting by Mayor McGarry and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened at the City Hall at four o'clock p.m. on Tuesday, February 20, 1940.

Mayor McGarry in the Chair; Commissioners O'Shaughnessy, Phillips, Rinehart and Whitley present, together with City Manager Curry and City Attorney Adams.

Mayor McGarry advised the meeting that he personally regretted the unfortunate situation which had resulted in the recent litigation in the Circuit Court and before the Florida Supreme Court of questions arising out of the June election. He stated that he felt he was speaking for the entire Commission and certainly for Commissioners O'Shaughnessy, Phillips and himself, when he said it was the Commission's wish to do anything within its power to prevent further litigation and the possible resulting unfavorable publicity to the City. He further stated that it was with that thought in mind that he and Commissioners O'Shaughnessy and Phillips had decided to make a definite suggestion to Mr. Rinehart, Mr. Whitley and Mr. Bell, which, it was felt, should satisfy all parties and make further court action unnecessary. The Mayor then requested Commissioner O'Shaughnessy to explain the suggested solution.

Commissioner O'Shaughnessy then informed the meeting that he, together with Mr. Phillips and Mr. McGarry, felt that the voters of Coral Gables were the only people who could properly determine who could hold office as Commissioners, and pointed out that an election was to be held within sixty days in connection with the Civil Service and Retirement Plan for City employees, and that it would be a simple matter, with practically no expense to the City, to incorporate in that election the question of the peoples' choice for Commissioner as to Mr. Rinehart and Mr. Bell. Commissioner O'Shaughnessy further suggested that Mr. Rinehart concede the four year term to Mr. Whitley and that he agree to a run-off election, as outlined above, with Mr. Bell. Mayor McGarry stated that he considered the suggestion a proper one in that it left the question where it rightfully belonged -- with the people and not with the courts.

Commissioners Rinehart and Whitley both expressed the opinion that the suggestion appeared to be a sound and practical solution to the question.



The Mayor then called, and the Commission consented to, a conference meeting to be held at two o'clock p.m. the next day, Wednesday, February 21, in order to received the decisions and comments of Messrs Rinehart, Whitley and Bell, and requested Commissioner O'Shaughnessy to fully inform Mr. Bell of the matter and to invite his attendance with the Commission at that time, and then adjourned the meeting until that time.

APPROVED:

*James M. Garry*

MAYOR  
Paul D. McGarry

ATTEST:

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

*Paul D. McGarry*  
2/20/40



MINUTES OF AN EXECUTIVE MEETING OF THE  
CITY COMMISSION ON FEBRUARY 21, 1940.

Pursuant to appointment at the meeting of February 20, 1940, the Commission of The City of Coral Gables convened in conference session at the City Hall at two o'clock p.m. on Wednesday, February 21, 1940.

Mayor McGarry in the Chair; Commissioners O'Shaughnessy, Phillips, Rinehart and Whitley present; Mr. Wallace Bell also present.

Mr. Rinehart stated to the meeting that he accepted the suggestion made by the Mayor and Commissioners O'Shaughnessy and Phillips; that he was ready to concede Mr. Whitley the four year term and to submit to the voters of Coral Gables the question whether he or Mr. Bell should serve as Commissioner for the two year term. He stated his decision was based on a desire to avoid further unfavorable publicity to the City, and because of his belief that the voters should be allowed to decide the question, rather than the courts.

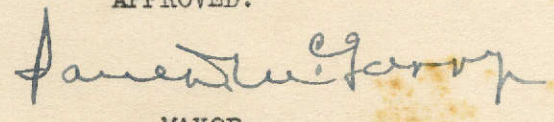
Mr. Bell informed the Commission that he was unwilling to accept the suggestion, stating that in his opinion there would be more unfavorable publicity from a run-off election than from a court proceeding.

Mayor McGarry then asked Mr. Bell if he would not change his decision, which he declined to do.

Mayor McGarry then thanked both Commissioner Rinehart and Mr. Bell for their courteous consideration, and expressed his regret that an amicable solution could not be reached.

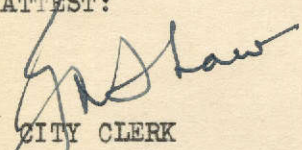
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:



MAYOR  
Paul D. McGarry

ATTEST:

  
CITY CLERK  
G. N. Shaw



## MINUTES OF MEETING OF THE CITY COMMISSION

ON MARCH 5, 1940

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 2:45 o'clock P.M. on Tuesday, March 5, 1940.

Mayor McGarry in the Chair; Commissioners O'Shaughnessy and Whitley present. Commissioner Phillips absent account service on Federal Court jury, and Commissioner Rinehart absent account important business.

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

City Manager Curry reported that the special appropriation for effacement of frost damage had been exhausted, although the work itself is incomplete and new necessities are becoming evident each day, stating that it was impossible to predict the exact cost, and asking for additional funds to continue the work. Thereupon

## RESOLUTION NO. 2026

A RESOLUTION APPROPRIATING THE SUM OF TWO THOUSAND, TWO HUNDRED FIFTY DOLLARS FROM THE CONTINGENT FUND AND FROM UNAPPROPRIATED AND UNANTICIPATED REVENUES FOR THE PURPOSE OF CONTINUING FROST DAMAGE EFFACEMENT WORK.

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

That the sum of Two Thousand, Two Hundred Fifty Dollars (\$2,250.00) be and the same hereby is appropriated from the Contingent Fund and from previously unappropriated and unanticipated revenues for the purpose of continuing the clean-up and parkway rehabilitation work made necessary by the recent frost.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Whitley  
Mayor McGarry  
Absent - Commissioners Phillips  
Rinehart

## RESOLUTION NO. 2027

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED DOLLARS FROM THE CONTINGENT FUND AND FROM UNAPPROPRIATED AND UNANTICIPATED REVENUES FOR THE PURPOSE OF ASSISTING IN THE EXPENSE OF THE 1940 METROPOLITAN MIAMI FISHING TOURNAMENT.



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

That the sum of One Hundred Dollars (\$100.00) be and the same hereby is appropriated from the Contingent Fund and from previously unappropriated and unanticipated revenues for the purpose of assisting in the expense of the 1940 Metropolitan Miami Fishing Tournament, or for the purpose of furnishing a trophy therefor.

was introduced and read.

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

- "Yes" - Commissioners O'Shaughnessy  
Whitley
- Mayor McGarry
- Absent - Commissioners Phillips  
Rinehart

AN ORDINANCE DECLARING THE NECESSITY OF FILING A PETITION IN BANKRUPTCY; ADOPTING THE REFUNDING PLAN SET FORTH IN ORDINANCE NO. 269, AS AMENDED BY NO. 289, AS A PLAN OF COMPOSITION IN SUCH BANKRUPTCY PROCEEDING; AND AUTHORIZING THE CITY ATTORNEY TO FILE A PETITION IN BANKRUPTCY.

which had been first read at the meeting of February 20, 1940, was read again in full.

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

- "Yes" - Commissioners O'Shaughnessy  
Whitley
- Mayor McGarry
- Absent - Commissioners Phillips  
Rinehart

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 347.

AN ORDINANCE FIXING CERTAIN BUILDING PERMIT FEES TO BE EFFECTIVE UNTIL JUNE 30, 1940, AND AMENDING UNTIL THAT DATE OTHER ORDINANCES IN CONFLICT HEREWITH.

which had been first read at the meeting of February 20, 1940, was read again in full.

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

- "Yes" - Commissioners O'Shaughnessy  
Whitley
- Mayor McGarry
- Absent - Commissioners Phillips  
Rinehart

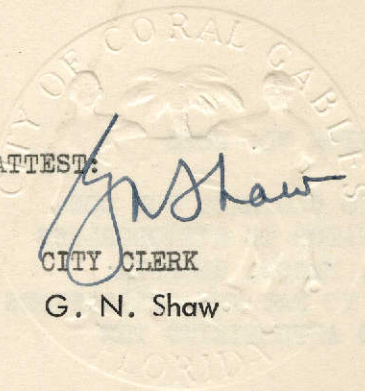
Thereupon, Mayor McGarry declared the ordinance adopted and approved,



and ordered its publication as No. 348.

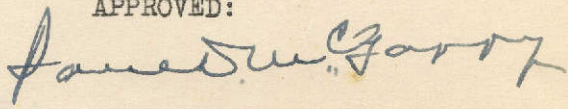
There being no further business, upon which the Commission desired to act without the presence of the two absent Commissioners, and it appearing improbable that those Commissioners would be able to attend the regular meeting scheduled for five o'clock p.m. this date, Mayor McGarry announced that the said regular meeting would be dispensed with, and thereupon the meeting was adjourned.

ATTEST:



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

APPROVED:



MAYOR  
 Paul D. McGarry

*hnd*  
 3/5/40



MINUTES OF THE MEETING OF THE CITY COMMISSION  
ON MARCH 19, 1940

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 19, 1940.

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

The minutes of the meetings of February 20 and 21, and March 5, 1940, were read and approved.

RESOLUTION NO. 2028

A RESOLUTION AWARDING CONTRACT FOR CONSTRUCTING AN INCINERATOR TO NYE ODORLESS INCINERATOR COMPANY, MACON, GEORGIA; APPROPRIATING FUNDS TO PAY THE OBLIGATIONS OF THE CONTRACT; AND AUTHORIZING THE EXECUTION THEREOF.

WHEREAS, The City of Coral Gables, on specifications prepared by its Consulting Engineering Expert, received bids for the construction of an incinerator on property owned by the City; and,

WHEREAS, The Engineer analyzed the bids and, joined by the City Manager, recommended the acceptance of the bid of the Nye Odorless Incinerator Company, Macon Georgia, as the lowest and best bid;

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

1. That the bid of the Nye Odorless Incinerator Company, Macon, Georgia, for the construction of the incinerator be and the same is hereby accepted.

2. That the City Manager and the City Clerk be and they are hereby authorized and directed to enter into a contract subject to the approval as to form of the City Attorney for the construction of an incinerator upon the following terms, to-wit:

Total Consideration, Twenty-two Thousand Dollars (\$22,000.00)

Ten Thousand Dollars (\$10,000.00) thereof to be paid in monthly estimates in the amount of 90% of each of the Engineer's monthly estimates until the sum of Nine Thousand Dollars (\$9,000.00) has been so paid; and the remaining One Thousand Dollars (\$1,000.00) shall be paid upon completion and acceptance of the plant.

Balance not so paid in cash as above to bear interest at the rate of five percent (5%) per annum, payable semi-annually, after the completion of the contract, deferred principal to be payable in installments of not less than Two Thousand, Five Hundred Dollars (\$2,500.00) per year, beginning December 15, 1941, and thereafter on that same date in each year until paid, the contract to be in substantially the form hereto attached and made a part hereof as fully as though copied herein.



3. That there be and there hereby is authorized a loan from the Insurance and Depreciation Reserve to the General Fund in the sum of Ten Thousand Dollars (\$10,000.00) for the purpose of providing the cash consideration described above, said loan to be evidenced by a note from the General Fund to the Insurance and Depreciation Reserve, to bear interest at the rate of four per cent (4%) per annum and to be repaid in annual installments of not less than Two Thousand, Five Hundred Dollars (\$2,500.00) commencing in the year following the full payment of the deferred principal due the Nye Odorless Incinerator Company under the contract authorized hereby. The interest upon said note may, at the discretion of the Director of Finance, be paid annually or may be allowed to accrue, to be paid after the completion of payments of amounts due the Nye Odorless Incinerator Company, but such interest shall not be compounded.

4. There is hereby appropriated from the General Fund out of the moneys authorized herein to be borrowed from the Insurance and Depreciation Reserve the sum of Ten Thousand Dollars (\$10,000.00) for the purpose of meeting and paying the cash consideration hereunder.

5. For the fiscal year 1940-41 and each fiscal year thereafter so long as any principal or interest shall be unpaid upon the deferred payment to the Nye Odorless Incinerator Company or the loan herein authorized from the Insurance and Depreciation Reserve, there is hereby appropriated and set aside, out of the Garbage Service Fees authorized and required in Ordinance No. 263, the sum necessary in each such year to pay the principal amount due under Section 2 hereof, and the interest upon the deferred balance, and the interest upon the loan from the Insurance and Depreciation Reserve, and, after the payment of the amounts due the Nye Odorless Incinerator Company, to repay in annual installments the loan from the Insurance and Depreciation Reserve; and so long as any principal and/or accrued interest shall be due and unpaid to the Nye Odorless Incinerator Company the obligation therefor shall be a first charge against said Garbage Service Fees.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry

RESOLUTION NO. 2029

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS FOR EXPENSE OF AUTOMOBILE INSPECTION BUREAU.

WHEREAS, When the 1939-40 budget was adopted, it was considered possible that the State Automobile License Law would make possible the abolition of the clerk in the Automobile License Bureau and provision therefor was made for only nine (9) months; and,

WHEREAS, It has not been found possible to transfer such work to other persons in the Fire and Police Departments;

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

That the sum of Three Hundred Dollars (\$300.00) be



and the same is hereby appropriated from the Contingent Fund and from accrued and previously unappropriated and unanticipated revenue for the purpose of continuing the automobile inspection bureau to the end of the fiscal year.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2030

A RESOLUTION APPROPRIATING THE SUM OF TWENTY DOLLARS FOR CERTAIN TRAVEL EXPENSES OF THE CITY ATTORNEY.

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

That the sum of Twenty Dollars (\$20.00) be and the same is hereby appropriated from the Contingent Fund and from previously unappropriated and unanticipated revenue, for the purpose of paying a portion of the City Attorney's expenses to Tallahassee to consult with State officials on zoning matters, and in connection with the title of the Incinerator Tract.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Commissioner Phillips reported that the work of the special publicity committee, of which he was chairman, apparently was concluded for this fiscal year, and asked that the committee be discharged. Mayor McGarry expressed the thanks of the Commission for the work of the Committee and stated that since there were no further publicity questions before the Commission at this time, the Committee would be considered as disbanded.

AN ORDINANCE REQUIRING AN ANNUAL INSPECTION OF AND THE REGISTRATION OF BICYCLES; PRESCRIBING THE EQUIPMENT REQUIRED ON BICYCLES, THAT NO FEE SHALL BE CHARGED FOR THE REGISTRATION OF BICYCLES, THAT REGISTRATION NUMBERS SHALL BE DISPLAYED ON BICYCLES, THAT NOTICE OF TRANSFER OF OWNERSHIP AND OF THE DISMANTLING OR DESTRUCTION OF BICYCLES SHALL BE GIVEN TO THE TRAFFIC BUREAU; DECLARING IT TO BE UNLAWFUL TO ACQUIRE, POSSESS OR DISPOSE OF A BICYCLE WHEREON MANUFACTURER'S SERIAL OR



CITY OF CORAL GABLES REGISTRATION NUMBERS HAVE BEEN REMOVED OR DEFACED; REQUIRING BICYCLE OPERATORS' LICENSES AND MAKING PROVISION FOR THE APPLICATION THEREFOR AND THE ISSUANCE THEREOF WITHOUT CHARGE; EMPOWERING THE MUNICIPAL JUDGE TO SUSPEND OR REVOKE BICYCLE OPERATORS' LICENSES; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

and

AN ORDINANCE REGULATING THE KEEPING OF DOGS WITHIN THE CORPORATE LIMITS OF THE CITY OF CORAL GABLES, REQUIRING THE REGISTRATION THEREOF AND THE WEARING OF DOG TAGS, AND PROVIDING PENALTIES FOR VIOLATION.

were read by title on first reading and carried forward to a later meeting for further consideration and action.

Request of the Dade County Juvenile Council that the City forbid the sale of intoxicating liquors in miniature bottles was referred to the City Attorney for study and report.

Request of the property owners in the neighborhood that a fire hydrant be installed at Tangier Street and Marianna Avenue was referred to the City Attorney for study and report.

After discussion with the City Attorney the application of Ella De Winfield for homestead exemption on Lots 5 and 6, Block 1, Douglas Section, a case in which the applicant's Mother had been living in and the owner of the property on January 1 but had been ill and unable to make application before her death, the Commission expressed the opinion that the application should be accepted under the circumstances, and by unanimous consent authorized the Tax Assessor to do so.

352  
AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS TO CUBIC CONTENT REQUIREMENTS ON LOTS 146 AND 147, BLOCK 50, COUNTRY CLUB SECTION; AND AS TO LOT 20, BLOCK 18, SECTION "E"; AND AS TO USE REQUIREMENTS ON LOTS 43 AND 44, BLOCK 28, SECTION "K".

and

351  
AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE", AS TO CUBIC CONTENT REQUIREMENT IN BLOCKS 11, 12 AND 13, BILTMORE SECTION, AND AS TO USE RESTRICTIONS FOR LOTS ABUTTING ON LE JEUNE ROAD FROM BIRD ROAD TO UNIVERSITY CONCOURSE.

were read by title on first reading and carried forward to a later meeting for further consideration and action.



## RESOLUTION NO. 2031

## A RESOLUTION PETITIONING THE COUNTY ZONING BOARD TO REZONE CERTAIN LANDS WEST OF RED ROAD.

WHEREAS, The property abutting on Red Road on the East from Southwest Eighth Street south to Bird Road lies in the City of Coral Gables and is restricted to the highest class of residence use, and now contains a number of valuable homes; and,

WHEREAS, The growing number of barbecue stands, filling stations, and so-called "jook joints" on the west side of Red Road constitutes a nuisance to the residents in the existing homes, and is acting as a deterrent to the sale and development of the remaining lots in that section; and,

WHEREAS, The City has received numerous complaints of the loud and boisterous conduct of the patrons of the said business places, at all hours of the day and night;

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

1. That the Dade County Zoning Board be and it hereby is requested and urged to rezone the western side of Red Road from Southwest Eighth Street south to Bird Road so as to prevent the further use of such property for any except the highest type of business under the County's zoning plan, and if possible to make provision that the present objectionable uses be terminated as soon as is practical.

2. That for the safeguard of the owners of property in the above described neighborhood of Coral Gables, the County Zoning Board is hereby requested to furnish notice to the City Clerk of the City of Coral Gables of any hearings upon applications for permits to occupy the described area on Red Road for other than the highest classifications of business.

was introduced and read.

Motion for adoption by Commissioner Whitley; 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 CITY COMMISSION  
ON APRIL 2, 1940

The Commission of The City of Coral Gables convened in regular session at the City Hall at four o'clock p.m. on Tuesday, April 2, 1940.

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

Minutes of the meetings of March 5 and 19, 1940, were read and approved.

Communication from A. J. Richey in regard to "For Sale" signs on Coral Gables property was referred to the City Manager and the City Attorney.

RESOLUTION NO. 2032

A RESOLUTION EXPRESSING REGRET AND  
SYMPATHY AT THE PASSING OF EVEREST  
GEORGE SEWELL.

WHEREAS, In the passing of Everest George Sewell, Mayor of the City of Miami, the Miami area has lost its most untiring advocate of all commendable civic movements and undertakings, an acknowledged and outstanding leader in the cause of an ever greater and better Miami, and one whose friends were numbered by thousands in every rank of life;

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

That this Commission, on behalf of its members and of the people of Coral Gables, do hereby express to the Commission and people of the City of Miami, and of the Miami Area generally, and to the bereaved family of the late Mayor Everest George Sewell, its deep sympathy in their loss; and,

BE IT FURTHER RESOLVED, That the Clerk of The City of Coral Gables be, and he hereby is, instructed to cause certified copies of this resolution to be transmitted to the Commission of The City of Miami and to Mrs. Everest George Sewell.

was introduced and read; moved, seconded and unanimously carried.

City Manager discussed with the Commission the City's contribution to the Greater Miami Master Airport project, advising them that City of Miami had requested maintenance of the trucks contributed by the City to the work, Maintenance of these trucks not being included in the City's original agreement to contribute to the project and the City being without funds with which to make additional contribution, the City Manager was requested to explain the situation to Miami officials and express the Commission's regret that the maintenance could not be assumed.

The City Clerk was authorized to award the employee's fidelity bond for the year commencing April 15, 1940 to the lowest responsible bidder.



## RESOLUTION NO. 2033

A RESOLUTION APPOINTING E. M. WILLIAMS  
DEPUTY CITY CLERK AND SECRETARY OF THE  
ZONING BOARD OF APPEALS.

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

That E. M. Williams be and he hereby is appointed  
Deputy City Clerk for the purpose of serving as Secretary  
of the Zoning Board of Appeals of The City of Coral Gables,  
the appointment to take effect at once.

was introduced and read.

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

AN ORDINANCE REGULATING THE KEEPING OF DOGS WITHIN  
THE CORPORATE LIMITS OF THE CITY OF CORAL GABLES,  
REQUIRING THE REGISTRATION THEREOF AND THE WEARING  
OF DOG TAGS, AND PROVIDING PENALTIES FOR VIOLATION.

and

AN ORDINANCE REQUIRING AN ANNUAL INSPECTION OF AND THE  
REGISTRATION OF BICYCLES; PRESCRIBING THE EQUIPMENT  
REQUIRED ON BICYCLES, THAT NO FEE SHALL BE CHARGED  
FOR THE REGISTRATION OF BICYCLES, THAT REGISTRATION  
NUMBERS SHALL BE DISPLAYED ON BICYCLES, THAT NOTICE  
OF TRANSFER OF OWNERSHIP AND OF THE DISMANTLING OR  
DESTRUCTION OF BICYCLES SHALL BE GIVEN TO THE TRAFFIC  
BUREAU; DECLARING IT TO BE UNLAWFUL TO ACQUIRE, POSSESS  
OR DISPOSE OF A BICYCLE WHEREON MANUFACTURER'S SERIAL  
OR CITY OF CORAL GABLES REGISTRATION NUMBERS HAVE BEEN  
REMOVED OR DEFACED; REQUIRING BICYCLE OPERATORS'  
LICENSES AND MAKING PROVISION FOR THE APPLICATION  
THEREFOR AND THE ISSUANCE THEREOF WITHOUT CHARGE; EM-  
POWERING THE MUNICIPAL JUDGE TO SUSPEND OR REVOKE  
BICYCLE OPERATORS' LICENSES; PRESCRIBING PENALTIES FOR  
THE VIOLATION OF THIS ORDINANCE.

which had been first read at a meeting of March 19, 1940, were read again  
in full.

Motion for adoption of the ordinances by Commissioner O'Shaughnessy;  
seconded by Commissioner Rinehart. The ordinances were adopted by the  
following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry

Mayor McGarry thereupon declared the ordinances adopted and approved,  
and ordered their publication as Ordinances Nos. 349 and 350, respectively.

AN ORDINANCE AMENDING ORDINANCE NO. 132 OF THE CITY OF  
CORAL GABLES BY THE ADDITION OF A SECTION REQUIRING  
EXAMINATIONS AND FEES OF JOURNEYMAN ELECTRICIANS AND  
ELECTRICIANS' HELPERS.



and

AN ORDINANCE AMENDING PARAGRAPH SIX (6) OF SECTION TWENTY-FIVE (25) OF ORDINANCE NO. 1 AS TO REQUIREMENTS FOR WOODEN FLOOR BEAMS, RAFTERS AND CEILING JOISTS.

were read by title on first reading and carried forward to a later meeting for further consideration and action.

The Commission discussed the proposal of Tycoon Tackle, Inc. to move its plant and office to Coral Gables and its request for some assistance and support by the City in the move. The request stated that the Company has a permanent pay roll of approximately \$12,000.00 per year; that its products are shipped all over the world and that its offices are visited by leading sportsmen of the world. The Commission decided that contingent upon the moving of the plant to, and continuous operation in, Coral Gables, the City would waive and cancel for the first three years in such Coral Gables location, the operating portion of taxes on a new building to be erected by the Company, but that under its operating situation and debt service agreements it could not waive taxes now receivable from an existing building or from the land to be used as a building site.

RESOLUTION NO. 2034

A RESOLUTION AUTHORIZING CERTAIN TERMS OF ADJUSTMENT OF TAXES FOR THE YEAR 1934 AND PRIOR, DUE AND PAYABLE TO THE CITY OF CORAL GABLES.

WHEREAS, The taxes still delinquent and payable to the City are in the great majority of cases on lands remote from the developed portions of the City, which show no indications of immediate use or development, and which are being held for future possibility of use; and,

WHEREAS, The taxes levied against such lands for the years 1934 and prior were far out of proportion to the value of such lands, and now represent a burden of debt upon such lands which prevent the payment of current taxes and in many cases the marketing and utilization of the land; and,

WHEREAS, It would be greatly to the advantage of the City and all its taxpayers to restore these lands to the current rolls;

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

Section 1. That the Tax Collector be and he is hereby authorized to accept adjustments of delinquent taxes due and payable to The City of Coral Gables upon the following basis:

Contingent upon the payment to the City of all taxes or tax sale certificates delinquent and due and payable to it, to and including the then current tax year, and the payment of taxes or tax sale certificates for the years 1936 and subsequent at the full face amount plus statutory interest, the tax or tax sale certificate for

WNO  
4/2/40



the year 1935 shall be reduced to the amount of the tax levied upon the same property for the then current year, and the taxes or tax sale certificates for the years 1931 to 1934, both inclusive, shall be reduced to the amount of One Dollar (\$1.00) per year upon each parcel, and the taxes or tax sale certificates for the years 1930 and prior shall be waived and cancelled without charge.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2035

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE A QUIT CLAIM DEED REMOVING THE CLOUD CREATED BY DEED FROM CORAL GABLES ROCK CORPORATION TO THE CITY ON WATERWAY LAND ABUTTING ON CAMPBELL ESTATE PROPERTY.

WHEREAS, The City of Coral Gables accepted from the Coral Gables Rock Corporation a deed conveying to the City the fee simple title to all of the waterways in the canal system of The City of Coral Gables without examination of title to the property, and without knowing whether the Rock Corporation had previously disposed of its title or been foreclosed out of its title; and,

WHEREAS, Abstracts of Title to Lots 26, 27, 28, 29 and 30 of Block 241, Riviera Section of Coral Gables, and part of Lot 56 and Lots 57 and 58 of Block 257, Riviera Section of Coral Gables, and the park between said lots and the yacht basin have been exhibited to the City Attorney, from which it appears that at the time of the execution of the deed to the City the Coral Gables Rock Corporation had no title to the yacht basin and canal adjoining said lots.

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

1. That the City Manager and the City Clerk be, and they are hereby directed to execute Quit Claim Deed to parties designated by the representatives of the Estate of R. R. Campbell, Deceased, quit claiming all right, title and interest acquired by The City from the Coral Gables Rock Corporation in and to the Mahi Canal and the Coral Gables Yacht Basin abutting upon the hereinabove described lots and parkways and running to the bank of the presently (January 1940) dug canal.

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  
Rinehart  
Whitley  
Mayor McGarry



## RESOLUTION NO. 2036

A RESOLUTION AUTHORIZING THE CITY OF CORAL GABLES TO JOIN IN THE EXECUTION OF AN INSTRUMENT CANCELLING THAT CERTAIN CONTRACT DATED MAY 14, 1929, BETWEEN THE CITY OF CORAL GABLES AND CORAL GABLES PROPERTIES, INC., AND THAT CERTAIN ASSIGNMENT FROM CORAL GABLES, INC., TO THE CITY OF CORAL GABLES, DATED MAY 14, 1929.

WHEREAS, By written agreement made and entered into on October 11th, A.D. 1937, by and between The City of Coral Gables, a municipal corporation, and Coral Gables Development Company, a Florida corporation, the said City of Coral Gables transferred and assigned to said Coral Gables Development Company all its right, title and interest in and to

- (a) That certain Contract between The City of Coral Gables, and Coral Gables Properties, Inc., dated May 14, 1929, and
- (b) That certain Assignment from Coral Gables, Inc., to The City of Coral Gables also dated May 14, 1929; and

WHEREAS, Coral Gables Development Company, Coral Gables, Inc., and Coral Gables Properties, Inc., all Florida corporations, have mutually agreed to cancel the aforesaid Contract and Assignment and to release all parties thereto from any and all liability thereunder; and,

WHEREAS, The said Coral Gables Development Company, Coral Gables, Inc. and Coral Gables Properties, Inc. have requested The City of Coral Gables to join in a proper instrument cancelling said Contract and Assignment, and releasing all parties thereto from any and all liability thereunder;

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

That the said City of Coral Gables, a municipal corporation, when requested in writing by the Coral Gables Development Company is hereby authorized and directed to join in the execution of a proper instrument cancelling the aforesaid Contract and Assignment, and releasing all parties thereto from any and all liability thereunder, 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 instrument of cancellation.

was introduced and read.

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

"Yes" -- Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE", AS TO CUBIC CONTENT REQUIREMENT IN BLOCKS 11, 12 AND 13, BILTMORE SECTION; AND AS TO USE RESTRICTIONS FOR LOTS ABUTTING ON LE JEUNE ROAD FROM BIRD ROAD TO UNIVERSITY CONCOURSE.

and



AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF CORAL GABLES, AS TO CUBIC CONTENT REQUIREMENTS ON LOTS 145 AND 147, BLOCK 50, COUNTRY CLUB SECTION, AS TO LOT 20, BLOCK 18, SECTION "E"; AND AS TO USE REQUIREMENTS ON LOTS 43 AND 44, BLOCK 28, SECTION "K".

which had been first read at the meeting of March 19, 1940, were read again in full.

Motion for adoption of the ordinances by Commissioner Whitley; seconded by Commissioner Rinehart. The ordinances were adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinances adopted and approved, and ordered their publication as Numbers 351 and 352, respectively.

AN ORDINANCE AMENDING ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS TO CUBIC CONTENT REQUIREMENTS IN PORTIONS OF BLOCKS 14 TO 17, INCLUSIVE, AND 21 TO 26, INCLUSIVE, BILTMORE SECTION, AND AS TO FRONT SET-BACKS FOR LOTS IN CORTEZ PLACE HAVING FRONTAGE ON AVENUES CATALINA, ANGELO AND TRASCORO.

was introduced and read on first reading, and carried forward to a later meeting for further consideration and action.

RESOLUTION NO. 2037

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED AND FORTY DOLLARS (\$140.00) FOR PREPARATION AND REVISION OF ZONING MAPS.

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

That the sum of One Hundred Forty Dollars(\$140.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of employing a draftsman to prepare and revise the City's zoning maps in accordance with the recommendations of the Federal Housing Administration.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry



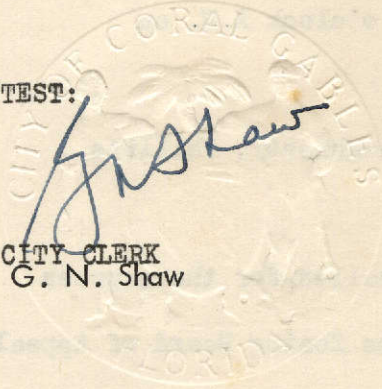
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry

ATTEST:



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



*[Signature]*  
4/2/40



MINUTES OF MEETING OF THE CITY COMMISSION  
ON APRIL 11, 1940

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 nine o'clock A.M. on Thursday, April 11, 1940.

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

The Mayor explained that the meeting had been called for the express purpose of passing upon certain recommendations of the Zoning Board of Appeals.

Thereupon:

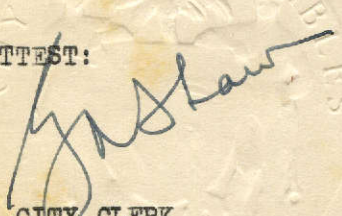
AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, FLORIDA, KNOWN AS THE "ZONING ORDINANCE" AS TO USE REQUIREMENTS ON LOTS 18, 19 AND 20, BLOCK 4, CRAFTS SECTION.

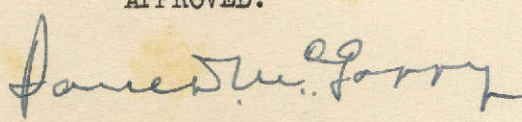
and

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES KNOWN AS THE "ZONING ORDINANCE" AS TO CUBIC CONTENT REQUIREMENTS FOR LOTS IN BLOCKS 93 AND 96, COUNTRY CLUB SECTION 5, FRONTING ON AVENUE SANTA MARIA AND FOR ALL LOTS IN BLOCKS 128 AND 129, RIVIERA SECTION

were read by title on first reading and carried forward to a later meeting for further consideration and action.

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 16, 1940

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, April 16, 1940.

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

The minutes of the meetings of April 2 and 11, 1940, were read and approved.

RESOLUTION NO. 2038

A RESOLUTION APPROPRIATING THE SUM OF SEVENTY-FIVE DOLLARS FOR PRELIMINARY EXPENSES OF A PROPOSED W. P. A. PROJECT.

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

That the sum of Seventy-five Dollars (\$75.00) be and the same is hereby appropriated from the Contingent Fund and from previously unanticipated and unappropriated income to provide for qualified assistance in preparing the proposed W. P. A. project for the repair of streets, sidewalks and parkways of the City.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2039

A RESOLUTION REQUESTING THE COUNTY TO MAINTAIN LE JEUNE ROAD.

WHEREAS, Le Jeune Road at its northern extremity and for some distance is in the County, then runs through part of Miami, then part in the County and part in the Gables, then in the Gables, and then in the Gables and Miami, winding up in the Gables at the south end; and,

WHEREAS, This divided responsibility on this important highway creates a very difficult maintenance problem; and,

WHEREAS, Because of the recent reconstruction of the road it is exceedingly important that this splendid highway be properly maintained;

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

1. That the Board of County Commissioners of Dade County, Florida, be and they are hereby respectfully



requested to include the entire length of Le Jeanne Road as a road to be maintained by County employees and at County expense.

2. That certified copy of this Resolution be sent to each member of the Board of County Commissioners of Dade County, Florida.

was introduced and read.

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

It was unanimously decided by the Commission that the facilities of the Venetian Pool and of the Granada Golf Course would be made available without charge to the participants and guests in the City's birthday celebration on April 29, 1940.

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AN ORDINANCE AMENDING PARAGRAPH ONE (1) OF SECTION FORTY (40) OF ORDINANCE NO. 1 ADOPTED AUGUST 3, 1925, ENTITLED: "AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, PRESCRIBING RULES AND REGULATIONS FOR THE ERECTION, REPAIR, REMOVAL AND DEMOLITION OF BUILDINGS IN SAID CITY; PROVIDING FOR THE SUBMISSION OF PLANS AND MAKING APPLICATION FOR PERMIT FOR ERECTING, REPAIRING OR REMOVING BUILDINGS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE" AS TO REQUIREMENTS AND SPECIFICATIONS FOR ROOFING MATERIAL; AND REPEALING ORDINANCE NO. 268 OF THE CITY OF CORAL GABLES, PREVIOUSLY AMENDATORY TO SAID SECTION.

was introduced and read by title on first reading and carried forward to a later meeting for further consideration and action.

The City Manager reported to the Commission that the necessity had been discovered for immediate repairs to the City Hall roof, but that a close estimate of the cost could not be made at this time. The Commission instructed that the work be done as reasonably as possible and that a resolution be brought in appropriating its cost when the amount is ascertainable.

#### RESOLUTION NO. 2040

A RESOLUTION AUTHORIZING THE TAX ASSESSOR TO ACCEPT CERTAIN DELAYED HOMESTEAD EXEMPTION APPLICATIONS.

WHEREAS, Mrs. Harriet Pannaci has tendered a Homestead Exemption application since April 1, 1940, explaining that in previous years her husband, now deceased, had handled such matters, and that she had been unfamiliar with the requirements; and,

WHEREAS, Mrs. Dorothy Bird Snow has likewise tendered a delayed application with the explanation that she has been confined to a hospital in the North and therefore unable to attend to her affairs; and,

WHEREAS, All other qualifications for homestead



exemption appear to exist in these two cases, and the properties involved have been homestead-exempt in the previous year to the same owners;

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 to accept from Mrs. Harriet J. Pannaci and from Mrs. Dorothy Bird Snow the said delayed homestead exemption applications, and if all other qualifications exist, to grant the exemptions thereunder.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2041

A RESOLUTION APPROVING A PROPOSED SUPPLEMENTAL AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY, PROVIDING FOR THE REMOVAL OF EIGHT (8) 100 CP, WWUG, ANA, COMPANY OWNED STREET LIGHTS, AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH THE SAID STREET LIGHTS SHALL BE REMOVED; 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 SUPPLEMENTAL LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY.

BE IT RESOLVED BY THE 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 of Coral Gables, Florida, be and they are hereby authorized and directed to execute and enter into with Florida Power and Light Company the said proposed Supplemental Letter Agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

Coral Gables, Florida  
April 2, 1940

City of Coral Gables  
Coral Gables, Florida

Gentlemen:

This relates to that certain Municipal Street Lighting Agreement now in effect between us dated the 14th day of August, 1928, and to all supplementary and supplemental agreements thereto.

In view of the fact that you contemplate removing that particular circle in the street just south of Douglas Entrance on East Ponce de Leon Boulevard to improve traffic conditions, and that you wish to floodlight the De Soto Plaza fountain, we hereby agree, at your request, that as of the 26th day of December, 1939, the following described street lights may be permanently removed



from service under the said Municipal Street Lighting Agreement:

4 - 100 CP, WWUG, ANA, Company owned CG special standards and lanterns No. 217-16; 17, 18 and 19 located in circle just south of Douglas Entrance on East Ponce de Leon Boulevard.

4 - 100 CP, WWUG, ANA, Company owned brackets and lanterns No. 222-1, 2, 3, and 4 now installed on the fountain at DeSoto Plaza on Granada Boulevard.

It is understood and agreed that after the above described street lights have been removed from service, we will not bill you and you will not be required to pay for the operation of the said street lights.

It is further understood and agreed that except as expressly provided herein, the said Municipal Street Lighting Agreement, supplementary and supplemental agreements thereto, shall remain in full force and effect between us.

If you agree to the foregoing, kindly so indicate by causing this letter and the attached copies to be executed by your duly authorized officials, under your corporate seal, in the spaces provided below for that purpose.

Very truly yours,

We agree to the foregoing, this 16th day of April, 1940.

FLORIDA POWER & LIGHT COMPANY

CITY OF CORAL GABLES, FLA.

By \_\_\_\_\_  
Manager

By \_\_\_\_\_  
City Manager

ATTEST: \_\_\_\_\_  
Assistant Secretary

ATTEST: \_\_\_\_\_  
City Clerk

APPROVED as to form and correctness, this 16th day of April, 1940.

\_\_\_\_\_  
Attorney for City of Coral Gables, Fla.

was introduced and read.

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

- "Yes" - Commissioners O'Shaughnessy
- Phillips
- Rinehart
- Whitley
- Mayor McGarry

RESOLUTION NO. 2042

A RESOLUTION AUTHORIZING THE EXECUTION OF A CERTAIN CONTRACT FOR THE CODIFICATION AND PUBLISHING OF THE ORDINANCES OF THE CITY; AND MAKING PROVISION FOR THE PAYMENT 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, on behalf of the City, a contract with Michie & Company of Charlottesville, Virginia, for the codification of the Ordinances of the City, and the preparation and delivery to the City of four hundred (400) bound volumes of the code, at a cost of not to exceed Three Thousand Dollars(\$3,000.00).

Section 2. That the Director of Finance be and he hereby is authorized to invest not to exceed Three Thousand Dollars (\$3,000.00) of the Employees Compensation Reserve in the said four hundred (400) volumes and to hold the said volumes for sale by the City at Ten Dollars (\$10.00) per volume for the account of said Employees Compensation Reserve; provided, however, that should the sale of said volumes prove insufficient to reimburse the fund for its investment in a period of two (2) years, the deficit shall then be included in the annual budget and tax levy and repaid to said fund.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2043

A RESOLUTION COMMENDING THE MOVEMENT TO SECURE A CRIPPLED CHILDREN'S HOSPITAL IN THE MIAMI AREA AND REQUESTING PUBLIC SUPPORT OF THE PROJECT.

WHEREAS, No facilities exist in South Florida for the proper care and treatment of crippled children, and the crippled children of this area must be sent to the hospital at Umatilla, Florida, which is already overcrowded with patients from other sections; and,

WHEREAS, The South Florida Crippled Children's Association has, during the past ten years, found it necessary to raise funds to cover local hospitalization of crippled children, due to the inadequate facilities available in the State, and are now undertaking a drive to augment their funds and make possible the erection of a suitable modern hospital in this area; and,

WHEREAS, This project has been recommended by local hospital staffs and physicians, and by civic leaders generally, and is felt to be a most necessary addition to the health facilities of the area;

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

That this Commission hereby highly commends the efforts to establish a Crippled Children's Hospital in this area, and requests the people of The City of Coral Gables to lend every possible assistance and support to those who are fostering the undertaking.

was introduced and read.

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

*[Handwritten signature]*  
4/16/40



RESOLUTION NO. 2044

A RESOLUTION APPROPRIATING THE SUM OF TEN DOLLARS TOWARD THE EXPENSES OF THE PONCE DE LEON HIGH SCHOOL GOLF AND TENNIS TEAMS.

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

That the sum of Ten Dollars (\$10.00) be and the same is hereby appropriated from the Contingent Fund and from previously unanticipated and unappropriated revenues as a contribution to the expenses of the Ponce de Leon High School golf and tennis teams, on a trip to Orlando for inter-scholastic competition.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

AN ORDINANCE TO ESTABLISH A RETIREMENT SYSTEM TO PROVIDE CERTAIN RETIREMENT ALLOWANCES AND DEATH BENEFITS FOR THE ACCOUNT OF CERTAIN EMPLOYEES OF THE CITY OF CORAL GABLES; TO ESTABLISH THE BASIS UPON WHICH SUCH ALLOWANCES AND BENEFITS SHALL BE PAID; AND TO CREATE A BOARD OF TRUSTEES OF THE RETIREMENT SYSTEM TO MANAGE AND OPERATE THE GENERAL SYSTEM OF RETIREMENT, ALLOWANCES AND DEATH BENEFITS AND THE FUNDS CREATED AND ESTABLISHED HEREBY.

which had been first read at the meeting of April 2, 1940, was read again in full. Motion for adoption of the Ordinance by Commissioner Phillips; seconded by Commissioner Whitley. The Ordinance was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinance adopted and approved and ordered its publication as No. 353.

<sup>354</sup>  
AN ORDINANCE AMENDING ORDINANCE NO. 336 OF THE CITY OF CORAL GABLES, ADOPTED OCTOBER 19, 1939, ENTITLED "AN ORDINANCE CREATING A CIVIL SERVICE SYSTEM FOR CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF CORAL GABLES, FLORIDA, ETC."

and



355  
AN ORDINANCE ESTABLISHING RULES AND REGULATIONS TO GOVERN AND CONTROL THE CIVIL SERVICE BOARD AND MEMBERS OF THE CIVIL SERVICE SYSTEM OF THE CITY OF CORAL GABLES.

and

356  
AN ORDINANCE CALLING AN ELECTION, AND PROVIDING FOR THE NECESSARY PRELIMINARIES THERETO, TO SUBMIT TO THE ELECTORS OF THE CITY OF CORAL GABLES THE CIVIL SERVICE SYSTEM CREATED BY ORDINANCE NO. 336 AS AMENDED BY ORDINANCE NO. 354, AND THE CIVIL SERVICE RULES AND REGULATIONS ESTABLISHED BY ORDINANCE NO. 355.

were introduced and read by title on first reading.

The Clerk explained that these Ordinances would have to be adopted at this meeting in order to be submitted to an election concurrently with the Pension and Retirement Fund Ordinance.

Thereupon, Commissioner Phillips moved 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 Whitley. The motion was adopted by the following roll call:

- "Yes" - Commissioners O'Shaughnessy
- Phillips
- Rinehart
- Whitley
- Mayor McGarry

Thereupon, the Ordinances were read again in full.

Motion for adoption of the Ordinances by Commissioner Whitley; seconded by Commissioner Phillips. The Ordinances were adopted by the following roll call:

- "Yes" - Commissioners O'Shaughnessy
- Phillips
- Rinehart
- Whitley
- Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinances adopted and approved, and ordered their publication as Numbers 354, 355 and 356, respectively.

AN ORDINANCE AMENDING ORDINANCE NO. 132 OF THE CITY OF CORAL GABLES BY THE ADDITION OF A SECTION REQUIRING EXAMINATIONS AND FEES OF JOURNEYMAN ELECTRICIANS AND ELECTRICIANS' HELPERS.

and

AN ORDINANCE AMENDING PARAGRAPH 6 OF SECTION 25 OF ORDINANCE No. 1 AS TO REQUIREMENTS FOR WOODEN FLOOR BEAMS, RAFTERS AND CEILING JOISTS.

*Handwritten signature*  
4/16/40



which had been first read at the meeting of April 2, 1940, were read again in full.

Motion for adoption of the ordinances by Commissioner Rinehart; seconded by Commissioner Whitley. The Ordinances were adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinances adopted and approved, and ordered their publication as Nos. 357 and 358, respectively.

AN ORDINANCE AMENDING ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE" AS TO CUBIC CONTENT REQUIREMENTS IN PORTIONS OF BLOCKS 14 TO 17, INCLUSIVE, AND 21 TO 26, INCLUSIVE, BILTMORE SECTION AND AS TO FRONT SET BACKS FOR LOTS IN CORTEZ PLACE HAVING FRONTAGE ON AVENUES CATALINA, ANGELO AND TRASCORO.

which had been first read at the meeting of April 2, 1940; was read again in full.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinance adopted and approved, and ordered its publication as No. 359.

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, FLORIDA, KNOWN AS THE "ZONING ORDINANCE" AS TO USE REQUIREMENTS ON LOTS 18, 19 AND 20, BLOCK 4, CRAFTS SECTION.

and

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE", AS TO CUBIC CONTENT REQUIREMENTS FOR LOTS IN BLOCKS 93 AND 96, COUNTRY CLUB SECTION NO. 5, FRONTING ON AVENUE SANTA MARIA, AND FOR ALL LOTS IN BLOCKS 128 AND 129, RIVIERA SECTION.

which had been read at the meeting of April 11, were read again in full.

Motion for adoption of the Ordinances by Commissioner O'Shaughnessy; seconded by Commissioner Phillips. The ordinances were adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry



Thereupon, Mayor McGarry declared the Ordinances adopted and approved, and ordered their publication as Numbers 360 and 361, respectively.

AN ORDINANCE GRANTING EXCEPTION TO THE REQUIREMENTS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE ZONING ORDINANCE, AS TO CERTAIN PROPOSED DUPLEX CONSTRUCTION ON LOTS 11 AND 12, BLOCK 7, SECTION "B"

was introduced and read, and carried forward to a later meeting for further consideration and action.

RESOLUTION NO. 2045

A RESOLUTION APPOINTING CLERK AND INSPECTORS FOR THE ELECTION OF MAY 14, 1940.

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 Special Election to be held on May 14, 1940, in the capacities set opposite their names:

Lewis H. Fogle	Clerk
James B. Moore	Inspector
John M. Montgomery	Inspector
W. Chilton Day	Inspector
S. J. DeLanoy, Jr.	Inspector
Edwin G. Bishop	Inspector
Joseph Blacker	Inspector
H. R. Anderson	Inspector
R. E. Temple	Inspector
W. S. Radway	Inspector
W. C. Russell	Inspector
Mrs. Melanie R. Rosborough	Inspector
George Mugford	Inspector
R. J. Beaton	Inspector
Charles Michel	Inspector
William C. Smith	Inspector

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2046

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE CERTAIN MOTOR EQUIPMENT UPON DEFERRED PAYMENT CONTRACTS; AUTHORIZING THE EXECUTION OF THE NOTES IN CONNECTION THEREWITH; AND APPROPRIATING THE FUNDS THEREFOR.

WHEREAS, Certain of the automotive equipment of the City has reached an age at which the cost of maintenance and repair is



excessive, and the City Manager has determined that the garage costs can be materially lessened by replacing such equipment; and,

WHEREAS, The City is without funds at this time to meet the purchase cost, but it has been found possible to purchase the required equipment on deferred terms payable out of future budgets;

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

Section 1. That the City Manager be and he hereby is authorized to arrange for and consummate the purchase of needed motor equipment, at a cost not to exceed, after allowing for equipment traded in, Nine Thousand (\$9,000.00) Dollars; and to execute, together with the City Clerk, such deferred payment contracts as may be necessary and consistent with the terms hereof, together with notes for the deferred payments at not to exceed six per cent (6%) interest per annum.

Section 2. That there is hereby appropriated out of the general revenues of the City during each of the fiscal years 1940-41 to 1943-44, inclusive, the amount of 25% of the principal debt incurred in the purchase of such equipment, together with an amount sufficient to pay interest, at not to exceed 6% per annum, upon the then unpaid balance in each of said years; and the Director of Finance be and he hereby is authorized and instructed to make provision for the above principal payments and interest in the annual appropriation ordinances affected hereby.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley

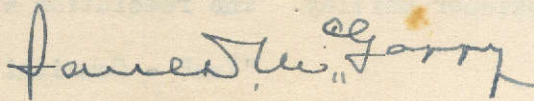
Mayor McGarry

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 SPECIAL MEETING OF THE CITY COMMISSION  
ON APRIL 18, 1940

Pursuant to call of special meeting by Vice-Mayor O'Shaughnessy, the Commission of The City of Coral Gables convened in special session at the City Hall at twelve o'clock, noon, on Thursday, April 18, 1940.

Vice-Mayor O'Shaughnessy in the Chair; Commissioners Rinehart and Whitley present. Also present throughout the meeting, Wallace A. Bell, Charles A. Carroll, Joseph F. McPherson, A. B. Curry, G. A. Bowen and Arlene Day. Mayor McGarry absent from the City and Commissioner Phillips absent on account of important business.

The Clerk explained that the purpose of the meeting was to break the seals upon and open the ballot can of the election of June 13, 1939 for the purpose of removing therefrom, for necessary use in the special registration and election pending, the alphabetical card file of registrations and voters' signatures of said previous election, which material involves only the machine balloting on the day of the election and is not affected by litigation now pending; and further, to secure certain data from the absentee voting material contained in the ballot can which data is necessary to the litigation and desired by both parties thereto and their counsel.

Thereupon

RESOLUTION NO. 2047

A RESOLUTION AUTHORIZING, UNDER CERTAIN CONDITIONS, THE OPENING OF THE BALLOT CAN OF THE ELECTION OF JUNE 13, 1939, THE REMOVAL OF CERTAIN MATERIAL THEREFROM AND THE EXAMINATION OF THE CONTENTS THEREOF.

WHEREAS, A special election is to be held by The City of Coral Gables on May 14, 1940, and for the purpose of registration therefor the City Clerk needs certain registration and signature cards used in the election of June 13, 1939 and concerning only the machine balloting in that election, and such registration cards are now contained and sealed in the ballot can of said 1939 election; and,

WHEREAS, The attorneys in certain litigation involving that 1939 election desire certain information as to the absentee voters therein, which information is also contained and sealed in the ballot can; and,

WHEREAS, Joseph F. McPherson, Attorney for the plaintiff, and Charles A. Carroll, Attorney for the defendant in said litigation, are present at this meeting and have consented



to the opening and withdrawal of the said registration cards and have requested the opportunity to secure at this time and subsequently, under certain conditions, information concerning the absentee voters and absentee voting, and both of said attorneys have stipulated their consent to the opening of the ballot can and the removal of said cards and the securing of said data, and have waived all objection to such procedure;

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

Section 1. That the City Clerk be and he hereby is authorized and instructed to open the ballot can of the election of June 13, 1939, in the presence of this meeting of the City Commission and of the said attorneys, and of Wallace A. Bell, the plaintiff in said litigation, and to remove therefrom, for use in the special election of May 14, 1940, the three boxes of alphabetically arranged registration and signature cards used and to be used in machine balloting, and to permit the examination by the Commission, and the others named above, of the envelopes and affidavits concerning the absentee ballots cast, both in person and by mail from without the State, in the election of June 13, 1939, and to make such lists of the data appearing thereon as may be desired by the said attorneys.

Section 2. Be it further resolved that the City Clerk be and he is hereby authorized to again open said ballot can at the request of Messrs. Carroll and McPherson and in their joint presence, for the purpose of further examination of the contents thereof to secure other information which may be needed in the litigation.

was introduced and read.

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

Thereupon the ballot can was opened, the registration cards described above were extracted and retained by the City Clerk, the envelopes, affidavits and other material concerning the absentee balloting in said election were removed and examined and lists of the names of the absentee ballots were made, and all of the said material, with the sole exception of the registration cards, was returned to the ballot can which was again sealed.

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



MINUTES OF THE MEETING OF THE CITY COMMISSION  
MAY 11, 1940

Present at call of special meeting of Mayor, Mayor and members  
of the Commission, the Mayor and the members of the City of Coral Gables  
present at special meeting of the City Hall on Monday, May 11, 1940.  
After prayer in the City of Coral Gables, Florida.

THERE BEING NO QUORUM, THE CITY COMMISSION

DID NOT MEET ON MAY 7, 1940.

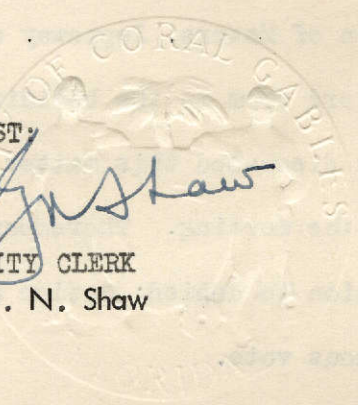
APPROVED:

*James W. McGarry*

MAYOR  
Paul D. McGarry

ATTEST:

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



*Paul D. McGarry*  
5/7/40



MINUTES OF THE MEETING OF THE CITY COMMISSION  
ON MAY 13, 1940

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, on Monday, May 13, 1940.

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

The minutes of the meetings of April 16 and 18, 1940, were read and approved.

The Mayor then announced that several building matters were before the Commission, and as citizens were present to present their views upon these subjects, the Commission would take up these matters before other business. The Clerk then reported the petition of Messrs. Jeppeway and Evans to be allowed to install a pool and billiard room in the building at 1907-9 Ponce de Leon Boulevard. The Commission discussed this matter and heard the views of several citizens present at the meeting. Thereupon, Commissioner O'Shaughnessy moved that the petition be denied; motion seconded by Commissioner Phillips, and carried by unanimous vote.

Application by W. T. Cox for permit to erect and operate a filling station on Lots 39 to 42, inclusive, Block 1, Industrial Section was not acted upon and was held pending examination of the plans and sketches by the Zoning Board of Appeals and recommendations by that Board, and the South of Bird Road Zoning Committee, to which the matter was also referred.

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE", AS TO CERTAIN PROPOSED DUPLEX CONSTRUCTION ON LOTS 11 AND 12, BLOCK 7, SECTION "B".

and

AN ORDINANCE AMENDING PARAGRAPH ONE (1) OF SECTION FORTY (40) OF ORDINANCE NO. 1, ADOPTED AUGUST 3, 1925, ENTITLED: "AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, PRESCRIBING RULES AND REGULATIONS FOR THE ERECTION, REPAIR REMOVAL AND DEMOLITION OF BUILDINGS IN SAID CITY; PROVIDING FOR THE SUBMISSION OF PLANS AND MAKING APPLICATION FOR PERMIT FOR ERECTING, REPAIRING, OR REMOVING BUILDINGS; PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE" AS TO REQUIREMENTS AND SPECIFICATIONS FOR ROOFING MATERIAL; AND REPEALING ORDINANCE NO. 268 OF THE CITY OF CORAL GABLES, PREVIOUSLY AMENDATORY TO SAID SECTION.



which had been first read at the meeting of April 16, 1940, were read again in full.

Motion for adoption of the Ordinances by Commissioner Rinehart; seconded by Commissioner Whitley. The ordinances were adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinances adopted and approved, and ordered their publication as Nos. 362 and 363, respectively.

Mr. Carl Fien, Director of the Ponce de Leon High School Band, appeared to request the City's assistance in meeting a deficit in the Band's funds, the deficit having been incurred in securing proper instruments with which to enter the interstate competition at West Palm Beach. Mayor McGarry explained to Mr. Fien that no funds were available for such purposes, but that the Commission would endeavor to give some assistance to the Band in the next budget.

Petitions from certain employees of the Fire, Police, and Transportation Departments, requesting abandonment of the May 14, 1940, election on the question of Civil Service and Pensions, were presented to the Commission, but in view of the progress made in referring these matters to election before the presentation of the petitions, it was deemed unwise and perhaps illegal to interfere with the election arrangements.

RESOLUTION NO. 2048

A RESOLUTION APPROPRIATING CERTAIN FUNDS FROM THE CONTINGENT FUND AND FROM PREVIOUSLY UNAPPROPRIATED AND UNANTICIPATED REVENUES FOR PUBLICITY, FOR HISTORICAL PHOTOGRAPHS, AND FOR EMERGENCY EXPENSES AT THE VENETIAN POOL.

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

That the following sums be and they hereby are appropriated from the Contingent Fund and from previously unappropriated and unanticipated revenues for the purposes set opposite the respective amounts:

1. For advertising in the 1939 edition of Florida Golfer . . . . . \$25.00



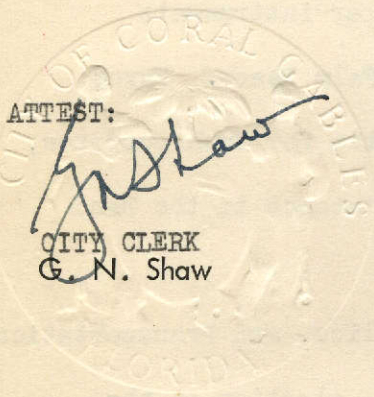
- 2. For the securing and hanging of portraits of the present and former Mayors of The City of Coral Gables ...\$85.00
- 3. For emergency expenses in connection with the drowning at the Venetian Pool of Francis Allen Black . . . . . 415.85

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  
 Whitley  
 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



MINUTES OF MEETING OF THE CITY COMMISSION  
ON MAY 17, 1940

Pursuant to requirement of Charter, the Commission of The City of Coral Gables convened in the City Hall at Coral Gables, at five o'clock P.M. on Friday, May 17, 1940, for the purpose of canvassing the returns and declaring the results of the Special Election of May 14, 1940.

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

The Clerk tendered to the Commission the Certificates and returns of the Clerk and Inspectors of the Special Election of May 14, 1940, and following a discussion,

RESOLUTION NO. 2049

A RESOLUTION ACCEPTING THE RETURNS OF THE CLERK AND INSPECTORS OF THE SPECIAL MUNICIPAL ELECTION OF MAY 14, 1940 AND DECLARING THE RESULTS AS INDICATED THEREBY.

WHEREAS, The City Clerk and Ex-Officio Supervisor of Registration has submitted to the Commission, and there has been filed in the permanent records thereof, the returns of the Clerk and Inspectors of the Special Election of May 14, 1940, containing the oaths and certificates of the said election officials, and their sworn reports of the ballots cast in said election; and,

WHEREAS, Said returns, reports, and certificates are fully and completely made and executed in accordance with law; and,

WHEREAS, Said certificates show the following results of the election:

The total number of votes cast in the election was 361 of which 359 were cast in person on election day on voting machines; and two were absentee ballots filed in person at the City Hall not more than 15 days and not less than 3 days prior to the day of the election. On the question:

Shall The City of Coral Gables establish the Civil Service System set forth in Ordinance No. 336, adopted October 19, 1939, as amended by Ordinance No. 354, adopted April 16, 1940, and the Rules and Regulations therefor set forth in Ordinance No. 355, adopted April 16, 1940?

the votes were as follows: "YES" 84; "NO" 261.

On the question:

Shall The City of Coral Gables establish the Pension and Retirement System set forth and provided for in City Ordinance No. 353, adopted by the City Commission on the 16th day of April, 1940?

the votes were as follows: "YES" 71; "NO" 278.



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

That it is hereby declared that it appears from  
the above returns of said election that both the  
questions described above were rejected by the  
qualified voters of The City of Coral Gables partici-  
pating in the said election, and that Ordinances  
Numbers 336, 354 and 355 shall not take effect.

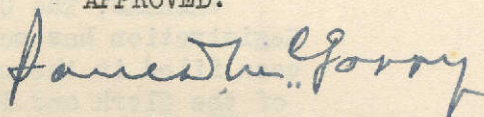
was introduced and read.

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  
Whitley  
Mayor McGarry

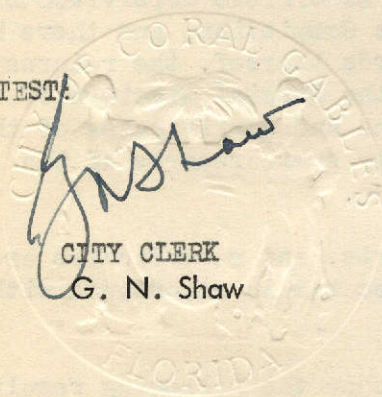
There being no further business, on motion duly seconded and  
unanimously carried, the meeting was adjourned.

APPROVED:



MAYOR  
Paul D. McGarry

ATTEST



CITY CLERK  
G. N. Shaw



MINUTES OF MEETING OF THE CITY COMMISSION  
ON MAY 21, 1940

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock P.M. on Tuesday, May 21, 1940.

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

The minutes of the meetings of May 13 and 17, 1940, were read, corrected and approved.

RESOLUTION NO. 2050

A RESOLUTION ENDORSING THE PROPOSED  
OCEAN BEACH DEVELOPMENT AND THE BOND  
ISSUE THEREFOR.

WHEREAS, The Commission of The City of Coral Gables is convinced that the development of this area necessitates adequate public beach frontage and the development of parks in these beach areas for the use of our citizens and winter visitors; and,

WHEREAS, It is imperative that beach property for this purpose be secured before the rapid growth of communities along the ocean front makes impossible such acquisition within the means of the County;

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

That the Ocean Beach Development, as proposed by the Board of County Commissioners of Dade County, be and it is hereby endorsed by this Commission, together with the proposed Two Million Dollar (\$2,000,000.00) bond issue required to meet the cost of the beach lands and their development for recreational use.

was introduced and read.

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

RESOLUTION NO. 2051

A RESOLUTION MEMORIALIZING CONGRESS TO  
ENACT A LAW FOR THE UNIFORM NATIONAL  
REGISTRATION AND IDENTIFICATION SYSTEM  
OF ALL CITIZENS AND FOREIGNERS IN THE  
UNITED STATES.

WHEREAS, Due largely to the improved and rapid means of transportation it has become more and more essential that there be some means of identifying all citizens of these United States for crime prevention and protection measures; and

WHEREAS, The recent deplorable and unfortunate developments in some portions of the world have revealed the presence of enemy agents in some countries and have disclosed a potential necessity for adequate identification

gwo  
5/21/40



of all citizens and foreigners within the boundaries of the United States;

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

1. That the Congress be and it hereby is urged and requested to enact a Federal Law requiring that all citizens and all foreigners within the boundaries of the United States and enjoying the protection of its laws, be required to register their names, addresses, finger prints, and other marks of identification, so that the Government will have definite means of identifying and locating all persons within the boundaries of these United States.

2. That the City Clerk be and he is hereby directed to mail a certified copy of this Resolution to Senators Pepper and Andrews and to Congressman Cannon.

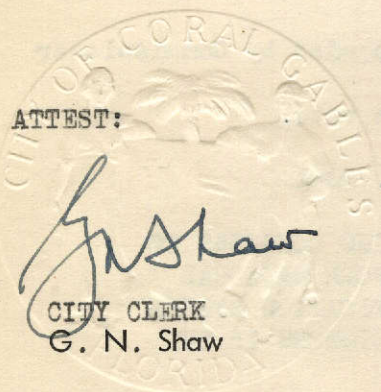
was introduced and read.

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

Messrs. Willoughby Cox and Harold Ward appeared in connection with a requested exception to the Zoning Ordinance, to permit the erection of a filling station at the southeast corner of Bird and Le Jeune Roads. City Attorney Adams reported that the South of Bird Road Zoning Committee had considered this proposed exception and recommended that it not be allowed. Upon finding that a positive recommendation had not been made by the Zoning Board of Appeals, the Commission deferred the matter until such a recommendation could be received.

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

ATTEST:



APPROVED:

*Paul D. McGarry*

MAYOR

Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION  
ON JUNE 4, 1940

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 4, 1940.

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

The minutes of the meeting of May 21 were read and approved.

AN ORDINANCE AUTHORIZING THE EXECUTION  
OF CONTRACTS FOR THE PURCHASE OF CERTAIN  
AUTOMOBILES AND APPROPRIATING MONEYS  
TO PAY FOR THE SAME.

was read by title on first reading and carried forward to a later meeting for further action.

A communication was received from J. J. Lamb, on behalf of Biltmore Village, Inc., requesting that, in view of certain circumstances arising in the sale to the City of the Incinerator Tract in Central Miami and Central Miami Seaboard Sections, the Commission allow and pay additional consideration on the basis of Ten Dollars (\$10.00) per lot. The matter was discussed and taken under advisement.

RESOLUTION NO. 2052

A RESOLUTION APPROPRIATING CERTAIN SUMS  
FOR CONTRIBUTION TO THE MIAMI MASTER  
AIR PORT PROJECT, AND FOR THE INSTALLATION  
OF A TELEPHONE IN THE HOUSEKEEPING AID  
CENTER.

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

That the following sums be and they hereby are appropriated from the Contingent Fund and from previously unappropriated and unanticipated revenues for the purposes set opposite the several amounts.

\$136.45 For the furnishing of tires and automotive parts as a portion of the City's contribution to the Master AirPort Project.

\$ 6.60 For the installation of a telephone in the Housekeeping Aid Center offices in the Cocoplum Women's Club building.

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  
Whitley

Mayor McGarry



The City Attorney reported by letter that he had conferred with Mr. Hayford O. Enwall, Assistant District Attorney; Mr. Wylie, Federal Bureau of Investigation Agent; and Mr. Thomas, U. S. Immigration Bureau, upon the matter of proper steps to be taken for the control of crime and so-called "Fifth Column" activities, and submitted and recommended the adoption of the following resolutions:

RESOLUTION NO. 2053

A RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ADOPT A LAW SUSPENDING THE IMMIGRATION AND NATURALIZATION PRIVILEGES NOW ACCORDED TO ALIENS.

WHEREAS, The pending European War is so uncertain as to its outcome and as to the effect of the same upon the security of these United States; and,

WHEREAS, There now exists in this country a tremendous problem in the handling of immigrants and in the naturalization of aliens; and,

WHEREAS, This problem is increasing annually due to the arrival of new immigrants and the naturalization of additional aliens;

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

1. That the Congress of these United States be and it is hereby urged and requested to enact a law suspending for the duration of the European War the privileges of the immigration and naturalization laws now extended by this Government to aliens.

2. That the City Clerk be and he is hereby directed to mail a certified copy of this Resolution to Senators Pepper and Andrews and to Congressman Cannon.

which  
was introduced and read.

and

RESOLUTION NO. 2054

A RESOLUTION MEMORIALIZING CONGRESS TO ENACT INTO LAW THE PRESENTLY PENDING BILL TO REQUIRE THE REGISTRATION OF ALL ALIENS WITHIN THE BOUNDARIES OF THE UNITED STATES, AND TENDERING THE SERVICES OF THE POLICE DEPARTMENT TO AID IN THE ADMINISTRATION OF THIS LAW.

WHEREAS, Recent deplorable and unfortunate developments in some portions of the world have revealed the presence of enemy agents in some countries and have disclosed a potential necessity for adequate identification of all aliens within the boundaries of the United States; and,

WHEREAS, There is now pending in Congress such a measure; and,

WHEREAS, The Police Department of The City of Coral Gables and all other cities now have in operation identification and finger printing bureaus, which are working in



complete harmony with the Federal Bureau of Investigation and are presently equipped to immediately carry on the work of registering aliens and could aid the Federal Government in this work;

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

1. That the Congress be and it hereby is urged and requested to pass at the earliest convenient time the pending bill requiring all aliens within the boundaries of these United States to register their names, addresses, finger prints and other marks of identification so that the Government will have definite means of identifying, locating and keeping up with all aliens within the boundaries of these United States.

2. We recommend and request the Congress to amend the said law so as to provide for using the facilities of the presently equipped police forces of the cities of this country in immediately beginning the work of registering aliens as an auxiliary function to the Federal Government, the records of the police to be made available to the Federal agencies in charge of operating this law.

3. That such ordinances, resolutions or rules and regulations as may be necessary shall be adopted by the City upon the acceptance of this tender of service by the Federal authorities.

4. That the City Clerk be and he is hereby directed to mail a certified copy of this resolution to Senators Pepper and Andrews and to Congressman Cannon.

which was introduced and read.

Motion for adoption of the resolutions by Commissioner O'Shaughnessy; seconded by Commissioner Rinehart; The resolutions were adopted by unanimous vote.

RESOLUTION NO. 2055

A RESOLUTION AUTHORIZING AND APPROPRIATING FOR THE PURCHASE OF A DEDICATION TO A CERTAIN PORTION OF RIVIERA DRIVE.

WHEREAS, The right-of-way of Riviera Drive from a line joining the north lines of Lot 5, Block 143, Country Club Section Part 6 and Lot 1, Block 1, French Village, on the North, to the center line of Bird Road, on the South, is affected by a certain acreage mortgage executed by George E. Merrick and wife to Lillian McConville, dated February 6, 1925, Mortgage Book 332, Page 311, and the City is advised that by the foreclosure of this acreage mortgage the title to that portion of the street would pass to the said Lillian McConville, and the street could be closed until and unless the right-of-way were repurchased by the City; and,

WHEREAS, An offer has been made to the City for the conveyance of this right-of-way at a figure deemed to be fair and below the possible cost and expense of acquiring said right of way by condemnation;

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

Section 1. That the sum of One Thousand Dollars (\$1,000.00) in the form of a credit upon the operation portion



of tax sale certificates owned by the City for the tax year 1939 and prior, be and the same is hereby appropriated for the purpose of purchasing a deed or other proper instrument of dedication to that portion of the right-of-way of Riviera Drive described above.

Section 2. That the City Attorney and the Director of Finance be and they hereby are authorized to negotiate the purchase of said right of way, and as consideration therefor, to execute and deliver tax sale certificates for the tax years 1939 and prior to the amount of One Thousand Dollars (\$1,000) of operating tax liens, provided, the debt service liens of said certificates are paid in cash, or to issue such evidence of credit upon tax sale certificates as may be required.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

RESOLUTION NO. 2056

A RESOLUTION FIXING THE TIME AND PLACE FOR PUBLIC HEARINGS UPON THE APPROPRIATION ORDINANCE FOR THE YEAR COMMENCING JULY 1, 1940.

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

That pursuant to the requirements of Charter, public hearings upon the Appropriation Ordinance for the fiscal year commencing July 1, 1940 will be held in the Commission Chamber in the City Hall in Coral Gables at 11:00 o'clock A.M. on Monday, July 8, and again at 11:00 o'clock A.M. on Tuesday, July 9, 1940; and the City Clerk be and he hereby is instructed to cause proper notice of these meetings to be published in a newspaper of general circulation in The City of Coral Gables.

was introduced and read.

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

The City Attorney advised the Commission of the desire of the South of Bird Road Zoning Committee to meet with the Commission and discuss the necessities of that area. By unanimous consent, 7:30 o'clock P.M. on Tuesday, June 11, 1940, was appointed for the joint meeting.

A communication was received from Attorney William Pruitt, proposing to the Commission a settlement of the A. M. Bishop case by the payment to Mr. Bishop of Three Hundred Dollars (\$300.00) and his reinstatement to his former rank and seniority. The matter was taken under advisement, and the City Attorney was requested to advise the Commission upon the legal



probabilities of the case.

AN ORDINANCE PROVIDING THAT SUBDIVISION PLATS, REPLATS AND DEDICATIONS TO STREETS OR OTHER PUBLIC WAYS OR GROUNDS BE JOINTLY EXECUTED BY THE TITLE OWNER AND THE OWNERS OF ALL LIENS; REQUIRING THE FURNISHING OF SATISFACTORY EVIDENCE OF THE LIENS AND LIEN OWNERS; AND ESTABLISHING AS A PRE-REQUISITE TO ACCEPTANCE OF SUCH INSTRUMENTS BY THE CITY, THE PAYMENT OF ALL CITY TAXES OR TAX SALE CERTIFICATES AFFECTED THEREBY.

was read by title on first reading, and carried forward to a later meeting for further consideration and action.

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE" SO AS TO REQUIRE THE FILING OF CERTAIN FEES AND DEPOSITS BY APPLICANTS FOR AMENDMENT OF OR EXCEPTIONS FROM THE TERMS OF SAID ORDINANCE.

was introduced and read by title on first reading and carried forward to a later meeting for further consideration and action.

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE" AS TO CUBIC CONTENT REQUIREMENTS IN BLOCKS 98 AND 99, COUNTRY CLUB SECTION PART 5.

and

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE" AS TO USE REQUIREMENTS FOR LOTS 39 TO 42, INCLUSIVE, BLOCK 1, INDUSTRIAL SECTION; AS TO SET BACKS ON LOTS 10, 11 AND 12, BLOCK 1, BILTMORE SECTION; AS TO CUBIC CONTENT REQUIREMENTS FOR LOTS 23 AND 24, BLOCK 31, COUNTRY CLUB SECTION PART 5; AS TO OUT-BUILDINGS ON LOTS 15 AND 16, BLOCK 11, SECTION "C"; AND AS TO SET BACKS ON LOTS 2 AND 3, BLOCK 14, SECTION "L".

was introduced and read on first reading and carried forward to a later meeting for further consideration and action.

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

*GNS*  
6/4/40



MINUTES OF MEETING OF THE CITY COMMISSION  
ON JUNE 11, 1940

Pursuant to appointment at the previous regular meeting, the Commission of The City of Coral Gables convened at the City Hall at 7:45 o'clock P.M. on Tuesday, June 11, 1940, to hear the report and recommendations of the South of Bird Road Zoning Committee.

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

Dr. Horace Cartee, Chairman of the Committee, read the report of the Committee and commented upon its recommendations, stating, however, that the Committee wished to withdraw the recommendation appearing as item 4 on Page 4, of the minutes and report, recommending that the Hardee Road Bridge be removed. Commissioner O'Shaughnessy moved that the report be received and filed, and there being no objection it was so ordered by Mayor McGarry.

Mr. Joseph Blacker addressed the Commission to the effect that he objected to the formation of sectional groups and thought that all parts of the City should be represented in any discussions and recommendations as to development and expense. Mayor McGarry explained that the South of Bird Road Committee had been formed to advise the Commission upon the subject of future development of that area in order that proper zoning could be effected, and that no preference would be shown to that particular area in matters of allocation of City funds.

RESOLUTION NO. 2057

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley

Mayor McGarry



RESOLUTION NO. 2058

A RESOLUTION APPROPRIATING THE SUM OF FIVE HUNDRED DOLLARS FOR THE PURPOSE OF SURVEYING AND ESTIMATING THE COST OF THE PROPOSED IMPROVEMENT OF THE MOUTH OF THE CORAL GABLES WATERWAY.

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

That the sum of Five Hundred Dollars (\$500.00) be and the same is hereby appropriated from the Contingent Fund and from previously unappropriated and unanticipated revenues to defray the expenses of a survey to determine the most practical means of deepening and improving the mouth of the Coral Gables Waterway, and of estimating the cost of such improvement; and the City Manager be and he hereby is authorized to proceed with said survey.

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  
Whitley  
Mayor McGarry

Mayor McGarry then explained to the Commission the necessity for his taking an extended vacation from the City, under the advice of his physicians, and requested to be excused from Commission meetings until the time of the Equalization Board hearings in July, and thereafter during the remainder of the month of July, and possibly August. Leave was granted by unanimous assent.

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

APPROVED:

*James D. McGarry*

MAYOR  
Paul D. McGarry

ATTEST:

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

*GNS*  
6/11/40



## MINUTES OF MEETING OF THE CITY COMMISSION

ON JUNE 14, 1940

Pursuant to demand of Andrew T. Healy, Attorney for S. J. Raski, for a hearing by the Commission on the dismissal of said S. J. Raski from the Police Department, and to appointment of such hearing duly notified to S. J. Raski through his Attorney, the Commission of The City of Coral Gables convened in special session at the City Hall at eight o'clock P.M. on Friday, June 14, 1940.

Vice-Mayor O'Shaughnessy in the Chair; Commissioners Phillips, Rinehart and Whitley present.

In addition to the above commissioners, the following parties were present: Morton B. Adams, City Attorney; Guy C. Reeve, Chief of Police; A. B. Curry, City Manager; S. J. Raski, ex-police officer; and Andrew T. Healy, Attorney for Raski.

The City Attorney read the written statement of charges in the following words and figures, to-wit:

"June 8, 1940

S. J. Raski  
534 Anastasia Avenue  
Coral Gables, Florida

Officer Raski:

On June 6th, 1940 you were served with letter from Guy C. Reeve, Director of Public Safety and Chief of Police, advising you that you were dismissed from the Coral Gables Police Department on account of insubordination for the good of the service.

As City Manager, I have approved your dismissal.

In response to your request for a written statement of the reasons for your dismissal, I advise you that you were dismissed in order to promote the efficiency of the service, upon the charge that on June 3, 1940, you were guilty of insubordination in that on said date on or about three o'clock P.M., when you were on active duty and after reporting to the police station in response to an order from the Chief of Police, you went into his private office, slammed the door, and began an interview with the Chief of Police in a very excited and mentally upset state, and during the conversation with the Chief called the Chief a "damned liar".

Very truly yours,

A. B. CURRY, City Manager"

To this charge, Mr. Healy, in behalf of his client, pled not guilty.



The City had summoned, at the request of Mr. Healy, each member of the Police Department of The City of Coral Gables and those which were not on active duty were in attendance at the time of the trial.

Chief Reeve, Patrolman Nat Glogowski, Sergeant L. H. Solie, Sergeant W. G. Kimbrough, Sergeant Louis C. Reeve, Sergeant W. F. Key and Patrolman Carl W. Whelan, Jr. were each sworn according to law.

Chief Reeve then testified in direct examination and was cross examined by Mr. Healy. The City thereupon closed its case.

The defense then called the following witnesses, each of whom testified and were cross examined: Patrolman Nat Glogowski, Sergeant L. H. Solie, Sergeant W. G. Kimbrough, Sergeant Louis C. Reeve, Sergeant W. F. Key and Patrolman Carl W. Whelan, Jr.

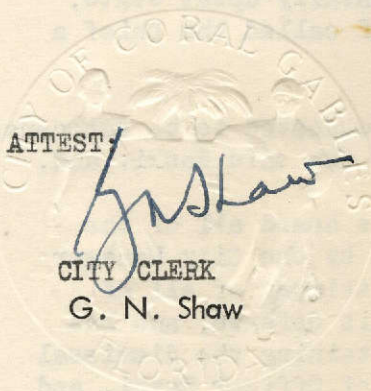
Ex-Patrolman Raski testified in his own behalf and was cross examined.

The other police officers were available to be called to testify but Mr. Healy did not call them and closed his defense.

The City thereupon recalled Chief Reeve who testified in rebuttal and was cross examined.

Mr. Healy and Mr. Adams made short statements of the case as they saw it and the matter was taken under advisement by the Commission.

There being no further business before the Commission, it adjourned until the next regular meeting date of the Commission.



APPROVED:

*James D. McGarry*

MAYOR

Paul D. McGarry



## MINUTES OF MEETING OF THE CITY COMMISSION

ON JUNE 18, 1940

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 18, 1940.

Vice-Mayor O'Shaughnessy in the Chair; Commissioners Phillips, Rinehart and Whitley present. Mayor McGarry absent from the City on vacation.

## RESOLUTION NO. 2059

A RESOLUTION DETERMINING THE PROPRIETY  
OF THE DISMISSAL OF FORMER POLICE  
OFFICER S. J. RASKI.

WHEREAS, the City Commission convened at eight o'clock P.M. on Friday, June 14, 1940, at the Commission Room in the City Hall in special session for the purpose of making an investigation and having a hearing of the discharge of S. J. Raski, former police officer of The City of Coral Gables; and,

WHEREAS, Upon being advised of his discharge by the Chief of Police on June 6, 1940, the said Raski demanded a written statement of the reasons for his discharge, and the City Manager on June 8, 1940, furnished S. J. Raski the written statement advising that he approved of the dismissal by the Chief of Police and "In response to your request for a written statement of the reasons for your dismissal, I advise you that you were dismissed in order to promote the efficiency of the service, upon the charge that on June 3, 1940, you were guilty of insubordination in that on said date on or about three o'clock P.M., when you were on active duty and after reporting to the police station in response to an order from the Chief of Police, you went into his private office, slammed the door, and began an interview with the Chief of Police in a very excited and mentally upset state, and during the conversation with the Chief called the Chief a "damn liar."; and,

WHEREAS, All of the witnesses requested to be subpoenaed were subpoenaed and available for call by the said Raski; and,

WHEREAS, The City Commission has heard all of the testimony of all of the witnesses offered by the City Manager and the Chief of Police and all of the testimony of all of the witnesses offered by S. J. Raski in his defense, and has heard argument of counsel in favor of sustaining the dismissal and in favor of rescinding the dismissal of Officer Raski, and has carefully considered and weighed all of the said testimony and the said arguments;

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

That from all of the testimony presented to the City Commission at the said hearing the Commission is of the opinion that S. J. Raski was guilty of insubordination on June 3, 1940, in that he did on said date on or about three o'clock P.M., when he was on active duty and after reporting to the police station in response to an order from the Chief of Police, go



into the private office of the Chief of Police and during the conversation with the Chief, either called the Chief a "Damn Liar", or to accept the testimony of the said Raski, advised the Chief that what he had said was a "damn lie", the Commission being of the opinion that it is immaterial which phrase he used. The Commission further finds that the said act on the part of the said Raski constitutes insubordination and that the discharge of the said Raski will promote the efficiency of the service of the Police Department of The City of Coral Gables.

The City Commission, therefore, confirms and affirms the dismissal of the said S.J. Raski from the Police Department of The City of Coral Gables by the Chief of Police as approved by the City Manager, and the discharge is hereby made final.

was introduced and read.

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

Mr. J. J. Lamb appeared to request additional remuneration for the conveyance to the City of the Incinerator Tract in Central Miami Seaboard Section and Part 7. The matter was taken under advisement by the Commission.

RESOLUTION NO. 2060

A RESOLUTION ABOLISHING THE DEPARTMENT OF PUBLICITY OR NEWS BUREAU, AND AUTHORIZING FINAL SALARY PAYMENT FOR THE DIRECTOR THEREOF.

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

1. That effective June 30, 1940, the Department of Publicity, or News Bureau, be and the same is hereby abolished.

2. That the City Manager and the Director of Finance be and they hereby are authorized to pay to R. M. Munroe, the present Director of Publicity, his salary during the month of July, 1940, in lieu of notice of the discontinuance of his office.

was introduced and read.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice-Mayor O'Shaughnessy

RESOLUTION NO. 2061

A RESOLUTION APPROPRIATING, UNDER CERTAIN CONDITIONS, THE SUM OF EIGHTEEN HUNDRED DOLLARS TO PROVIDE ADDITIONAL CLEARANCE IN THE WATERWAY AT THE HARDEE ROAD BRIDGE.

WHEREAS, The owners and developers of property abutting on the Coral Gables Waterway have requested the



City to raise the Hardee Road Bridge so as to provide additional clearance for boat traffic in the canal; and,

WHEREAS, The City is at present and will be for some months without funds to undertake such work, but is willing to proceed if the money is advanced by the interested persons against taxes to become due and payable in November, 1940;

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

1. That the sum of Eighteen Hundred Dollars (\$1800.00) be and the same is hereby appropriated, conditionally as below, out of moneys receivable under Section 2 hereof, for the purpose of raising the elevation and grade of the Hardee Road Bridge, so as to produce additional clearance for boats in the canal.

2. That the City Manager be and he hereby is authorized and instructed to advise the interested and affected property owners that the City will undertake this work at this time upon the condition that said property owners secure for the City, from the owners of the lots abutting the approaches of said bridge, waivers of objection to the higher bridge, and upon the further condition that said property owners advance the sum of Eighteen Hundred Dollars (\$1800.00) to the City to provide for the expense of the alterations to the bridge and its approaches, said advance to be repaid from the collection of taxes for the year 1940, on or before December 31, 1940.

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 Phillips  
Rinehart  
Whitley  
Vice-Mayor O'Shaughnessy

RESOLUTION NO. 2062

A RESOLUTION AUTHORIZING THE ISSUANCE OF A TEMPORARY PERMIT FOR THE REMOVAL AND TREATMENT OF ROCK FROM THE CORAL GABLES CANAL RIGHT-OF-WAY BETWEEN HARDEE ROAD AND THE MIAMI HOMESTEAD HIGHWAY.

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

That the City Manager be and he hereby is authorized to issue to the Sunset Rock & Sand Company a permit for the removal and treatment of rock from the Coral Gables Canal right of way between Hardee Road on the South and Miami Homestead Highway on the North, said permit to be in words and figures as follows:



"TEMPORARY PERMIT

FOR THE REMOVAL AND TREATMENT  
OF ROCK FROM THE CORAL GABLES  
CANAL RIGHT-OF-WAY BETWEEN  
HARDEE ROAD ON THE SOUTH AND  
HOMESTEAD HIGHWAY ON THE NORTH.

SUNSET ROCK & SAND CO., subject to the limitations and conditions and requirements hereinbelow enumerated, and upon the payment of a special license fee of Fifty Dollars (\$50.00) and a written acceptance of the terms and conditions hereof, is hereby authorized to carry out the operations of the removal of rock from the above mentioned portion of the Coral Gables Canal and upon private property adjacent to the canal to crush and separate or grade the rock so removed for a period of one (1) year from and after the first day of June, A.D. 1940, so long as the said party complies with the following specific covenants and agreements and no longer, to wit:

1. In no case shall the excavation of rock be carried out to a greater depth than twelve (12) feet below mean low tide.
2. The Sunset Rock & Sand Company covenants and agrees to save the City harmless from any and all claims, damages, actions or causes of actions, which might be instituted against it on account of the operations of the said Company under this permit, and the said Company hereby covenants and agrees that a lien upon the materials on the premises adjacent to the canal and upon the machinery, trucks and other equipment of the Company shall exist in favor of the City to indemnify it from any and all damages and expenses in defending or paying claims which might result from acts of the Company and its officers and agents in carrying out the operations under this permit.
3. The licensee Company covenants and agrees to crush only wet rock and to use every facility to eliminate dust from its operations.
4. The licensee Company covenants and agrees to muffle all machines while in operation under the authority of this permit so as to reduce the noise made by them to such a minimum that it will not disturb residents of the Gables.
5. The licensee Company covenants and agrees not to operate on any Sunday, and that its operations on week days shall not begin prior to 8 A.M. and shall not continue after 6 P. M. and that these working hours shall be subject to change by written order of the City Manager in his discretion.
6. The licensee Company covenants and agrees not to maintain in Coral Gables any stock produced by operations hereunder in excess of 2,000 cubic yards.
7. The City retains the right to suspend the operations authorized hereunder and to revoke this permit at any time by written notice served upon an officer or agent of the Sunset Rock & Sand Company at or posted on the site of the work authorized hereby and the said company covenants and agrees to immediately suspend operations upon the receipt of such a notice or the posting of the said notice and within thirty (30) days of the date of the receipt or the posting of said notice to clear the property of the materials and equipment stored and used as result of the operations authorized hereby.
8. To guarantee the carrying out and performance of its obligations under this permit and as a condition precedent to the effectiveness of this permit, the Sunset Rock & Sand Co. shall furnish



to the City a surety bond in the amount of Five Thousand Dollars (\$5,000), or shall deposit with the City \$5,000 in cash or its equivalent in securities to be approved by the Director of Finance, the said bond and the said deposit to be conditioned upon the removal of all the material, stock, machinery and equipment within sixty (60) days from written notice by the City Manager, delivered or posted on the premises where the operations are being carried out, that this permit has been cancelled and upon the removal of said stock, materials, machinery and equipment within sixty (60) days after the cessation of work, and to further secure the covenants and agreements of the said company the City shall have a lien upon all stock, materials, machinery and equipment of the Company on the said premises to indemnify the City for any and all costs and expenses the City might be put to in executing the agreements of the said Company upon their failure to themselves fully perform all the agreements herein contained.

9. This permit is not transferrable.

Dated this the 24th day of June, 1940.

THE CITY OF CORAL GABLES

ACCEPTED:

SUNSET ROCK & SAND CO.

BY: \_\_\_\_\_  
City Manager

BY: \_\_\_\_\_  
President

BY: \_\_\_\_\_  
Secretary"

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 Phillips  
Rinehart  
Whitley  
Vice-Mayor O'Shaughnessy

The City Manager then discussed with the Commission the matter of pensions for temporarily retired employees, and it was decided that the City's present and temporary policy would be to continue such pensions where justified by the financial condition and need of the individual employee.

RESOLUTION NO. 2063

A RESOLUTION APPROVING A CERTAIN PLAT OF "UTILITIES CENTER" IN CENTRAL MIAMI PART SEVEN AND CENTRAL MIAMI SEABOARD SECTION; AND REQUESTING THE ACCEPTANCE AND APPROVAL OF SAID PLAT BY THE ENGINEER AND THE COMMISSION OF DADE COUNTY, FLORIDA.

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

That this Commission hereby accepts and approves



that certain plat by M. B. Garris, Civil and Consulting Engineer, dated June, 1940, known as "Utilities Center", being a re-plat of Block 139 and Blocks 157 to 166, both inclusive, of Central Miami Seaboard Section, and Blocks 141 to 149, inclusive, Central Miami Part Seven, and hereby authorizes the City Manager and the City Clerk to execute said plat for and on behalf of the City of Coral Gables; and respectfully requests the Engineer and the County Commission of Dade County, Florida, to accept, approve and record said plat.

was introduced and read.

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

RESOLUTION NO. 2064

APPROVING A PROPOSED SUPPLEMENTAL LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY; PROVIDING FOR THE REMOVAL OF THREE (3) 100 CP, WWUG TYPE, COMPANY OWNED STREET LIGHTS, AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH THE SAID STREET LIGHTS SHALL BE REMOVED; 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 SUPPLEMENTAL LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY.

BE IT RESOLVED BY THE 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 of Coral Gables, Florida, be and they are hereby authorized and directed to execute and enter into with Florida Power and Light Company the said proposed Supplemental Letter Agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

Coral Gables, Florida  
June 5, 1940

City of Coral Gables,  
Coral Gables, Florida.

Gentlemen:

This relates to that certain Municipal Street Lighting Agreement now in effect between us dated the 14th day of August, 1928, and to all supplementary and supplemental agreements thereto.

In view of the fact that Le Jeune Road is being widened and repaired, we hereby agree, at your request, that as of the day of 1940, the following described street lights may be permanently removed from service under the said Municipal Street Lighting Agreement:

*[Handwritten signature]*  
6/18/40



3 - 100 CP, WWUG Type, Company owned Street Lights, the same being Lights Nos. 219-1, 2 and 3, located on rock columns on Le Jeune Road, North of Majorca Avenue, Coral Gables, Florida.

It is understood and agreed that after the above described street lights have been removed from service, we will not bill you and you will not be required to pay for the operation of the said street lights.

It is further understood and agreed that except as expressly provided herein, the said Municipal Street Lighting Agreement, supplementary and supplemental agreements thereto, shall remain in full force and effect between us.

If you agree to the foregoing, kindly so indicate by causing this letter and the attached copies to be executed by your duly authorized officials, under your corporate seal, in the spaces provided below for that purpose.

We agree to the foregoing this day of \_\_\_\_\_, 1940.

CITY OF CORAL GABLES, FLA.

By \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED as to form and correctness this day of \_\_\_\_\_ 1940.

\_\_\_\_\_  
Attorney for City of Coral Gables, Fla.

Very truly yours,

FLORIDA POWER & LIGHT CO.

By \_\_\_\_\_  
Manager

ATTEST:

\_\_\_\_\_  
Assistant Secretary

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 Phillips  
Rinehart  
Whitley  
Vice Mayor O'Shaughnessy

RESOLUTION NO. 2065

A RESOLUTION APPROPRIATING THE SUM OF TWENTY-FIVE DOLLARS TO DEFRAY THE EXPENSES OF THE CITY ATTORNEY TO A CERTAIN MEETING AT ORLANDO.

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

That the sum of Twenty-five Dollars (\$25.00) be and the same is hereby appropriated from the Contingent Fund and from previously unappropriated and unanticipated revenues for the purpose of providing expenses of the City Attorney to the meeting of City Attorneys to be held in Orlando for the purpose of discussing the effect of the Murphy Act upon municipal tax liens.

was introduced and read.



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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice-Mayor O'Shaughnessy

RESOLUTION NO. 2066

A RESOLUTION EMPLOYING ATTORNEY  
D. H. REDFEARN AS ADVISORY COUNSEL  
IN THE MATTER OF PETITION IN THE  
U. S. COURTS FOR A COMPOSITION OF  
THE CITY'S DEBTS.

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

That Attorney D. H. Redfearn be and he hereby is employed as advisory counsel to assist the City Attorney in that capacity in the proceedings in the U. S. District Court under the "Municipal Bankruptcy Act" for a composition of the City's debts.

was introduced and read.

Motion for adoption by Commissioner Whitley; seconded by Commissioner Phillips. Mr. Rinehart stated that he was opposed to the employment on the ground that in view of the decisions of the Circuit Court of Appeals in the Homestead and Sanford cases the proceedings would not be of such difficult and serious nature to warrant the employment of additional counsel and the spending of the City's money for that purpose. The resolution was adopted by the following roll call:

"Yes" - Commissioners Phillips  
Whitley  
Vice-Mayor O'Shaughnessy

"No" - Commissioner Rinehart

AN ORDINANCE PROVIDING THAT SUBDIVISION PLATS, REPLATS, AND DEDICATIONS TO STREETS OR OTHER PUBLIC WAYS OR GROUNDS BE JOINTLY EXECUTED BY THE TITLE OWNER AND THE OWNERS OF ALL LIENS; REQUIRING THE FURNISHING OF SATISFACTORY EVIDENCE OF THE LIENS AND LIEN OWNERS; AND ESTABLISHING AS A PRE-REQUISITE TO ACCEPTANCE OF SUCH INSTRUMENTS BY THE CITY THE PAYMENT OF ALL CITY TAXES OR TAX SALE CERTIFICATES AFFECTED THEREBY.

and

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE" SO AS TO REQUIRE THE FILING OF CERTAIN FEES AND DEPOSITS BY APPLICANTS FOR AMENDMENT OR EXCEPTION FROM THE TERMS OF SAID ORDINANCE.



and

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE" AS TO CUBIC CONTENT REQUIREMENTS IN BLOCKS 98 AND 99, COUNTRY CLUB SECTION PART 5.

and

AN ORDINANCE GRANTING EXCEPTIONS TO THE REQUIREMENTS OF ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE" AS TO USE REQUIREMENTS FOR LOTS 39 TO 42; INCLUSIVE, BLOCK 1, INDUSTRIAL SECTION; AS TO SET BACKS ON LOTS 10, 11 AND 12, BLOCK 1, BILTMORE SECTION; AS TO CUBIC CONTENT REQUIREMENTS FOR LOTS 23 AND 24, BLOCK 31, COUNTRY CLUB SECTION PART 5, AS TO OUT BUILDINGS ON LOTS 15 AND 16, BLOCK 11, SECTION "C"; AND AS TO SET-BACKS ON LOTS 2 AND 3, BLOCK 14, SECTION "L".

which had been first read at the meeting of June 4, 1940, were read again in full. Motion for adoption of the ordinances by Commissioner Whitley; seconded by Commissioner Phillips. The ordinances were adopted by the following roll call:

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice Mayor O'Shaughnessy

Thereupon, Vice-Mayor O'Shaughnessy declared the ordinances adopted and approved, and ordered their publication as Nos. 364, 365, 366 and 367, respectively.

AN ORDINANCE RE-ENACTING ORDINANCE NO. 348 OF THE CITY OF CORAL GABLES, TEMPORARILY AMENDING THE BUILDING, PLUMBING AND ELECTRICAL PERMIT FEES OF THE CITY, AND EXTENDING ITS EFFECTIVENESS FOR THE PERIOD ENDING DECEMBER 31, 1940

was introduced and read by title on first reading.

Motion by Commissioner Whitley 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, and carried by the following roll call:

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice-Mayor O'Shaughnessy

Thereupon, the ordinance was read again in full.

Motion for adoption of the Ordinance by Commissioner Whitley; seconded by Commissioner Phillips. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice-Mayor O'Shaughnessy



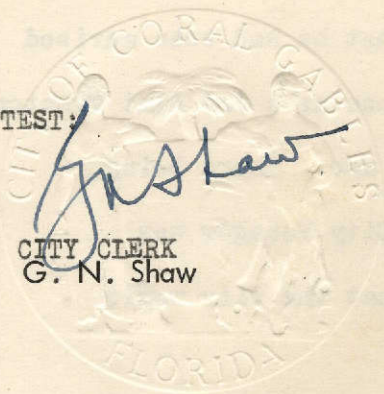
Vice-Mayor O'Shaughnessy then declared the ordinance adopted and approved, and ordered its publication as No. 368.

AN ORDINANCE AUTHORIZING THE EXECUTION OF CONTRACTS FOR THE PURCHASE OF CERTAIN AUTOMOBILES.

was introduced and read by title on first reading and carried forward to a later meeting for further consideration and action.

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

GNS  
6/18/40



MINUTES OF MEETING OF THE CITY COMMISSION  
ON JUNE 24, 1940

Pursuant to call of special meeting by Vice-Mayor O'Shaughnessy 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 Monday, June 24, 1940.

Vice-Mayor O'Shaughnessy in the Chair; Commissioners Phillips, Rinehart and Whitley present. Mayor McGarry absent on vacation.

The City Manager stated to the Commission that he had been advised of the possibility of the sale of the Coliseum for use as a Jai Alai Fronton, contingent upon the City's approval of the proposed use. There being no objection on the part of the Commissioners, the City Manager was instructed to advise Rodney Miller and Associates that the City would raise no objection in the matter.

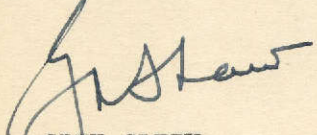
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:



MAYOR  
Paul D. McGarry

ATTEST:

  
CITY CLERK  
G. N. Shaw



## MINUTES OF MEETING OF JUNE 27, 1940

Pursuant to call of special meeting by Vice-Mayor O'Shaughnessy 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, June 27, 1940.

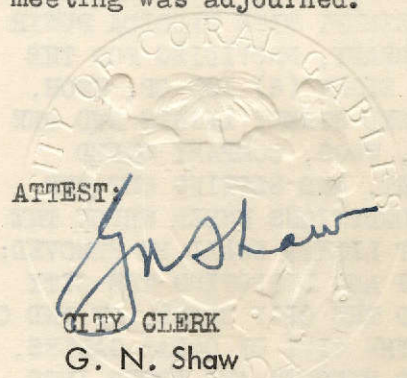
Vice-Mayor O'Shaughnessy in the Chair; Commissioners Phillips, Rinehart and Whitley present. Mayor McGarry absent from the City on vacation.

Also present, Carl L. V. Exselsen, Ira Haycock and D. H. Redfearn, Attorneys.

The Commission and the several attorneys discussed certain phases of the petition for the composition of the City's debts which had been filed on this date in the Federal Court.

Upon conclusion of the discussion, and there being no further business, 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 JULY 2, 1940

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 2, 1940.

Vice-Mayor O'Shaughnessy in the Chair; Commissioners Phillips, Rinehart and Whitley present. Mayor McGarry absent from the City on vacation.

The Commission recessed to proceed to the new Incinerator for an inspection of the plant, thereafter returning to the City Hall for further business.

A communication was received from Mr. Mark Erwin requesting permission to construct and operate a bar at the corner of Ponce de Leon Boulevard and Sidonia Avenue. The matter was held in suspense pending the return of Mayor McGarry.

RESOLUTION NO. 2067

APPROVING A PROPOSED SUPPLEMENTAL LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY, PROVIDING FOR THE REMOVAL OF EIGHT (8) 100 CP, WWOH, COMPANY OWNED STREET LIGHTS AND ONE (1) 100 CP, WWUG, COMPANY OWNED STREET LIGHT, AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH THE SAID STREET LIGHTS SHALL BE REMOVED; 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 SUPPLEMENTAL LETTER AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY.

BE IT RESOLVED BY THE 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 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 Supplemental Letter Agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

Coral Gables, Florida  
June 20, 1940

City of Coral Gables,  
Coral Gables, Florida

Gentlemen:

This relates to that certain Municipal Street



Lighting Agreement now in effect between us dated the 14th day of August, 1928, and to all supplementary and supplemental agreements thereto.

In view of the fact that you are widening and repairing some of your streets, we hereby agree, at your request, that as of the day of , 1940, the following described street lights may be permanently removed from service under the said Municipal Street Lighting Agreement:

8 - 100 CP, WWOH, Steel Pole, Mast Arm, Company owned Street Light Standards, which are now installed on Le Jeune Road between Bird Road and University Concourse;

1 - 100 CP, WWUG, Company owned Street Light Standard, now located in the circle in middle of Riviera Drive at Le Jeune Road.

It is understood and agreed that after the above described street lights have been removed from service, we will not bill you and you will not be required to pay for the operation of the said street lights.

It is further understood and agreed that except as expressly provided herein, the said Municipal Street Lighting Agreement, supplementary and supplemental agreements thereto, shall remain in full force and effect between us.

If you agree to the foregoing, kindly so indicate by causing this letter and the attached copies to be executed by your duly authorized officials, under your corporate seal, in the spaces provided below for that purpose.

Very truly yours,

FLORIDA POWER & LIGHT CO.

BY \_\_\_\_\_  
Manager

ATTEST:

\_\_\_\_\_  
Assistant Secretary

We agree to the foregoing this day of 1940.

CITY OF CORAL GABLES, FLA.

By \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED as to form and correctness this day of , 1940

\_\_\_\_\_  
Attorney for City of Coral Gables, Fla.

was introduced and read.

Motion for adoption by Commissioner Rinehart; seconded by Commissioner

7/2/40 *[Signature]*



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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice-Mayor O'Shaughnessy

RESOLUTION NO. 2068

A RESOLUTION MAKING APPROPRIATIONS FOR THE EXPENSE OF OPERATION OF THE CITY AND ITS INCOME PRODUCING PROPERTIES FOR THE PERIOD FROM JULY 1 UNTIL THE ADOPTION OF THE REGULAR ANNUAL APPROPRIATION ORDINANCE FOR THE FISCAL YEAR 1940-41.

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

That the sum of Twenty-five Thousand Dollars (\$25,000) be and the same is hereby appropriated from funds on hand and from any and all receipts applicable to the operation of the City for the purpose of providing for the necessary expenses of the City and its income producing utilities and properties for the period from July 1, 1940 to and until the adoption and effectiveness of the regular annual appropriation ordinance for the year 1940-41, the commitments and disbursements made under this temporary appropriation to be charged to the accounts of and to apply upon the appropriations of said regular appropriation ordinance when made.

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 Phillips  
Rinehart  
Whitley  
Vice Mayor O'Shaughnessy

RESOLUTION NO. 2069

*upon property*

A RESOLUTION AUTHORIZING THE PAYMENT TO BILTMORE VILLAGE, INC. OF ONE THOUSAND DOLLARS TO APPLY UPON THE UNPAID BALANCE OF THE PURCHASE PRICE OF THE INCINERATOR TRACT IN CONSIDERATION FOR A CERTAIN RELEASE.

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 hereby are authorized to pay to Biltmore Village, Inc. out of the remaining unpaid balance of the Nine Thousand Dollar (\$9,000) purchase price of the Incinerator Tract in Central Miami Seaboard Section and Part Seven, the sum of One Thousand Dollars (\$1,000) contingent upon the execution and delivery by Biltmore Village, Inc., J. J. Lamb, Inc. and J. J. Lamb, personally, of a full release and discharge of any and all claims by them arising out of the dumping or burning of refuse by the City on any of the property of said companies or the said J. J. Lamb, in Central Miami Section.



was introduced and read.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice Mayor O'Shaughnessy

RESOLUTION NO. 2070

A RESOLUTION REQUESTING THE COUNTY COMMISSION TO CONTINUE WESTWARD THE PARKING AND DEVELOPMENT OF BIRD ROAD.

WHEREAS, Dade County and the Works Progress Administration have created a beautiful and pleasing boulevard on Bird Road from the Miami Homestead Highway westward to Red Road, and the center parkway now existing in this road has proven an effective cure of the previous congested traffic on Bird Road during the rawing season; and,

WHEREAS, This Commission feels that Bird Road is of sufficient importance west of Red Road to Tropical Park Race Track to merit the continuation of this boulevard treatment to that point, not only for the purpose of further relieving traffic congestion but to secure a uniformly pleasing effect upon the many thousands of winter visitors who use this highway each season;

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

That this Commission recommends the creation of a center parkway in Bird Road from Red Road westward to Tropical Park Race Track, with planting and improvement similar to that existing east of Red Road, and respectfully urges that the Board of County Commissioners endeavor to find some means of carrying out the recommended extension of the boulevard treatment of this important thoroughfare.

2. That the City Clerk be and he hereby is instructed to cause copies of this resolution to be sent to each of the County Commissioners of Dade County, Florida.

was introduced and read.

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

RESOLUTION NO. 2071

A RESOLUTION EMPLOYING IRA C. HAYCOCK TO CONSULT AND ADVISE WITH THE CITY ATTORNEY IN THE BANKRUPTCY PROCEEDINGS, AND APPROPRIATING THE SUM OF TWO HUNDRED FIFTY DOLLARS (\$250) FOR THE RETAINER FEE FOR SUCH SERVICES.

WHEREAS, The proposed bankruptcy proceedings of The City of Coral Gables will probably be opposed as strenuously as possible by the creditors who have fought with us for several years; and,

WHEREAS, Ira C. Haycock, as City Attorney of the



City of Homestead has just completed a similar proceeding for that City, in which he won a favorable ruling by the Circuit Court of Appeals, and because of this experience his advice to the City Attorney would be most helpful;

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

1. That the City employ Ira C. Haycock to assist the City Attorney in consultation work only in the preparation of the pleadings and in the preparation of the testimony which will be presented to the Court for a retainer fee of \$250.00, and for such other fee not to exceed in all a total fee of \$500 as the City Commission and he may recommend at the end of the proceedings premised upon the consultation work found necessary and the results accomplished.

2. There is, hereby, appropriated the sum of Two Hundred Fifty (\$250.00) Dollars to pay the retainer fee.

was introduced and read.

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

"Yes" - Commissioners Phillips  
Whitley  
Vice Mayor O'Shaughnessy  
"No" - Commissioner Rinehart

Commissioner Rinehart stated that his vote of "No" was based upon the same objection previously expressed at the employment of Attorney D. H. Redfearn in this same case.

AN ORDINANCE AUTHORIZING THE EXECUTION OF CONTRACTS FOR THE PURCHASE OF CERTAIN AUTOMOBILES AND APPROPRIATING MONEY TO PAY FOR THE SAME.

which had been first read at the meeting of June 18, 1940, was read again in full.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice Mayor O'Shaughnessy

Thereupon, Vice Mayor O'Shaughnessy declared the ordinance adopted and approved, and ordered its publication as No. 369.

AN ORDINANCE REPEALING ORDINANCE NO. 327 OF THE CITY OF CORAL GABLES, ADOPTED SEPTEMBER 13, 1939, ENTITLED "AN ORDINANCE CLOSING MILLER ROAD AND ABANDONING IT AS A PUBLIC HIGHWAY BETWEEN RIVIERA DRIVE AND ORDUNA BOULEVARD, ETC."

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice Mayor O'Shaughnessy

Thereupon, the Ordinance was read again in full.

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

"Yes" - Commissioners Phillips  
Rinehart  
Whitley  
Vice Mayor O'Shaughnessy

Thereupon, Vice-Mayor O'Shaughnessy declared the ordinance adopted and approved and ordered its publication as No. 370.

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

ATTEST:

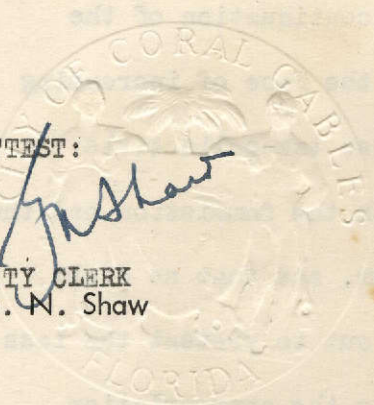
*G. W. Shaw*  
CITY CLERK  
G. W. Shaw

APPROVED:

*Paul D. McGarry*

MAYOR

Paul D. McGarry



7/2/40 *[Signature]*



MINUTES OF MEETING OF THE CITY COMMISSION  
ON JULY 8, 1940

Pursuant to requirement of City Charter and to published notices, the Commission of The City of Coral Gables convened in the City Hall at eleven o'clock A. M. on Monday, July 8, 1940, for the purpose of conducting public hearing upon the proposed appropriation ordinance for the fiscal year commencing July 1, 1940.

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

Mayor McGarry explained the purpose of the meeting, and requested a motion that the Commission resolve itself into a Committee of the Whole for the purpose of conducting the hearing. It was so moved, seconded and unanimously carried.

The Mayor inquired whether any were present to discuss the proposed Appropriations with the Commission. Mr. George A. Deitz complimented the Commission upon the progress made during the year just closing, and upon the proposed budget. He offered, however, objection to the continuation of the appropriation of \$25,000 to the University of Miami, in the face of increasing exemption for the account of that institution of otherwise tax-collectible property. Mayor McGarry explained to Mr. Deitz that both the Commission and the officials of the University were considering this problem, and that no doubt some mutually satisfactory arrangement could be worked out to prevent the loss to the City of necessary operating revenue in addition to the appropriation.

There being no others to comment upon the proposed budget, it was moved, seconded, and unanimously carried that the meeting as a Committee of the Whole be adjourned and that the Commission convene as such for the purpose of acting upon the proposed budget.

AN ORDINANCE MAKING APPROPRIATION FOR  
THE EXPENSE OF OPERATION OF THE CITY  
OF CORAL GABLES AND ITS INCOME PRODUC-  
ING PROPERTIES, AND FOR PAYMENTS UPON  
DEBT SERVICE FOR THE FISCAL YEAR  
COMMENCING JULY 1, 1940.

was read on first reading and carried forward to a later meeting for further consideration and action.



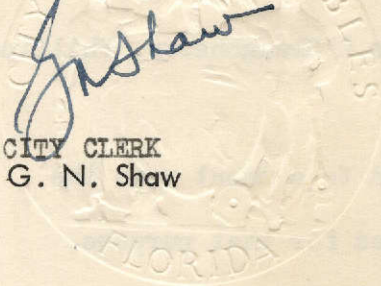
There being no further business, by unanimous consent the meeting was adjourned until eleven o'clock A. M. on Tuesday, July 9, 1940, in accordance with published notices.

APPROVED:

*James W. Garry*

MAYOR  
Paul D. McGarry

ATTEST:



CITY CLERK  
G. N. Shaw

*has*  
7/8/40



## MINUTES OF MEETING OF THE CITY COMMISSION

ON JULY 9, 1940

Pursuant to adjournment at the meeting of July 8, 1940, the Commission of The City of Coral Gables convened in the City Hall at 11:50 o'clock A. M. on Tuesday, July 9, 1940, as a Committee of the Whole to conduct the public hearings upon the proposed appropriation ordinance for the fiscal year 1940-41.

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

Mayor McGarry asked if any present wished to comment upon the proposed Appropriation Ordinance, but none appeared for that purpose.

Thereupon, it was moved, seconded and unanimously carried that the meeting as a Committee of the Whole be adjourned and that the Commission convene as such, for the purpose of acting upon the budget and any other necessary business.

Commissioner O'Shaughnessy moved that the proposed Appropriation Ordinance be amended in the following respects:

1. By the addition to the provision for the City Manager's Office of \$500.00 for additional salary for the City Manager and of \$300 for additional miscellaneous expenses, a total increase of \$800.00.
2. By the addition to the appropriations for the Finance Department of \$300.00 as additional salary for the Director of Finance.
3. By the addition of \$2,410 to the salary accounts of the Department of Public Safety to correct the provision therefor in accordance with the revised schedule of salaries and salary increases for the coming year.
4. By the insertion of a provision of \$600.00 for the purpose of providing new equipment for the Library.
5. By the deletion of the \$6,300 appropriation for tax discounts and allowances as an expense item, and as substitution therefor the showing of this item as a deduction from operating tax income.
6. By the addition to departmental incomes of the sum of \$2,000.00, representing miscellaneous service fees to be received from the University of Miami, Inc.



7. By the revision of the appropriation for Contingent Fund to read \$14,216.59.

8. By the elimination of the appropriation for Judgments and Agreements in the amount of \$29,903.81.

9. By the insertion of a provision in the debt service section of the budget of \$29,903.81 as a "Bond Purchase Fund" and by the insertion in the Appropriation Ordinance of a section to read "Section 4. The provision herein for "Bond Purchase Fund" shall be established in a special Fund of that name, and shall be held solely for the purpose of purchasing bonds or other evidences of indebtedness of The City of Coral Gables, at less than the par value thereof, and shall be expended for such purpose only upon and under the direction and order of the City Commission."

10. By the deletion of the tax discounts and allowances provision of \$6,467.66 in the debt service section of the budget and by the use of this item as a deduction from debt service taxes in the income portion of the debt service budget.

Motion for amendment seconded by Commissioner Phillips; and adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon,

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, 1940.

as amended, was read in full on second reading.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved and ordered its publication as No. 371.



## RESOLUTION NO. 2072

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

## RESOLUTION NO. 2073

A RESOLUTION RE-APPOINTING ROBERT PENTLAND, JR. AS CITY AUDITOR TO AUDIT THE ACCOUNTS OF THE FISCAL YEAR 1940-41.

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

That Robert Pentland, Jr. be and he hereby is re-appointed as City Auditor for the purpose of auditing the accounts and affairs of the operations of the City during the fiscal year ending June 30, 1941, at the salary fixed in the Budget for that year, for auditing services.

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 O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

## RESOLUTION NO. 2074

A RESOLUTION APPROPRIATING THE SUM OF SIX HUNDRED DOLLARS FOR THE REPAVING OF A PORTION OF ALHAMBRA CIRCLE AND THE SUM OF ONE HUNDRED FIFTY DOLLARS FOR THE IMPROVEMENT OF THE ROAD AND PARK AT GRANADA BOULEVARD AND BIRD ROAD.

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

That the sum of Seven Hundred Fifty Dollars (\$750.00)



be and the same is hereby appropriated from the funds derived from the City's Share of the County Road and Bridge millage for the purpose of:

(a) Providing \$600 for the expense of repaving the north side of Alhambra Circle from Le Jeune Road to Granada Boulevard;

(b) Providing \$150 for the continuation of the improvement of the road and park at Granada Boulevard and Bird Road.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry

AN ORDINANCE PROVIDING FOR THE CLEANING OF VACANT LOTS AND FOR THE LEVYING OF SPECIAL ASSESSMENTS AGAINST SAID LOTS FOR THE COST THEREOF.

was introduced and read by title on first reading and carried forward to a later meeting for further consideration and action.

RESOLUTION NO. 2075

A RESOLUTION APPOINTING H. B. JACKSON ASSISTANT DIRECTOR OF FINANCE AND AUTHORIZING AND EMPOWERING HIM TO PERFORM THE DUTIES OF THE OFFICE OF DIRECTOR OF FINANCE IN THE ABSENCE FROM THE CITY OF THAT OFFICER.

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

That H. B. Jackson be and he is hereby appointed Assistant Director of Finance and as such is hereby authorized and empowered to perform all of the duties and functions of the office of Director of Finance during the absence from the City of that officer, and particularly the signing of checks, drafts and notes of the City, in conjunction with the City Manager, and the release of collateral for the City's bank deposits.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Rinehart  
Whitley  
Mayor McGarry



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

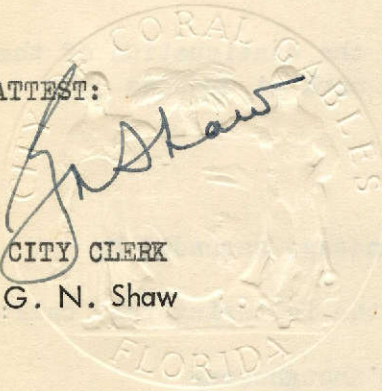
APPROVED:

*Paul D. McGarry*

MAYOR

Paul D. McGarry

ATTEST:



CITY CLERK

G. N. Shaw



MINUTES OF MEETING OF THE CITY COMMISSION  
ON JULY 11, 1940

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 9:45 o'clock A.M. on Thursday, July 11, 1940.

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

The minutes of the meetings of June 4, 11, 14, 18, 24, 27, July 2, 8 and 9, 1940, were read and approved.

RESOLUTION NO. 2076

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 Whitley; seconded by Commissioner O'Shaughnessy. The resolution was adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

The Mayor requested the City Manager to appoint a committee to prepare data supporting the necessity for F. H. A. loans in the Riviera Section, to be submitted by the Commission to F. H. A. authorities.

RESOLUTION NO. 2077

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS FROM THE CONTINGENT FUND TO THE APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC SAFETY.

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

That the sum of Three Hundred Dollars (\$300.00) be and the same is hereby appropriated from the Contingent Fund to the salary account of the Department of Public Safety for the purpose of providing an increase of Twenty-five Dollars (\$25.00) per month in the salary of the Director of that Department.

was introduced and read.



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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

RESOLUTION NO. 2078

A RESOLUTION APPROPRIATING THE SUM OF SIX HUNDRED DOLLARS (\$600.00) TO PROVIDE UNDERGROUND CABLES ON ALHAMBRA COURT.

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

That the sum of Six Hundred Dollars (\$600.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of providing a portion of the cost of placing an underground conduit for the present overhead wires on Alhambra Court.

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  
Whitley  
Mayor McGarry

RESOLUTION NO. 2079

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS FROM THE CONTINGENT FUND FOR THE PURPOSE OF PROVIDING A CARD INDEX OF THE MINUTES BOOKS OF THE CITY OF CORAL GABLES

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

That the sum of Three Hundred Dollars (\$300.00) be and the same is hereby appropriated from the Contingent Fund for the purpose of defraying the clerical and material costs of compiling a card index of the actions of the City Commission from the incorporation of the City to the present date.

was introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry



AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS TO SET-BACKS ON LOTS 16, 17, and 18, BLOCK 34, BILTMORE SECTION AND AS TO USE REQUIREMENTS ON LOT 2, BLOCK 6, CRAFTS SECTION.

and

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE" AS TO SET-BACKS ON UNIVERSITY DRIVE FROM BIRD TO BLUE ROADS; ON ALHAMBRA CIRCLE FROM SALVATIERRA DRIVE TO THE SOUTHERLY END OF ALHAMBRA COURT; AND ON MARIOLA COURT AND BIRD ROAD TO GRANADA BOULEVARD; ON WATERWAYS, AND AS TO SIDE YARD SET-BACKS GENERALLY.

were introduced and read.

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

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

Thereupon, the ordinances were read again in full.

Motion for adoption of the ordinances by Commissioner Phillips; seconded by Commissioner O'Shaughnessy. The ordinances were adopted by the following roll call:

"Yes" - Commissioners O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinances adopted and approved, and ordered their publication as Nos. 372 and 373, respectively.

Mayor McGarry and Commissioner O'Shaughnessy announced that they will leave immediately for their vacations, and asked to be excused from the further meetings of the Commission until their return to the City. Other Commissioners stated that their vacations might commence shortly, and by unanimous consent the Commission meeting was adjourned, and all regular meetings dispensed with until the first meeting date in September, 1940; subject, however, to call of special meeting for those Commissioners remaining in the City.

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 16, 1940

Pursuant to call of special meeting by Vice-Mayor O'Shaughnessy and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 9:30 o'clock A.M. on Tuesday, July 16, 1940.

Vice-Mayor O'Shaughnessy in the Chair; Commissioners Phillips and Whitley present. Also Present, Commissioner-elect Wallace A. Bell, City Attorney Adams, and Attorney J. F. McPherson.

Mr. McPherson presented to the Commission order of the Court in the case of the State of Florida, ex rel, Joe W. Whitley and Wallace A. Bell, Relators vs. Hollis Rinehart, Jr., Respondent. Upon the advice of the City Attorney, Vice-Mayor O'Shaughnessy ordered that the said Order, as recorded in Book 121, Page 197, of the Circuit Court minutes, be copied in full in the minutes of this meeting.

BOOK 121 PAGE 197

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF  
FLORIDA IN AND FOR DADE COUNTY.

STATE OF FLORIDA ex rel.,  
JOE W. WHITLEY,  
  
Relator,  
  
-vs-  
  
HOLLIS RINEHART, JR.,  
  
Respondent,  
  
and  
  
STATE OF FLORIDA ex rel.,  
WALLACE A. BELL,  
  
Relator,  
  
-vs-  
  
HOLLIS RINEHART, JR.,  
  
Respondent.

COMMON LAW - Nos. 18867 and 18868

JUDGMENT OF OUSTER

The foregoing captioned cases, consolidated for trial, having come on to be further heard,

IT IS ADJUDGED AND ORDERED that upon the election in question Joe.W. Whitley and Wallace A. Bell were and are lawfully elected Commissioners of The City of Coral Gables, the tenure of their offices being four and two years, respectively, from and after June 16th, A.D. 1939; and,

IT IS FURTHER ADJUDGED AND ORDERED that the Respondent, Hollis Rinehart, Jr., is guilty of usurping, holding and executing the office of



City Commissioner of The City of Coral Gables and is performing the duties, enjoying the privileges and receiving the emoluments thereof unlawfully; that the Respondent, Hollis Rinehart, Jr., was not elected to the office of City Commissioner of The City of Coral Gables for any term, and he is hereby ousted and excluded from said office of City Commissioner of The City of Coral Gables, from exercising any of the duties pertaining thereto, and from enjoying the privileges and receiving the emoluments thereof, and he is hereby ordered and directed forthwith to yield up said office; and

DONE AND ORDERED at Miami, Dade County, Florida, this 12th day of July, A.D. 1940.

---

Circuit Judge

The parties heretofore have agreed in open court that no action upon, or pursuant to, said judgment shall be by them taken, except in court, before Tuesday, July 16, 1940.

---

Circuit Judge

The oath of office was then administered to Commissioner-elect Wallace A. Bell and he took his place at the Commission Table.

There being no further business, the meeting was adjourned, and the Commission resumed the adjournment to the first meeting date in September, 1940, subject to call for special meeting.

ATTEST:

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

APPROVED:

*Paul D. McGarry*  
 MAYOR  
 Paul D. McGarry



MINUTES OF MEETING OF CITY COMMISSION  
ON AUGUST 2, 1940

Pursuant to call of special meeting by Acting Mayor Phillips,  
the Commission of The City of Coral Gables convened in special session  
at the City Hall at nine o'clock A.M. on Friday, August 2, 1940.

Acting Mayor Phillips in the Chair; Commissioners Bell  
and Whitley present. Mayor McGarry and Commissioner O'Shaughnessy  
absent from the City on vacation.

AN ORDINANCE AMENDING ORDINANCE  
NO. 271 OF THE CITY OF CORAL GABLES,  
KNOWN AS THE "ZONING ORDINANCE"  
AS TO SQUARE FEET REQUIREMENTS ON THE  
WEST SIDE OF FERDINAND STREET.

was introduced and read and carried forward to a later meeting for  
further consideration and action.

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

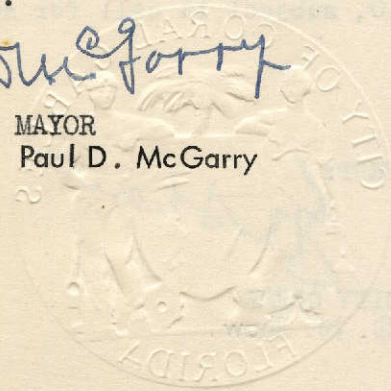
ATTEST:

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

APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry





MINUTES OF MEETING OF CITY COMMISSION  
ON AUGUST 12, 1940

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 nine o'clock A.M. on Monday, August 12, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

RESOLUTION NO. 2080

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

RESOLUTION NO. 2081

A RESOLUTION APPROPRIATING FOR AND AUTHORIZING A SURVEY OF THE EXISTING CANAL FROM UNIVERSITY CONCOURSE TO GRANADA BOULEVARD.

WHEREAS, The owners of certain land abutting upon the canal from University Concourse to Granada Boulevard have offered to exchange titles with the City, in order to secure title to the platted but undredged canal property and to secure to the City any portions of the existing canal contained within the property lines of said private property; and the Commission deems a survey necessary to determine the condition before the execution and acceptance of such deeds;

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

That the sum of Three Hundred Forty-six Dollars (\$346.00) be and the same is hereby appropriated from the Contingent Fund to appropriation code number 1645-5.6; and the City Manager be and he hereby is authorized to secure a survey of the existing canal between said streets.

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 Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry

Commissioner Whitley requested the Mayor to appoint a committee to investigate the possibility of the City's securing and developing the eighteen hole golf course in Country Club Section 5 and Riviera Section. Mayor McGarry appointed as such a committee, Commissioners O'Shaughnessy and Whitley and City Attorney Adams, With instructions to investigate the situation and report back to the Commission.

AN ORDINANCE PROVIDING THAT NO EMPLOYEE OF THE CITY OF CORAL GABLES SHALL BE ENTITLED TO COMPENSATION FOR WORK NOT PERFORMED, EXCEPT WHEN ABSENT ON LEAVE, AND PROVIDING THAT THE TERMS OF THIS ORDINANCE SHALL BE DEEMED A PART OF EVERY CONTRACT OF EMPLOYMENT BETWEEN THE CITY OF CORAL GABLES AND EACH EMPLOYEE THEREOF.

and

AN ORDINANCE REQUIRING ALL PERSONS INVOLVED IN ANY TRAFFIC ACCIDENT TO REPORT THE SAME TO THE POLICE AND PROVIDING A PENALTY FOR FAILURE TO SO REPORT ANY ACCIDENT.

and

AN ORDINANCE AMENDING ORDINANCE NO. 271, BEING 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; COMMONLY KNOWN AS THE "ZONING ORDINANCE" ADOPTED FEBRUARY 16, 1937, SO AS TO CHANGE THE BASIS OF MEASURING THE SIZE OF BUILDINGS FROM A CUBIC FOOT CONTENT UNIT TO A SQUARE FOOT AREA UNIT.

and

AN ORDINANCE AMENDING ORDINANCE NO. 369 BEING "AN ORDINANCE AUTHORIZING THE EXECUTION OF CONTRACTS FOR THE PURCHASE OF CERTAIN AUTOMOBILES AND APPROPRIATING MONIES TO PAY FOR THE SAME.

were introduced and read by title on first reading.

Motion by Commissioner Whitley 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 Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry



The Ordinances were then read again in full.

Motion for adoption of the Ordinances by Commissioner Whitley; seconded by Commissioner Phillips. The ordinances were adopted by the following roll call:

- "Yes" - Commissioners Bell
- O'Shaughnessy
- Phillips
- Whitley
- Mayor McGarry

Thereupon, Mayor McGarry declared the ordinances adopted and approved and ordered their publication as Nos. 374, 375, 376 and 377, respectively.

The City Manager reported to the Commission that the Country Club of Coral Gables had submitted a proposed lease and contracts covering the Country Club and Tennis Court property, and the privileges at the Golf Course and the Venetian Pool. The Commission inquired as to the necessary repairs to the Country Club building, and requested the City Manager to report back on this subject at the next meeting, deferring action upon the leases and contracts until that time.

RESOLUTION NO. 2082

A RESOLUTION REVOKING, AS TO THE NORTH-WESTERLY LINE OF LOT 34, SANS SOUCI ONLY, THE PLAT OF SANS SOUCI APPEARING IN PLAT BOOK 38, PAGE 51, AND ESTABLISHING AS THE NORTHWESTERLY LINE OF SAID LOT THE SAID LINE APPEARING IN PLAT BOOK 18, PAGE 29.

WHEREAS, The City has previously accepted a replat of Sans Souci which has been recorded in Plat Book 38, Page 51 of the public records of Dade County, Florida, and it now appears that thenorthwesterly line of Lot 34 of Sans Souci, being the line of that lot lying along the southeasterly side of the Ingraham Highway, lies within 2.2 feet of the wall of the residence on said lot and encroaches upon other portions of said lot, landscaped and walled in as a part of said property; and,

WHEREAS, The existence of this encroaching line is deterring the sale of said property and is and would be a nuisance and detriment to the owners and occupants of said residence;

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

That insofar as it relates to the northwesterly line of Lot 34, Sans Souci, the plat of said subdivision appearing in Plat Book 38, Page 51, be and the same is hereby revoked and amended, and the City hereby accepts and re-establishes as the northwesterly line, along the Ingraham Highway, of said lot, the boundary established and depicted in the plat of Sans Souci appearing in Plat Book 18, Page 29, of the Public Records of Dade County, Florida

was introduced and read.

*[Handwritten Signature]*  
8/12/40



Motion for adoption by Commissioner Whitley; seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

The City Manager reported to the Commission the desire of the Coral Gables Post #98, The American Legion, to secure the old Fire Station property, and suggested that the Legion might give as consideration the corner lot back of the new Public Safety building, which the City will need in the future for car inspection purposes. The Commission signified its willingness to approve such a transaction if it proved to be a possibility.

RESOLUTION NO. 2083

A RESOLUTION AUTHORIZING THE WAIVER OF INTEREST ON DELINQUENT TAXES ON CERTAIN LANDS IN CONSIDERATION FOR A DEED TO THE CANAL RIGHT-OF-WAY THROUGH SAID LANDS.

WHEREAS, The owner of Blocks 25, 25A, 26; and Lots 1 to 19, inclusive, and Lots 21 to 36, inclusive, Block 42, Riviera Section has offered to deed to the City the canal right-of-way through and affected by said property, in consideration for a reduction of the taxes against such property, and the Commission deems it advisable to secure the titles to said right-of-way;

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

That the Director of Finance be and he hereby is authorized to pay to the owner of Blocks 25, 25A and 26; and Lots 1 to 19, inclusive, and Lots 21 to 36, inclusive, Block 42, Riviera Section, the amount of interest upon the City-owned tax sale certificates thereon, when as and if the same are paid and redeemed to the City, in consideration for the execution by the owner of such property of a deed to the canal right-of-way running through and affected by it.

was introduced and read.

Motion by Commissioner O'Shaughnessy; seconded by Commissioner Bell.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

RESOLUTION NO. 2084

A RESOLUTION APPROPRIATING EXPENSES OF COMMISSIONERS OR OTHERS TO WASHINGTON IN CONNECTION WITH FHA LOANS AND WATER-WAY DEVELOPMENT.

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

That the sum of Three Hundred Dollars (\$300.00) be and the same is hereby appropriated from the Contingent Fund to



Appropriation Code No. 1645-5.6 for the purpose of defraying the expenses of Commissioners and others to Washington D.C. to confer with government officials upon the subjects of granting F.H.A. loans and of developing the Coral Gables Waterways; and the City Manager and any Commissioners remaining in the City during the vacation period be and they hereby are authorized to take such steps as they may deem necessary in connection therewith.

was introduced and read.

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

"yes" — Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

A petition by certain residents on Alberca Street requesting a fire hydrant and the opening of Alberca Street through to Marianna Avenue, was considered by the Commission, but placed in suspense for further consideration at a later meeting.

A communication from the Board of Supervising Architects, requesting the Commission to rule upon the question of permitting duplicate front elevations for houses or other buildings in Coral Gables, which duplications are forbidden by the Zoning Ordinance, but are requested by certain owners and builders. The Commission instructed the City Manager to advise the Board of Supervising Architects to observe the Ordinance and forbid the duplication of front elevations.

Thereupon, the Commission adjourned at 10:35 o'clock A.M. for one hour.

\*\*\*      \*\*\*      \*\*\*      \*\*\*      \*\*\*

Pursuant to adjournment at the meeting earlier on this same date, the Commission of The City of Coral Gables convened at the City Hall at 11:45 o'clock A.M. on Monday, August 12, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

RESOLUTION NO. 2085

A RESOLUTION ABOLISHING THE OFFICE OF DIRECTOR OF PUBLIC SAFETY AND PLACING THE SUPERVISION AND DIRECTION OF THE FIRE AND POLICE DEPARTMENTS IN THE CITY MANAGER.

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

Section 1. That, in the interest of economy, effective

*GWS*  
8/12/40



at once, the office of Director of Public Safety of The City of Coral Gables be and the same is hereby abolished and discontinued; and the supervision and direction of the Departments of Fire and Police, from this date forward, is placed in and charged upon the City Manager of The City of Coral Gables.

Section 2. That the salary of the present Director of Public Safety be and the same is hereby continued and authorized to be paid through October 15, 1940.

was introduced and read.

Motion for adoption by Commissioner Whitley; seconded by Commissioner Bell.

The resolution was adopted by unanimous vote.

RESOLUTION NO. 2086

A RESOLUTION ABOLISHING THE OFFICE AND POSITION OF MANAGER OF THE VENETIAN POOL AND PLACING THE RESPONSIBILITY FOR THE MANAGEMENT OF SAID PROPERTY DIRECTLY IN THE CITY MANAGER.

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

Section 1. That, in the interest of economy, effective at once, the office and position of Manager of the Venetian Pool be and the same is hereby abolished, and discontinued; and from this date forward the management and supervision of that property shall be directly in the hands of the City Manager.

Section 2. That the salary of the present Manager be and the same is hereby continued and authorized to be paid through October 15, 1940.

was introduced and read.

Motion for adoption by Commissioner Whitley; seconded by Commissioner Bell.

The resolution was adopted by unanimous vote.

RESOLUTION NO. 2087

A RESOLUTION ABOLISHING THE OFFICE OF DIRECTOR OF PLANNING.

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

Section 1. That, in the interest of economy, effective at once, the office of Director of Planning of The City of Coral Gables be and the same is hereby abolished; and from this date forward the City Manager, as ex-officio member of the Planning Board, shall be charged with and shall perform such administrative duties as may have heretofore been prescribed for the Director of Planning.

Section 2. That the City Manager and the Director of Finance be and they are hereby authorized to pay to the retiring Director of Planning, out of consideration for his long service, the sum of One Hundred Dollars (\$100.00) per month for the remainder of the current fiscal year, and to cancel and charge off any indebtedness, on account of salary advances, now owed by him to the City.



was introduced and read.

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

"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

Following a discussion of tax collection policies, it was decided to notify the Coral Gables Development Company that Resolution No. 1971 would be repealed unless taken advantage of by that Company, with the payment of a considerable amount of the 1937 and 1938 taxes owed by it, within a reasonable period; and the Mayor advised the Commission he would so notify the Coral Gables Development Company.

RESOLUTION NO. 2088

A RESOLUTION APPROPRIATING FOR THE EXPENSES OF THE CITY MANAGER TO THE NATIONAL CONVENTION OF CITY MANAGERS.

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 to Appropriation Code No. 1610-1.45 for the purpose of providing expenses of the City Manager to attend the Convention of the International City Managers' Association, to be held on September 22, 23, 24, 1940. EMW

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 Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

AN ORDINANCE AMENDING ORDINANCE NO. 271 OF THE CITY OF CORAL GABLES, KNOWN AS THE "ZONING ORDINANCE", AS TO SQUARE FEET REQUIREMENTS ON THE WEST SIDE OF FERDINAND STREET.

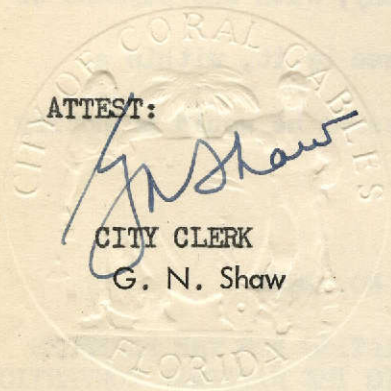
which had been first read at the meeting of August 2, 1940, was read again, in full. Motion for adoption of the Ordinance by Commissioner O'Shaughnessy, seconded by Commissioner Phillips. The Ordinance was adopted by the following roll call:



"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved,  
and ordered its publication as No. 378.

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



APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION ON  
SEPTEMBER 10, 1940

The Commission of The City of Coral Gables convened in special session at the City Hall at 5:25 o'clock P.M. on Tuesday, September 10, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

RESOLUTION NO. 2089

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 Phillips; seconded by Commissioner Whitley. The resolution was adopted by the following roll call:

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry

Mayor McGarry asked if anyone present had matters to be taken up with the Commission, and a delegation presented itself for the purpose of protesting the flood-lighting of the Venetian Pool, and the colored lighting of the DeSoto Plaza Fountain. Mr. Denman Fink, Mr. George Merrick, Mr. Willard Hubbell, Mr. E. F. P. Brigham, Dr. W. W. McKibben, spoke on the subject. Mr. Fink protested that the views of the Planning Board had not been secured on these matters. Mayor McGarry and Commissioner O'Shaughnessy replied to the delegation that the Commission had not known of the objection of the Planning Board, or that the Planning Board had not been consulted. Commissioner O'Shaughnessy moved that the City Manager call a meeting of the Planning Board for the purpose of getting the Board's ideas on the Venetian Pool, the Fountain, and other similar matters; motion seconded by Commissioner Phillips, and carried by unanimous vote.

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



Mr. Cross, of the Federal Water Survey Office, appeared to explain the necessity for a supplemental agreement and appropriation for the City's share of the water survey project. The original contract provided for payment of \$90,000, or one-half the total cost, by the cities of the area, 4% being allocated to Coral Gables. Progress on the work indicates the necessity for an additional \$30,000 of the cities' share, making the total cities' share \$120,000, and the 4% allocated to Coral Gables, \$4,800. Thereupon,

## RESOLUTION NO. 2090

A RESOLUTION AUTHORIZING THE CITY MANAGER AND THE CITY CLERK TO EXECUTE A CERTAIN SUPPLEMENTAL AGREEMENT PROVIDING FOR THE PAYMENT OF THE CITY'S SHARE OF CERTAIN COSTS OF A FEDERAL SURVEY OF WATER RESOURCES IN THIS AREA.

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

That the City Manager and the City Clerk be and they hereby are authorized to execute a supplemental agreement with the United States Geological Survey providing for the payment by the City of Coral Gables of its share of the cost of the survey now in progress, 4% of the following amounts and during the following periods:

July 1, 1940 to June 30, 1941 - - - - -	\$43,500
July 1, 1941 to June 30, 1942 - - - - -	28,000
July 1, 1942 to June 30, 1943 - - - - -	22,800

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 Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry

Dr. Horace Cartee appeared before the Commission to discuss his proposed resubdivision of Lot 58, Block 257, Riviera Section, and the so-called park lands adjoining said lots, now in his ownership and returned to the status of private property by foreclosure. The matter had been considered by the Zoning Board, together with a request for the reduction of square foot requirement on the property in question, but action had been deferred by the Zoning Board pending advice from the City Commission that it would approve the proposed resubdivision of the property. The Commission informed Dr. Cartee that it would approve the proposed resubdivision if it was shown to be agreeable to the property owners in the neighborhood.

Commissioner Whitley then introduced:



A RESOLUTION AMENDING PARAGRAPH TWO OF  
RESOLUTION NO. 2087 ADOPTED AUGUST 12, 1940  
ENTITLED: "A RESOLUTION ABOLISHING THE  
OFFICE OF DIRECTOR OF PLANNING."

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

That Paragraph Two (2) of Resolution No. 2087 heretofore  
adopted by the City Commission of The City of Coral Gables,  
Florida, be and the same is hereby amended to read as follows:

"Section 2. That the City Manager and the Director of  
Finance be and they are hereby authorized to pay to the  
retiring Director of Planning, out of consideration for his  
long service, the sum of Five Hundred Dollars (\$500.00), from  
which shall first be deducted any and all indebtedness on  
account of salary advances, or otherwise, now owed by the  
said Director of Planning to The City of Coral Gables, the  
balance, if any, to be paid to him immediately.

and moved its adoption; motion seconded by Commissioner Bell.

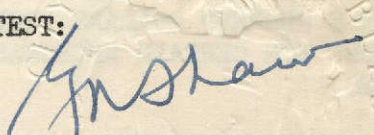
The resolution failed to carry, by the following roll call:

"Yes" - Commissioners Bell  
Whitley

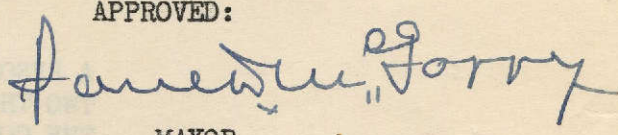
"No" - Commissioners O'Shaughnessy  
Phillips  
Mayor McGarry

Thereupon, by unanimous consent, the meeting was adjourned until  
four o'clock P.M. on Thursday, September 12, 1940.

ATTEST:

  
CITY CLERK  
G. N. Shaw

APPROVED:

  
MAYOR  
Paul D. McGarry



MINUTES OF ADJOURNED MEETING OF THE  
CITY COMMISSION ON SEPTEMBER 12, 1940.

Pursuant to adjournment at the meeting of September 10, 1940, the Commission of The City of Coral Gables convened in adjourned session at the City Hall at five o'clock P.M. on Thursday, September 12, 1940, after having sat as a Board of Equalization from four o'clock P.M. on that same date.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

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

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1940 AND ENDING JUNE 30, 1941; 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 placed on first reading and carried forward to a later meeting for further consideration and action.

RESOLUTION NO. 2091

A RESOLUTION APPROPRIATING THE SUM OF TWO THOUSAND, THREE HUNDRED DOLLARS FROM THE CONTINGENT FUND FOR CERTAIN NECESSARY MUNICIPAL PURPOSES.

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

That the sum of Two Thousand, Three Hundred Dollars (\$2,300.00) be and the same is hereby appropriated and transferred from the Contingent Fund to the appropriations set opposite the respective amounts and for the purposes shown below:

- (a) For placing an advertisement in the 1940 Convention Number of the Florida Municipal Record. Code 1690-9.22 \$200.00
- (b) To provide a publicity director at a salary of \$75.00 per month and to pay other expenses of the Publicity Department for the remainder of the fiscal year. Code 1690-9.23 \$1200.00
- (c) To install traffic light at the intersection of LeJeune Road and the Homestead Highway; and at LeJeune Road and University Drive. Code 1650-5.71 \$500.00
- (d) To provide the expenses of the City Manager and Commissioner O'Shaughnessy to Washington in connection with the proposed canal mouth improvement. Code 1645-5.6 \$400.00



was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry

The Commission discussed the intangible tax bill proposed by the Florida League of Municipalities, intended to return 20% of the tax to the cities on the basis of either comparative population or of the amount of taxes, collected within each municipal area, and instructed the City Clerk to write the Florida League of Municipalities that the City of Coral Gables favors the bill and prefers the latter method of distribution; that is: distribution upon the basis of the amount and location of the collection.

RESOLUTION NO. 2092

A RESOLUTION PETITIONING DADE COUNTY  
ZONING BOARD AND THE COUNTY COMMISSION  
TO REZONE THE WEST SIDE OF RED ROAD  
FROM SOUTHWEST EIGHTH STREET TO BIRD ROAD.

WHEREAS, A highly restricted residential area of The City of Coral Gables lies along and near Red Road from Southwest Eighth Street to Bird Road, and the increasing number of liquor stores, barbecue stands, and filling stations on the west side of Red Road in that area is becoming an obnoxious nuisance to the residents of that portion of Coral Gables and is seriously affecting the market value of lots and dwellings, and retarding the sale and erection of property on Red Road, Country Club Prado, and other nearby streets; and,

WHEREAS, This Commission is advised that additional applications have been made to the Dade County Zoning Board for permits for liquor stores and other small business places of the type now so plentiful on the west side of Red Road, and the Commission fears that the extension of this detrimental type of business and development will even more seriously affect the residential areas in the neighborhood;

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

That this Commission urgently requests the Dade County Zoning Board and the Dade County Commission to rezone the west side of Red Road from Southwest Eighth Street to Bird Road, so as to prohibit the further use of this area for liquor stores, filling stations, barbecue stands, and beer parlors, or any other business of a nature detrimental or obnoxious to neighboring residents.

BE IT FURTHER RESOLVED:

That certified copies of this resolution shall be forwarded by the City Clerk to the Secretary of the Dade County Zoning Board and the Clerk of the Dade County Commission.

was introduced and read.



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

The resolution was adopted by the following roll call:

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry

The Commission considered, but declined, an offer to sell to the City Lot A, Section "B" and Lot 4, Block 16, Section "B", for \$650 and \$500, respectively, suggested as being possible extensions of Avenue Obispo and Segovia Street, the Commission deeming the proposed extension not sufficiently necessary or advantageous to the residents of Coral Gables.

Requests by the Margaret Ann Market and the Coral Gables Federal Savings and Loan Association for the installation of drainage wells to take care of storm waters were referred to the City Manager, the Director of Finance, and the City Attorney for study and report to the Commission on the question of undertaking such wells as local improvements, chargeable against the benefitted property.

RESOLUTION NO. 2093

A RESOLUTION ACCEPTING DEDICATION OF LOT 1, BLOCK 4, AND LOT 1, OF BLOCK 13, OF THE FLAGLER STREET SECTION OF CORAL GABLES, FOR STREET AND HIGHWAY PURPOSES AND AUTHORIZING THE CANCELLATION OF OUTSTANDING TAX SALE CERTIFICATES AND TAX LIENS OWNED BY THE CITY OF CORAL GABLES IN RESPECT TO LOT 1, OF BLOCK 4, OF THE FLAGLER STREET SECTION; AUTHORIZING THE TAX ASSESSOR AND TAX COLLECTOR TO CANCEL THE CURRENT TAX ASSESSMENT FOR THE YEAR 1940, AND TO EXEMPT SAID PROPERTY FROM FUTURE TAX ASSESSMENT.

WHEREAS, By separate instruments of dedication Coral Gables, Inc., a Florida corporation, the owner of the property herein-after described, has dedicated to the free use of the public for street and highway purposes the following described property situated in Dade County, Florida, particularly described as follows, to-wit:

Lot One (1), of Block Four (4), and Lot One (1), of Block Thirteen (13), of the FLAGLER STREET SECTION of CORAL GABLES, according to a plat thereof recorded in Plat Book 10, at page 12, of the Public Records of Dade County, Florida; and,

WHEREAS, Both of said lots have been paved and have been used for street purposes since about the year 1927; and,

WHEREAS, It appears from the tax records of The City of Coral Gables that said Lot 1, of Block 13, of the Flagler Street Section, has never been assessed and there are no outstanding tax liens against the same; and,

WHEREAS, Lot 1, of Block 4, of the Flagler Street Section, has been assessed for taxes, and is currently assessed for the



year 1940, and The City of Coral Gables is now the owner and holder of certain outstanding tax sale certificates and tax liens against said lot; and,

WHEREAS, It appears wise and expedient and for the benefit of the public that said dedications aforementioned be accepted for the use of the public and that the above mentioned tax sale certificates and tax liens so held by The City of Coral Gables be forthwith cancelled, and that the above described property be no longer assessed;

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

(1) That the aforementioned dedications of the above property for street and highway purposes be and the same are hereby accepted by The City of Coral Gables for the free use of the public.

(2) That the Tax Collector of The City of Coral Gables is hereby authorized and instructed to cancel on the tax records of The City of Coral Gables the outstanding tax sale certificates and tax liens so held by The City of Coral Gables, and also to surrender said tax sale certificates for cancellation on the records of the Clerk of the Circuit Court of Dade County, Florida.

(3) That the Tax Assessor of The City of Coral Gables be and he is hereby authorized to cancel the tax assessment for the year 1940 against said Lot 1, of Block 4, of the Flagler Street Section of Coral Gables, and further, to cancel any tax which may be extended upon said 1940 tax assessment roll.

(4) That hereafter the said Lot 1, of Block 4, of the Flagler Street Section, shall no longer be assessed and shall be eliminated from all future tax assessment rolls of The City of Coral Gables, and that the property first above described shall not be assessed for taxation in the future.

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

RESOLUTION NO. 2094

A RESOLUTION RECOMMENDING ESTABLISHMENT OF A SCHOOL FOR THE MARINE, TANK AND AVIATION MACHINISTS AND MECHANICS.

WHEREAS, The United States is faced with a crisis in national defense requiring the immediate training of all citizens for service to our country in whatever capacities they are best fitted to served; and

WHEREAS, The need for machinists and mechanics to serve in the production and maintenance of air craft, tanks and small water craft is great and acute; and,



WHEREAS, Miami, Florida, and its waterfront, air craft terminals and repair shops, etc., offer a most highly desirable locality for the effective and intensive training of such machinists and mechanics by reason of the favorable climate suitable for year round activity in the open and its unlimited area of waterfront and flying fields and the University of Miami facilities; and

WHEREAS, the number of competent and patriotic young men suitable for such training and such service in the territory surrounding Miami is very great;

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

1. That we recommend to the President and Secretary of the Navy that a school for the Marine, Tank and Aviation Machinists and Mechanics be established in the Miami, Florida, area.

2. That a copy of this resolution be immediately mailed to the President, the Secretary of the Navy, the Hon. Charles O. Andrews and the Hon. Claude Pepper, U. S. Senators from Florida and the Hon. A. Pat Cannon, M.C. from the Fourth District of Florida.

was introduced and read.

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

The resolution was adopted by unanimous vote.

At the request of Mr. Willoughby Cox, the Commission considered and discussed the zoning exception made by Ordinance No. 367 as adopted June 18, 1940, concerning a proposed filling station on Lots 39 to 42, inclusive, Block 1, Industrial Section, and it was moved, seconded and unanimously carried that the limitation of 90 days for action under the exception made by the ordinance would be extended another thirty (30) days if necessary.

The Commission referred to the City Manager the question of permitting the University of Miami to have a bonfire celebration on Block 34, Crafts Section, with full power to the City Manager to grant or deny the request.

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE" AS TO THE FACING OF BUILDINGS ON LOTS 11 TO 13, COCONUT GROVE TERRACE, LOT 2, BLOCK 44, COUNTRY CLUB SECTION, LOTS 6 AND 7, BLOCK 13, DOUGLAS SECTION, LOT 10, BLOCK 25, GRANADA SECTION, LOT 11, BLOCK 73, GRANADA SECTION, LOTS 25 AND 26, BLOCK 9, SECTION "K"; AS TO SET BACKS ON LOT 9 AND A PART OF LOT 10, COCONUT GROVE TERRACE; LOTS 68 AND 69, BLOCK 50, COUNTRY CLUB SECTION; AS TO BUILDING AREA ON LOT 8, BLOCK 1, CORTEZ PLACE; AS TO GROUND AREA ON LOTS 1 TO 3, AND LOTS 6 TO 8, BLOCK 3B, McFARLANE HOMESTEAD.

and



AN ORDINANCE AUTHORIZING THE EXECUTION OF A CERTAIN CONTRACT BETWEEN COLISEUM, INC. AND THE CITY OF CORAL GABLES, BEING A SUPPLEMENTAL CONTRACT TO THE MORTGAGE ACCEPTED BY THE CITY FROM COLISEUM, INC. UNDER AUTHORITY OF ORDINANCE NO. 329.

and

AN ORDINANCE AMENDING ORDINANCE NO. 255 ENTITLED: "AN ORDINANCE REGULATING THE MANUFACTURE, DISTRIBUTION AND SALE OF BEVERAGES CONTAINING MORE THAN ONE PER CENTUM OF ALCOHOL; REGULATING THE ISSUANCE OF LICENSES FOR SUCH OCCUPATIONS; PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE; AND REPEALING EXISTING ORDINANCES IN CONFLICT WITH THE ORDINANCE" SO AS TO LIMIT THE NUMBER OF ALCOHOLIC BEVERAGE STORES IN PROPORTION TO THE POPULATION OF THE CITY.

and

AN ORDINANCE AMENDING PARAGRAPH TWO OF SECTION FOURTEEN OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS TO GASOLINE AND OIL FILLING STATIONS.

were placed on first reading and carried forward to a later meeting for further consideration and action.

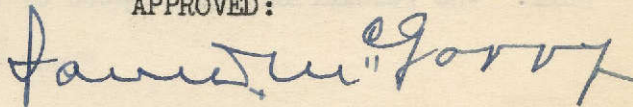
On motion by Commissioner Phillips, seconded by Commissioner Whitley, and unanimously carried, the City Manager was instructed to require from all builders on the Homestead Highway from LeJeune Road eastward to the City limits the filing of a deposit to provide for the installation by the City of screen planting, before the issuance of any permits for negro residences.

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 16, 1940

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 Monday, September 16, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

The minutes of the meetings of July 11, 16, August 2 and 12 were read and approved, except as to the zoning exceptions providing for a bakery on Ponce de Leon Boulevard between Andalusia and Valencia Avenues, which was deleted from those minutes.

## RESOLUTION NO. 2095

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 Phillips; seconded by Commissioner Bell. The resolution was adopted by the following roll call:

"Yes" — Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry

The City Attorney was instructed to draw an ordinance restricting the sale of fire-arms and of knives over a reasonable length, in order to prevent the continued sale of certain dangerous and defective fire-arms.

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

MAYOR



MINUTES OF MEETING OF THE CITY COMMISSION  
ON SEPTEMBER 17, 1940

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 17, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

Mr. John Ravlin appeared before the Commission requesting permission to place water lines on Avenue Santona westward from Ponce de Leon Boulevard in the parkways rather than in the street as is required by the City Manager. The City Manager reported that all utilities were being required to be placed in the easement or the streets, since placing them in the parkways caused a hazard of breakage by the City in parkway planting, and recommended that the policy be maintained. The matter was referred to the City Manager with power to act.

Mr. Larry Larson appeared in connection with a street map he is preparing, to be supported in part by paid advertisements, and requested the City's assistance in the project. The matter was referred to the City Manager for investigation and report.

The City Clerk discussed with the Commission the proposed use of the building on Lot 7, Block 15, Section "L" as a kindergarten, explaining that the present zoning requirements do not prohibit such use, and asking the Commission whether the zoning should be modified in view of the several complaints by neighbors on account of kindergartens in apartment areas. The Commission felt that in view of the proximity of the Coral Gables Elementary School in this particular case, there could be no objection to the use, and expressed its approval, contingent upon the approval of the Zoning Board.

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1940, AND ENDING JULY 1, 1941; 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 OF THE SEVERAL LEVIES.

which had been first read at the meeting of September 12, was read again in full.

Motion for adoption of the Ordinance by Commissioner O'Shaughnessy;



seconded by Commissioner Bell. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

Mayor McGarry then declared the Ordinance adopted and approved and ordered its publication as No. 379.

RESOLUTION NO. 2096

A RESOLUTION AUTHORIZING L.W.ROBINSON, JR., AS ASSISTANT TO THE CITY MANAGER, TO SIGN CHECKS AND DRAFTS OF THE CITY AS AN ALTERNATE TO THE CITY MANAGER.

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

That L. W. Robinson, Jr., Building Inspector and Assistant to the City Manager, be and he hereby is authorized to countersign checks and drafts of The City of Coral Gables as an alternate signature to that of the City Manager, A. B. Curry; and the depositories of the City be and they hereby are authorized to accept the alternate signature in lieu of the signature of City Manager A. B. Curry.

was introduced and read.

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

"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

RESOLUTION NO. 2097

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED THIRTY-EIGHT DOLLARS AND FORTY CENTS FROM THE CONTINGENT FUND FOR THE PURPOSE OF INSTALLING NEW LIGHTING IN THE CITY HALL.

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

That the sum of Three Hundred Thirty-eight Dollars and Forty Cents (\$338.40) be and the same is hereby appropriated from the Contingent Fund to the City Hall appropriation code No. 1620-4.17 for the purpose of installing modern and efficient lighting in the offices of the City Hall.

was introduced and read.

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



"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

## RESOLUTION NO. 2098

A RESOLUTION AUTHORIZING THE PAYMENT OF A  
 COMMISSION FOR THE SALE BY AGENTS OF  
 CERTAIN TAX SALE CERTIFICATES ON VACANT LAND.

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

That, for the purpose of inducing the sale of Tax Sale  
 Certificates upon vacant land, the Director of Finance be  
 and he hereby is authorized, during the period ending  
 September 30, 1940, to pay to agents securing the purchase  
 by others of Tax Sale Certificates for delinquent 1939 taxes  
 on vacant land the sum of 10% of the face value of said  
 certificates, plus the amount of the interest accrued and  
 collected upon them in such sale.

was introduced and read.

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

"Yes" -- Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

The City Attorney discussed with the Commission the matter of the  
 A. M. Bishop trial, and stated that the case might be settled by the reinstatement  
 of Mr. Bishop and the payment to him of the sum of \$250 plus the cost of  
 reporting the hearing of June 14. Commissioner Phillips moved that Mr. Bishop  
 be reinstated as of September 15, with \$50 back pay. The motion failed for  
 lack of a second.


A RESOLUTION REPEALING RESOLUTION NO. 1971,  
 ADOPTED OCTOBER 17, 1939, ENTITLED "A RESOLUTION  
 AUTHORIZING THE SALE OF TAX CERTIFICATES FOR THE  
 TAX YEARS 1937 AND 1938 IN AGGREGATE CUMULATIVE  
 AMOUNTS OF \$10,000 OR MORE AT THE AGGREGATE FACE  
 AMOUNT THEREOF WITHOUT INTEREST AND PENALTIES."

was introduced and read by Commissioner Whitley.

Motion for adoption by Commissioner Whitley; seconded by Commissioner  
 Bell. After a discussion of the terms of the resolution, it was unanimously  
 agreed to carry the matter forward to the next regular meeting.

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

9/16/40



MINUTES OF MEETING OF THE CITY COMMISSION

ON OCTOBER 1, 1940.

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 1, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips, and Whitley present.

The minutes of the meetings of September 10, 12, 16 and 17, 1940, were read and approved.

Mr. J. R. Halifax appeared to request the enforcement of the Bicycle Inspection and Registration Ordinance. The Commission instructed the City Manager and the City Clerk to report back on the cost of securing the necessary stationery and equipment for this purpose.

A communication was read from T. Grant Walker, requesting information on his dismissal from the City service. Motion that the matter be referred to the City Attorney failed for lack of a second. The Commission instructed the City Manager to talk to Mr. Walker concerning his and the department head's reasons for the action.

Questions concerning the title of the Library and Community House were referred to the Mayor and the City Manager for study.

RESOLUTION NO. 2099

A RESOLUTION APPROPRIATING THE SUM OF FIFTY DOLLARS FOR REPLACEMENT OF SALVADORE PARK EQUIPMENT.

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

*2099*

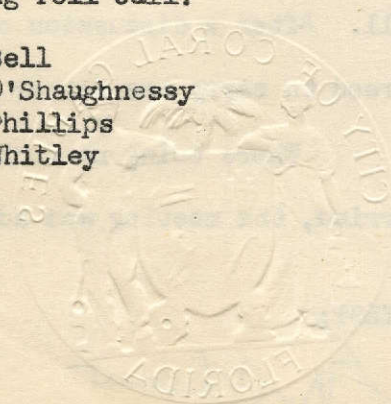
That the sum of Fifty Dollars (\$50.00) be and the same is hereby appropriated from the Contingent Fund to appropriation code 1661-4.1, for the purpose of replacing certain playground equipment stolen from Salvadore Park.

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry





## RESOLUTION NO. 2100

A RESOLUTION APPROVING AND ACCEPTING A REVISED PLAT OF LOT 30, COCONUT GROVE WAREHOUSE CENTER AND BLOCK 4B, McFARLANE HOMESTEAD SECTION.

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

That that certain plat entitled: "Revised Plat of Portions of Combined and Supplemental Map of McFarlane Homestead Plat and St. Albans Park (P.B. 5-81) and Amended Plat of Coconut Grove Warehouse Center (P.B. 25-66)" being a replat of Lot 30 Coconut Grove Warehouse Center and Block 4B, McFarlane Homestead Section, effecting a combination of said properties into one tract and eliminating the street heretofore separating them and the alley through said Block 4B, be and the same is hereby accepted and approved and made the basis for future assessment and taxation of said property.

was introduced and read.

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

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS TO THE FACING OF LOTS 11 TO 13, COCONUT GROVE TERRACE, LOT 2, BLOCK 44, COUNTRY CLUB SECTION, LOTS 6 AND 7, BLOCK 13, DOUGLAS SECTION, LOT 10, BLOCK 25, GRANADA SECTION, LOT 11, BLOCK 73, GRANADA SECTION, AND LOTS 25 AND 26, BLOCK 9, SECTION "K"; AS TO SET BACKS ON LOT 9 AND A PART OF LOT 10, COCONUT GROVE TERRACE, LOTS 68 AND 69, BLOCK 50, COUNTRY CLUB SECTION; AS TO BUILDING AREA OF LOT 8, BLOCK 1, CORTEZ PLACE; AND AS TO GROUND AREA ON LOTS 1 TO 3 AND 6 to 8, BLOCK 3B, McFARLANE HOMESTEAD.

which had been first read at the meeting of September 12, was read again in full.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 380.

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE, AS TO THE FACING OF LOTS 50 TO 52, COCONUT GROVE TERRACE; AND ON LOTS 1 AND 2, BLOCK 11, DOUGLAS SECTION; AS TO GROUND AREA ON LOT 1, BLOCK 6, AND LOT 18, BLOCK 5, GOLDEN GATE.



was introduced and read by title on first reading, and carried forward to a later meeting for further action.

AN ORDINANCE ESTABLISHING THE RATES OF LICENSE FEES FOR GENERAL AND SUB-CONTRACTORS AND AMENDING PORTIONS OF PREVIOUS ORDINANCES IN CONFLICT THEREWITH.

and

AN ORDINANCE AMENDING PARAGRAPH (f) OF SECTION 12 OF ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE, AS TO REQUIREMENTS FOR THE CONSTRUCTION OF DRIVEWAYS.

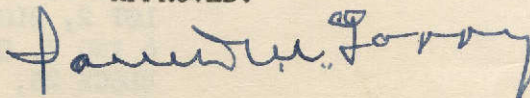
were read on first reading and carried forward to a later meeting for further consideration and action.

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

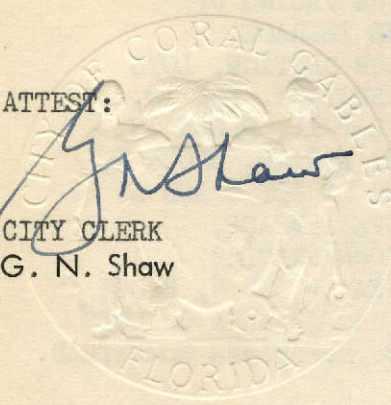
ATTEST:

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

APPROVED:



MAYOR  
Paul D. McGarry





MINUTES OF MEETING OF THE CITY COMMISSION  
ON OCTOBER 15, 1940

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 15, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

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

At the request of City Manager Curry, the Mayor appointed a committee consisting of the heads of all civic organizations, the City Manager and the Captain of Police, to study the traffic situation in the City, and to assist the City in securing a better observance of traffic rules.

RESOLUTION NO. 2101

A RESOLUTION APPROPRIATING THE SUM OF SEVENTY-FIVE DOLLARS TO DEFRAY THE EXPENSE OF COMMENCING THE ENFORCEMENT OF ORDINANCE NO. 350.

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

That for the purpose of providing necessary stationery and equipment to commence the operation and enforcement of Ordinance No. 350, directed at the registration and control of bicycles, the sum of Seventy-five Dollars (\$75.00) be and the same is hereby appropriated from the Contingent Fund to the appropriation of the Department of Public Safety, Code No. 1650-3.4.

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry

RESOLUTION NO. 2102

A RESOLUTION ORDERING LOCAL IMPROVEMENT NUMBER H-30.

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

That a local improvement described and designated



as follows shall be made under the provisions of Sections 61 to 79, inclusive, of the Charter of The City of Coral Gables.

IMPROVEMENT H-30. In Golden Gate Subdivision, all Lincoln Drive from southerly City line to Grand Avenue; all Jefferson Drive from Washington Drive to Lincoln Drive; all Grant Drive from Washington Drive to Lincoln Drive.

In McFarlane Homestead Subdivision, all of Florida Avenue from Miami Homestead Highway to Brooker Street; all of Frow Avenue from the Miami Homestead Highway to Brooker Street.

In McFarlane Homestead and Coconut Grove Warehouse Center Subdivisions: All of Oak Avenue from Miami Homestead Highway to Brooker Street; all of Brooker Street from Miami Homestead Highway to Grand Avenue.

In Coconut Grove Warehouse Center Subdivision: All of Industrial Avenue from Oak Avenue to Brooker Street; all of Short Avenue from Oak Avenue to Brooker Street.

All the above streets to be paved with six inch (6") lime rock base and primed with a 2/10 application of prime coat and sealed with 3/10 application of asphalt; necessary shoulders to be constructed on either side; all such pavement being eighteen feet (18') widths.

The property against which the special assessment for the cost thereof shall be made is hereby designated as Special Improvement District H-30.

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

RESOLUTION NO. 2103

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED SIXTY DOLLARS TO THE REAL ESTATE BOARD FOR ASSISTANCE IN ITS PUBLICITY PROGRAM.

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

That the sum of One Hundred Sixty Dollars (\$160.00) be and the same is hereby appropriated from the Contingent Fund to the appropriation for miscellaneous publicity, Code Number 1690-9.29, for payment to the Coral Gables Real Estate Board for the purpose of assisting in the publicity activities of that Board.

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry



AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE, AS TO THE FACING OF LOTS 50 TO 52, COCONUT GROVE TERRACE; AND ON LOTS 1 AND 2, BLOCK 11, DOUGLAS SECTION; AS TO GROUND AREA ON LOT 1, BLOCK 6, AND LOT 18, BLOCK 5, GOLDEN GATE.

which had been first read at the meeting of October 1, 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 Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 381.

The Clerk reported to the Commission that the Zoning Board had considered an application to be permitted to use the first store room east of Ponce de Leon Boulevard on the south side of Alhambra Circle, for the purpose of a new car sales and display room, with no service activities or storage of gasoline, parts, or accessories, and had ruled that no exception was necessary, but suggested that any business license to be issued should be restricted specifically to new car display and sales. The Commission confirmed the opinion and suggestion of the Zoning Board.

The Clerk further reported that the Zoning Board had examined the plans for, and authorized construction of, a three-car garage and second floor garage apartment behind the duplex on Lot 3 and the West 40 feet of Lot 4, Block 29, Country Club Section #2, on the ground that it had previously ruled, and the Commission had granted an exception to permit the use of said property as a duplex dwelling, and that the garage and garage apartment were necessary and advisable in connection with said duplex. The Commission confirmed the decision of the Zoning Board.

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 OCTOBER 22, 1940

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, October 22, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

City Clerk Shaw absent; and H. B. Jackson acting as deputy clerk.

## RESOLUTION NO. 2104

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 Whitley; seconded by Commissioner Phillips; The resolution was adopted by unanimous vote.

## RESOLUTION NO. 2105

A RESOLUTION ENDORSING THE PROPOSED OCEAN BEACH DEVELOPMENT AND THE BOND ISSUE THEREFOR.

WHEREAS, The Commission of The City of Coral Gables is convinced that the development of this area necessitates adequate public beach frontage and the development of parks in these beach areas for the use of our citizens and winter visitors; and,

WHEREAS, It is imperative that beach property for this purpose be secured before the rapid growth of communities along the ocean front makes impossible such acquisition within the means of the County;

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

That the Ocean Beach Development, as proposed by the Board of County Commissioners of Dade County, be and it is hereby endorsed by this Commission, together with the proposed Two Million Dollar (\$2,000,000.00) bond issue required to meet the cost of the beach lands and their development for recreational use.

was introduced and read.



Motion for adoption was moved, seconded and unanimously carried.

RESOLUTION NO. 2106

A RESOLUTION FAVORING AND REQUESTING  
THE ERECTION OF A NEW FLORIDA EAST  
COAST RAILWAY STATION IN THE CITY OF  
MIAMI, FLORIDA.

WHEREAS, The City of Miami, by its Resolution No. 13217, has requested the Railroad Commission of the State of Florida to hold formal hearings to determine whether or not the Seaboard Air Line Railway Company and the Florida East Coast Railway Company shall be required to provide a modern, joint or union depot within the City of Miami; and

WHEREAS, the Laws of the State of Florida empower the Railroad Commission to require two or more railroads entering the same town or city to erect, operate and maintain a joint passenger and/or a joint passenger and freight terminal or union depot; and,

WHEREAS, The City of Coral Gables is without railroad facilities other than those located in the City of Miami; and,

WHEREAS, Many hundreds of thousands of passengers from without the State of Florida visit the City of Coral Gables annually, using the railroad facilities of Miami, as well as the bus, air and steamship facilities; and,

WHEREAS, The City of Coral Gables is for that reason intensely interested in the establishment of railroad facilities within the City of Miami suitable and convenient to the handling of the great tourist traffic entering the City of Miami for the purpose of coming into and leaving the City of Coral Gables through the railroad terminals of the City of Miami; and,

WHEREAS, It is evident that the railroad terminal facilities in the City of Miami are entirely and in all respects inadequate to handle the great amount of passenger and freight business flowing through said terminals to the City of Miami, City of Miami Beach and the City of Coral Gables, and other cities in Dade County, Florida, served by the said terminals; and,

WHEREAS, It is likewise apparent that such terminals are badly located for the convenience of the general public who is using the same, and who is served by the same, and the duplication of facilities on the part of those terminals are confusing to the general public, and cause additional traffic hazards and inconvenience because of the duplication of all facilities at said terminals; and,

WHEREAS, It is the opinion of the Commission of The City of Coral Gables that public good and welfare, and the welfare of the inhabitants of the City of Coral Gables, and the many tourists visiting the same annually, could best be served by the erection and maintenance of a suitable new Florida East Coast Railway Station within the City of Miami at such point as would provide easy and convenient access to the public who use, and to a large extent depend upon, those facilities;

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

That the Commission of the City of Coral Gables join the City of Miami in its request to the Railroad Commission of the



State of Florida to require the Florida East Coast Railway Company to establish at a convenient designated point a new passenger and freight terminal station, with all the facilities, building and equipment necessary and convenient for the use of the members of the public of the cities of Coral Gables and Miami Beach as well as the members of the public of the City of Miami and adjoining cities served by the same facilities, and to relocate where necessary their tracks, yards and other facilities so as to place them in a suitable location and at a point which may be readily accessible to the citizens of those communities affected, and to the roads connecting the cities of the Miami area.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Railroad Commission of the State of Florida.

was introduced and read.

Motion for adoption moved, seconded and unanimously carried.

RESOLUTION NO. 2107

A RESOLUTION COMMENDING AND REQUESTING PUBLIC SUPPORT OF THE EFFORT TO ESTABLISH AN ARNOLD VOLPE MEMORIAL AUDITORIUM.

WHEREAS, The University of Miami and all Southeast Florida have suffered a tremendous loss in the passing of Dr. Arnold Volpe, distinguished musician, who worked so tirelessly for the development and growth of the University of Miami; and,

WHEREAS, Dr. Volpe, whose work was appreciated by the whole community, was universally beloved in University Circles, as well as the entire surrounding community of Greater Miami; and,

WHEREAS, The presence alone of Dr. Volpe, as conductor of the Symphony Orchestra, gave the orchestra standing that it would have striven for many years to attain without achieving under a less able man; and,

WHEREAS, Fitting tribute to him would be established with an endowment of \$500,000 or more at the University in the form of an Auditorium to further the work he loved and did so well; and,

WHEREAS, Effort is being made to secure contributions for such a memorial fund, to be used for such an auditorium of music at the University of Miami;

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

That the residents of the City of Coral Gables and the Greater Miami Area be urged to contribute towards this fund as well as cooperate with the Trust Fund Committee, composed of Mrs. H. Strongman Miller, Mr. George E. Merrick, and Mr. Paul D. McGarry, in securing sufficient money to make this Memorial Hall a reality and an addition to the facilities of the University of Miami; and,

BE IT FURTHER RESOLVED: That copies of this resolution be mailed to Mrs. Arnold Volpe, the Trust Fund Committee, and to the newspapers of the Greater Miami Area.

was introduced and read.

Motion for adoption moved, seconded and unanimously carried.



The Committee on the proposed bill boards reported the intention of the Chamber of Commerce to install eleven (11) boards on the Highway, and seventeen (17) boards in the Miami area, at a cost of Twenty-eight Hundred Dollars (\$2800.00), to be borne, One Thousand Dollars (\$1,000) by the Chamber of Commerce; Eight Hundred Dollars (\$800.00) by the merchants of the City; and One Thousand Dollars (\$1,000.00) by the City. Upon discussion, it was decided that the City's limited funds would prevent its participation to the above extent in this project, and its further contribution to other projects now scheduled, and it was decided to make an over-all appropriation to the Chamber of Commerce covering the City's contribution to all of the presently planned projects. Thereupon:

RESOLUTION NO. 2108

A RESOLUTION APPROPRIATING THE SUM OF ONE THOUSAND DOLLARS AS THE CITY'S PARTICIPATION IN CERTAIN PUBLICITY UNDERTAKINGS.

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 the appropriation for miscellaneous publicity, Code No. 1690-9.21 to be paid over to the Coral Gables Chamber of Commerce as the City's participation in the cost of the proposed poster board advertising, the Merchants Bureau Festival of Values, and the Coral Gables Orange Bowl Festival Float.

was introduced and read.

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

"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

RESOLUTION NO. 2109

A RESOLUTION APPROPRIATING SIXTEEN HUNDRED DOLLARS FROM THE CONTINGENT FUND TO PROVIDE TWO EXTRA POLICEMEN DURING THE WINTER SEASON.

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

That the sum of Sixteen Hundred Dollars (\$1600.00) be and the same is hereby appropriated from the Contingent Fund



to the appropriation for the Department of Public Safety, Code No. 1650-1.1, for the purpose of employing two extra policemen during the period from November 1, 1940 to April 1, 1941.

was introduced and read.

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

"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley

Mayor McGarry

RESOLUTION NO. 2110

A RESOLUTION PETITIONING THE DADE COUNTY ZONING BOARD AND THE DADE COUNTY COMMISSION TO DECLINE TO REZONE ANY PORTION OF THE WEST SIDE OF RED ROAD FROM SOUTHWEST EIGHTH STREET TO BIRD ROAD.

WHEREAS, On September 13, 1940, this Commission adopted a resolution requesting the rezoning of Red Road from Southwest Eighth Street to Bird Road, so as to prevent the occupation of that area by additional liquor stores, barbecue stands, filling stations, and other businesses of a similar obnoxious nature to the adjoining residential area, both in Coral Gables and unincorporated county area; and,

WHEREAS, The Dade County Zoning Board and the Dade County Commission acting upon this request, which was joined in by residents of the affected areas, effected such rezoning; and,

WHEREAS, This Commission is now informed that an application is before the County Zoning Board to again rezone a portion of this area for the purpose of making possible a permit for the operation of a liquor store and dance hall, and this Commission considers that further such development in the neighborhood will seriously affect the residential areas and retard residential building on nearby lots;

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

That this Commission urgently requests the Dade County Zoning Board and the Dade County Commission to decline the pending permit for rezoning to the original classifications on the west side of Red Road from Southwest Eighth Street to Bird Road, and to continue the present zoning so as to prohibit the further use of this area for liquor stores, filling stations, barbecue stands, beer parlors, dance hall,s or any other business similarly obnoxious or detrimental to neighboring residential areas.

BE IT FURTHER RESOLVED: That certified copies of this resolution shall be forwarded by the City Clerk to the Secretary of the Dade County Zoning Board and to the Clerk of the Dade County Commission.

was introduced and read; moved for adoption, seconded and unanimously carried.

Mayor McGarry then announced the appointment of a committee consisting of



Frank E. Bryant, Rodney Miller and City Manager A. B. Curry to study the Zoning Ordinance and recommend to the Commission changes which may improve the plan of zoning and related matters.

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

APPROVED:

*Paul D. McGarry*

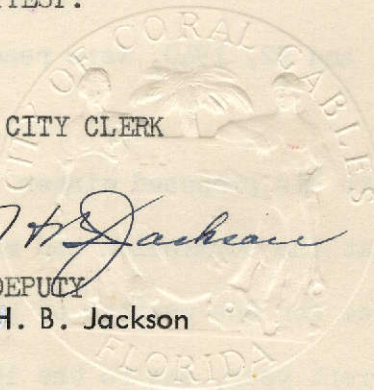
MAYOR  
Paul D. McGarry

ATTEST:

CITY CLERK

*H. B. Jackson*

DEPUTY  
H. B. Jackson





MINUTES OF MEETING OF THE CITY COMMISSION  
ON NOVEMBER 7, 1940

The regular meeting date having been on Tuesday, November 5, 1940, National Election Day, the meeting of that date was deferred by unanimous consent of the Commissioners, and in accordance therewith the Commission of The City of Coral Gables convened at the City Hall at five o'clock p.m. on Thursday, November 7, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

The minutes of the meetings of October 1, 15, and 22, 1940, were read and approved.

Mr. Warren Smith was present in connection with his proposed winter publicity program, but was advised by the Mayor that the Commission had made an over-all appropriation to the Chamber of Commerce for the purpose of providing the City's publicity activities for the current year, and to the limit of the City's financial ability for that purpose, and that any arrangement for the services of the firm of Warren Smith and Associates would have to be made by the Chamber of Commerce.

In connection with a communication from the Everglades National Park Park Association requesting financial assistance, the Clerk was instructed to advise that body that the City's present financial situation would not permit an appropriation for that purpose this year.

A communication from Dr. Horace L. Cartee, tendering his resignation as Chairman of the South of Bird Road Advisory Committee, was received. The resignation was regretfully accepted by the Commission, and the appointment of a successor was deferred.

Mayor McGarry issued a proclamation declaring Monday, November 11, a local holiday for the observance of Armistice Day, requesting all citizens and business establishments to take part in the observance.

The City Manager presented to the Commission plans for replatting Blocks 37, 39 and 40, Biltmore Addition Section. The Commission expressed its approval of the proposed replatting, and stated that it would accept and approve a replat thereof, provided the said replat, or a separate instrument, sets up an easement of five (5) feet in the rear portion of each of the lots, for the purpose of providing necessary utility company access for poles, pipe lines,



conduits, etc.

RESOLUTION NO. 2111

A RESOLUTION TRANSFERRING THREE HUNDRED TWENTY DOLLARS FROM THE APPROPRIATIONS FOR THE DEPARTMENT OF STREETS, SEWERS AND EQUIPMENT TO THOSE OF THE DEPARTMENT OF INSPECTION.

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

That the sum of Three Hundred Twenty Dollars (\$320.00) be and the same is hereby transferred from the appropriations for the Department of Streets, Sewers and Equipment, Code 1645-1.1, to the appropriations for the Department of Inspection, Code 1615-1.1, for the purpose of using surplus appropriations in the former department to provide salary adjustments in the latter department.

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

RESOLUTION NO. 2112

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED SEVENTY ONE DOLLARS FOR CERTAIN PURPOSES.

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

That the sum of One Hundred Seventy-one Dollars (\$171.00) be and the same is hereby appropriated from the Contingent Fund to the appropriations and for the purposes set forth opposite the respective amounts, as follows:

\$116.00 For the City's share of the cost of installing a fire hydrant at the intersection of Valencia and Segovia, on the east side of said intersection. Code 1650-5.84  
\$ 55.00 To defray certain of the expenses of the City Employees' Annual Dinner on November 11, 1940. Code 1683-2.1

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry



## RESOLUTION NO. 2113

A RESOLUTION AUTHORIZING THE REPURCHASE BY THE CITY OF CERTAIN TAX SALE CERTIFICATES ON LOTS IN BLOCK 86, BISCAYNE BAY SECTION PART ONE.

WHEREAS, All of Lot 1 and the major portion of Lots 2, 4, 5 and 6, Block 86, Biscayne Bay Section Part One have been excluded from the City by a court order, subsequent to the purchase by L. D. Breckenridge of City of Coral Gables Tax Sale Certificates thereon for the tax years 1926 to 1936, both inclusive, and said ouster has affected the right and ability of said L. D. Breckenridge to recover upon the said certificates; and,

WHEREAS, Both L. D. Breckenridge and The City of Coral Gables acted in good faith in the purchase and sale of said tax sale certificates, and this Commission considers it just and proper to protect said L. D. Breckenridge against the loss and expense to which he has been subjected to said subsequent court action;

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

That the Director of Finance be and he hereby is authorized to repurchase from L. D. Breckenridge the tax sale certificates or other evidences of tax liens for City of Coral Gables taxes held by him for the years 1926 to 1936, both inclusive, on the affected portions of Lots 1, 2, 4, 5 and 6, is hereby appropriated for that purpose the sum of One Hundred Eighty-four Dollars and twenty-seven cents (\$184.27) from previously unanticipated and unappropriated funds derived from the sale or redemption of delinquent taxes during the current fiscal year.

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 Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

## RESOLUTION NO. 2114

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE PROPER FEDERAL AUTHORITIES FOR A PERMIT TO DREDGE AND IMPROVE THE MOUTH OF THE CORAL GABLES WATERWAY.

WHEREAS, It will be necessary in the future to improve the Coral Gables Waterway so as to permit the safe entry of larger boats than at present; and,

WHEREAS, The Commission is now studying ways and means of providing said improvement and wishes to be assured that the plans can be carried out if the means of financing is discovered or devised;

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

That the City Manager be and he hereby is authorized to



apply to the proper agencies of the United States Government for a permit to dredge an entrance channel from the eight foot contour in Biscayne Bay to the existing system of waterways within the corporate limits of the City of Coral Gables, in accordance with the plan of said channel prepared by M. B. Garris, Civil and Consulting Engineer, under date of October , 1940.

was introduced and read.

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

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON KNOWINGLY TO OBSTRUCT OR OPPOSE ANY OFFICER OF THE CITY OF CORAL GABLES, OR OTHER LEGALLY AUTHORIZED PERSON, IN THE EXECUTION OF LEGAL PROCESS OR IN THE LAWFUL EXECUTION OF ANY LEGAL DUTY, OR KNOWINGLY GIVE FALSE OR UNTRUE OR MISLEADING INFORMATION UPON INQUIRY BY AN OFFICER OF THE CITY OF CORAL GABLES REGARDING THE WHEREABOUTS OR IDENTITY OF A PERSON FOR WHOM SAID OFFICER SHALL HAVE A WARRANT; PRESCRIBING A PENALTY FOR THE VIOLATION OF THE TERMS OF THIS ORDINANCE.

and

AN ORDINANCE FIXING THE TIME FOR CLOSING, IN RESIDENCES AND APARTMENT AREAS, OR DANCES OR OTHER PARTIES OR AFFAIRS IN WHICH IS INVOLVED MUSIC OR UNUSUAL NOISE OR DISTURBANCE.

and

AN ORDINANCE GRANTING AN EXCEPTION TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE, AS TO BUILDING AREA ON LOTS 1, 2, 42 and 43, BLOCK 10, BIETMORE SECTION.

were placed on first reading and carried forward to a later meeting for further consideration and action.

The Commission also considered recommendation by the Zoning Board that the exception made by Ordinance No. 381 as to facing on Lots 50, 51 and 52, Coconut Grove Terrace be amended so as to permit the construction of the proposed buildings on Lots 51 and 52, without Lot 50, but the Commission was of the opinion that their previous action in Ordinance No. 381 would permit this revision without further formal action.

AN ORDINANCE VACATING AND CLOSING THE TWENTY-FOOT ALLEY AS PLATTED THROUGH THE CENTER OF BLOCK 36 OF BILTMORE ADDITION OF CORAL GABLES.

was read by title on first reading.

Motion by Commissioner O'Shaughnessy 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 Whitley. The motion was carried by the following roll call:

"Yes" -- Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

The Ordinance was then read again in full.

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

"Yes" -- Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 382.

AN ORDINANCE ESTABLISHING THE RATES OF LICENSE FEES FOR GENERAL AND SUBCONTRACTORS, AND AMENDING PORTIONS OF PREVIOUS ORDINANCES IN CONFLICT THEREWITH.

and

AN ORDINANCE AMENDING PARAGRAPH (f) OF SECTION 12 OF ORDINANCE NO. 271, KNOWN AS THE ZONING ORDINANCE, AS TO REQUIREMENTS FOR THE CONSTRUCTION OF DRIVEWAYS.

which had been first read at the meeting of October 1, 1940, were read again in full.

Motion for adoption of the ordinances by Commissioner Phillips; seconded by Commissioner Bell. The ordinances were adopted by the following roll call:

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinances adopted and approved, and ordered their publication as Nos. 383 and 384, 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 NOVEMBER 19, 1940

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 19, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

The minutes of the meeting of November 7, 1940, were read and approved.

RESOLUTION NO. 2115

A RESOLUTION ACCEPTING AND APPROVING  
A REVISED PLAT OF BLOCKS 39 AND 40  
AND A PART OF BLOCK 37, BILTMORE  
ADDITION.

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

That that certain revised plat entitled: "A Re-subdivision of Blocks 39 and 40 and Lots 1 to 19 and 28 to 46, inclusive, Block 37, Coral Gables Biltmore Addition", prepared by Giersch Engineering Company under date of November, 1940, be and the same is hereby accepted and approved; and the Tax Assessor be and he hereby is instructed to assess the said property for taxation for future years in accordance with said replat.

was introduced and read.

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

RESOLUTION NO. 2116

A RESOLUTION AUTHORIZING AN EXCHANGE OF  
DEEDS TO CLARIFY THE CANAL RIGHT OF WAY  
SITUATION IN THE VICINITY OF BLOCKS 25,  
25A, 26 and a PORTION OF BLOCK 42, RIVIERA  
SECTION.

WHEREAS, The Riviera Waterway and Land Company is the owner of the fee simple title to the canal right-of-way between the westerly side of University Concourse and approximately the west line of Lot 9 of Block 42, of Riviera Section of Coral Gables, and has a claim of title to the said waterway from the westerly line of said Lot 9 on to the westerly line of Lots 17 and 36 of Block 42, Riviera Section, and a claim of title to the north one-half of the canal right-of-way from the westerly line of Lot 17, Block 42 to the westerly line of Block 25, Riviera Section, Coral Gables; and,

WHEREAS, The City of Coral Gables has a claim of title under the Coral Gables Rock Corporation to the above described portion of the right-of-way lying west of Lot 7 of Block 42, Riviera Section and has no title whatever to any of the right-of-way lying to the east of the west line of said Lot 7 to University Concourse; and,



WHEREAS, The said property owner has cleared the title and paid the taxes through the year 1939 upon all of the lots hereinabove mentioned in Blocks 42, 25, 25A and 26 of Riviera Section and sold the same to a prospective developer thereof; and,

WHEREAS, It is to the mutual interest of the City and this new property owner to release the City's cloud upon the undug portion of a part of the right-of-way and to convey its claim to the undug portion of the rest of the right-of-way hereinabove described in exchange for good title to the dug portion of the waterway; and,

WHEREAS, Deed from the said Riviera Waterway and Land Company has been tendered to the City, conveying by Special Warranty the dug portion of the said waterway as shown upon the Plat prepared by M. B. Garris, Civil Engineer, in August, 1940;

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

1. That the City Manager be, and he hereby is authorized and directed to accept the aforesaid Deed and in exchange therefor to deliver a Deed conveying to the said Riviera Waterway and Land Company the undug portion of the hereinabove described canal right-of-way.

2. That the Mayor and City Clerk be, and they are, hereby, authorized and directed to execute a Deed conveying the following described property to the Riviera Waterway and Land Company;

"All that portion of the Coral Gables Canal presently (August 1940) undug abutting upon Blocks 25, 25A and 26 of Riviera Section of Coral Gables, and upon Lots 1 to 19, and 21 to 36, both inclusive, of Block 42, of Riviera Section of Coral Gables, according to the plan thereof recorded among the Public Records of Dade County, Florida, including all riparian rights in and to said canal.

The purpose of this deed is to convey the title acquired by The City of Coral Gables from the Coral Gables Rock Corporation by deed dated November 24, 1939, and recorded in Deed Book 2015 at page 390 Public Records of Dade County, Florida, in and to the hereinabove described portion of the Coral Gables Canal."

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry



## RESOLUTION NO. 2117

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED TEN DOLLARS FOR CERTAIN PUBLICITY PURPOSES.

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

That the sum of One Hundred Ten Dollars (\$110.00) be and the same is hereby appropriated from the Contingent Fund for the purposes and in the respective amounts as follows:

To assist in the expense of exhibits during National Art Week. Code 1690-9.29	\$ 10.00
To provide a luncheon for the National Association of Railroad and Utility Commissioners. Code 1690-9.29	100.00

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 Bell  
O'Shaughnessy  
Phillips  
Mayor McGarry

"No" - Commissioner Whitley

Commissioner Whitley voting "No" as to the National Art Week appropriation; "Yes" - as to the other appropriation.

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON KNOWINGLY TO OBSTRUCT OR OPPOSE ANY OFFICER OF THE CITY OF CORAL GABLES, OR OTHER LEGALLY AUTHORIZED PERSON, IN THE EXECUTION OF LEGAL PROCESS OR IN THE LAWFUL EXECUTION OF ANY LEGAL DUTY, OR KNOWINGLY GIVE FALSE OR UNTRUE OR MISLEADING INFORMATION UPON INQUIRY BY AN OFFICER OF THE CITY OF CORAL GABLES REGARDING THE WHEREABOUTS OR IDENTITY OF A PERSON FOR WHOM SAID OFFICER SHALL HAVE A WARRANT; PRESCRIBING A PENALTY FOR THE VIOLATION OF THE TERMS OF THIS ORDINANCE.

which had been first read at the meeting of November 7, 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 Bell  
O'Shaughnessy  
Phillips  
Rinehart  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 385.



AN ORDINANCE GRANTING AN EXCEPTION TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS TO BUILDING AREA ON LOTS 1, 2, 42 AND 43, BLOCK 10, BILTMORE SECTION.

which had been first read at the meeting of November 7, was read again in full.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved and ordered its publication as No. 386.

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO BUILDING AREA IN BLOCKS 29 AND 31, BILTMORE SECTION, AND BLOCKS 36 TO 41, BILTMORE ADDITION SECTION.

was introduced and read on first reading, and carried forward to a later meeting for further consideration and action.

The Clerk reported that the Zoning Board had considered an application to proceed under the terms of Ordinances Nos. 283 and 301 which had authorized certain deviations from the Zoning Ordinance, but which are now considered by the Inspection Department to be in suspense because of the ninety-day limitation policy adopted by the Commission, and had recommended that the uses provided by these ordinances be allowed and the necessary construction be permitted at this time. The Commission concurred with the Zoning Board, but felt that no additional formal action would be necessary at this time; and authorized the Inspection Department to issue the necessary permits.

The Mayor issued a proclamation requesting the observance, by the people of Coral Gables, of National Art Week, November 25 to December 1, 1940.

The City Manager reported to the Commission that the cost of the traffic light installation at the intersection of Coral Way, Biltmore Way, and LeJeune Road would approximate One Thousand Dollars (\$1,000.00). In view of the limited contingent funds, it was decided that the matter would be deferred until the next annual budget.

The Mayor appointed a committee consisting of Commissioners O'Shaughnessy and Bell, and the Director of Finance, to study the matter of



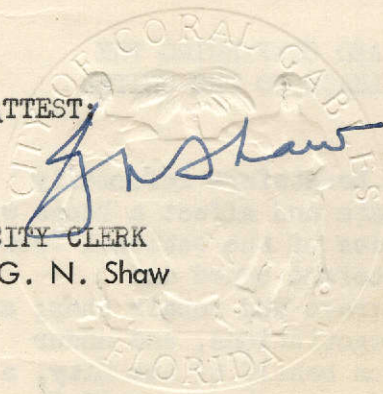
pensions and retirement funds for City Employees, and to report and make recommendations to the Commission.

The Mayor, with the consent of the Commissioners, appointed as a committee to investigate valuations of the utility properties within the City: City Manager Curry, Commissioner Phillips, and Director of Finance Shaw.

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

ATTEST

CITY CLERK  
G. N. Shaw



APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION  
ON DECEMBER 3, 1940

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 3, 1940.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

The minutes of the meeting of November 19, 1940 were read and approved.

RESOLUTION NO. 2118

A RESOLUTION RATIFYING AND CONFIRMING THE EXECUTION OF A CERTAIN LEASE TO THE UNITED STATES GOVERNMENT.

WHEREAS, The Commission has heretofore informally authorized the City Manager to negotiate and effect a lease with the Federal Government, for the purposes of the National Youth Administration, of that property heretofore owned and occupied by the City as a municipal garage and repair shop; and the City Manager has completed said negotiations, and under date of November 20, 1940, executed, on behalf of the City, a lease of such property upon terms conforming to the said informal authorization;

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

That the act of the City Manager in executing that certain lease dated November 20, 1940, from The City of Coral Gables to the United States of America covering Blocks 12 and 14, Industrial Section for a consideration of \$2,500 per year, payable monthly, for the term ending June 30, 1941, and thereafter renewable from year to year, be and the same is hereby ratified, approved and confirmed.

was introduced and read.

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

- "Yes" - Commissioners Bell
- O'Shaughnessy
- Phillips
- Whitley
- Mayor McGarry

RESOLUTION NO. 2119

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED DOLLARS FROM THE CONTINGENT FUND FOR CERTAIN SPECIFIC PURPOSES.

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

That the sum of Three Hundred Dollars (\$300.00) be and the same is hereby appropriated from the Contingent fund to the Departments and accounts set opposite the respective amounts below, for the following purposes:

1. For rental of privileges for police pistol practice at the Flamingo Pistol Range.
 

Code 1650-9.1	\$100.00
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2. For the City's share in the cost of a float for parade at the inauguration of Governor-Elect Holland. Code 1690-9.5 \$100.00
3. To provide trophies for the Air Races to be held by the City of Miami in January, 1941. Code 1690-9.5 100.00

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 Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

RESOLUTION NO. 2120

A RESOLUTION APPROPRIATING THE SUM OF THREE THOUSAND DOLLARS FROM THE CITY'S SHARE OF COUNTY ROAD AND BRIDGE MILLAGE FOR STREET PURPOSES.

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

That the sum of Three Thousand Dollars (\$3,000.00) be and the same is hereby appropriated from the funds on hand or to be received from the City's share of County Road and Bridge Millage for the purpose of making necessary repairs to certain Coral Gables thoroughfares; and the City Manager be and he hereby is authorized to undertake such street work as may be necessary and possible, in his judgment, within the limits of this appropriation.

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 Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

RESOLUTION NO. 2121

A RESOLUTION AUTHORIZING AN ADJUSTMENT OF DELINQUENT TAXES ON CERTAIN LOTS IN BLOCK 22, FLAGLER SECTION.

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

That the Director of Finance be and he hereby is authorized to accept as full payment of taxes for the years 1937 through 1940, on Lots 34 to 46, inclusive, and Lot 50, Block 22,



Flagler Section, the amount of \$529.20, being the amount of debt service taxes for the year 1937; the face amount, without interest, for the years 1938 and 1939, and the amount as assessed, less applicable discount, for the year 1940.

was introduced and read.

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

- "Yes" - Commissioners Bell
- O'Shaughnessy
- Phillips
- Whitley
- Mayor McGarry

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO BUILDING AREA IN BLOCKS 29 AND 31, BILTMORE SECTION AND BLOCKS 36 TO 41, INCLUSIVE, BILTMORE ADDITION

which had been first read at the meeting of November 19 was read again in full.

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

- "Yes" - Commissioners Bell
- O'Shaughnessy
- Phillips
- Whitley
- Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved, and ordered its publication as No. 387.

AN ORDINANCE CHANGING THE NAME OF GASCA COURT TO TOLEDO PLAZA.

was read by title on first reading and carried forward to a later meeting for further consideration and action.

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO BUILDING AREA REQUIREMENTS IN BLOCK 32, BILTMORE SECTION AND THE NORTH HALF OF BLOCKS 114 AND 115, COUNTRY CLUB SECTION PART SIX; AND IN BLOCKS 109, 110, 113, 114, 117, 118, 121 AND 122, RIVIERA SECTION.

was read by title on first reading and carried forward to a later meeting for further consideration and action.

Mr. F. Wingfield Webster discussed with the Commission a property owned by him in the colored subdivisions on which the Assessor had assessed one of the houses on the basis of a duplex dwelling, whereas in reality it is a single family dwelling. The matter was referred to the Tax Assessor

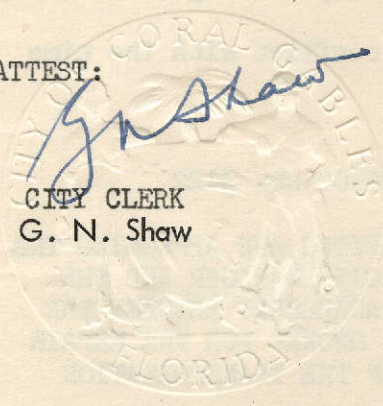


for correction, with the request that he report to the Commission his recommendation for adjustment of the assessed value.

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

ATTEST:

CITY CLERK  
G. N. Shaw



APPROVED:

*Paul D. McGarry*

MAYOR  
Paul D. McGarry



MINUTES OF MEETING OF THE CITY COMMISSION  
ON DECEMBER 18, 1940

The Commission of The City of Coral Gables convened in regular session at the City Hall at five o'clock P.M. on Wednesday, December 18, 1940, this date having been substituted for Tuesday, December 17, the regular meeting date, due to the suspension of that meeting as in conflict with the time of the funeral of Clarence T. Francis.

RESOLUTION NO. 2122

A RESOLUTION RATIFYING AND APPROVING THE EXECUTION BY THE CITY MANAGER AND THE CITY CLERK OF AN AGREEMENT BETWEEN THE CITY AND HARRY M. SMOKER FOR THE REPAIR AND MAINTENANCE OF THE TRANSPORTATION SYSTEM BUSESSES.

WHEREAS, Under previous informal authority of the City Commission, the City Manager has arranged for the repair and maintenance of the busses of the Transportation System, and has entered into an agreement for such maintenance and repair for the period commencing December 1, 1940 and ending June 30, 1941, at a consideration on the basis of Ten Thousand Dollars (\$10,000.00) per annum;

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

That the action of the City Manager and the City Clerk in executing that certain agreement dated November 30, 1940, between Harry M. Smoker, doing business under the name of Smoker's Garage, and The City of Coral Gables, for the repair and maintenance of the busses of the Transportation System, be and the same is hereby ratified and approved, and the said contract is hereby accepted and approved by the City Commission.

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Whitley  
Mayor McGarry  
Absent - Commissioner Phillips

RESOLUTION NO. 2123

A RESOLUTION APPROPRIATING THE SUM OF TWENTY-FIVE DOLLARS FOR REMUNERATION FOR A SUBSTITUTE MUNICIPAL JUDGE.

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

That the sum of Twenty-five Dollars (\$25.00) be and the same is hereby appropriated from the Contingent Fund to Code No. 1651-1.1 to pay the fee for remuneration of Andrew T. Healey for service as a substitute Judge in a certain case in which Judge Tom C. Mayes was disqualified.

was introduced and read.



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

"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Whitley  
 Mayor McGarry  
 Absent- Commissioner Phillips

RESOLUTION NO. 2124

A RESOLUTION CONSENTING TO THE ESTABLISHMENT OF HARBOR LINES BY THE UNITED STATES ENGINEERING DEPARTMENT IN THAT PORTION OF BISCAYNE BAY LYING WITHIN THE LIMITS OF THE CITY OF CORAL GABLES, FLORIDA:

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

That the City Manager be and he hereby is authorized to notify the United States Engineering Office of the consent of the City Commission to the establishment of harbor lines and port limits in that portion of Biscayne Bay lying within the limits of the City of Coral Gables.

was introduced and read.

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

RESOLUTION NO. 2125

A RESOLUTION EXPRESSING THE GRIEF OF THE COMMISSION IN THE DEATH OF CLARENCE TAYLOR FRANCIS AND OFFERING ITS SYMPATHY TO HIS FAMILY.

WHEREAS, Clarence Taylor Francis departed this life on December 15, 1940, after a long and active period as a progressive and constructive citizen and civic leader of the City of Coral Gables; and,

WHEREAS, His numerous friends and the City generally will keenly feel his loss and his interested participation in all undertakings;

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

That this Commission, on behalf of its members and the people of The City of Coral Gables, does hereby express its deep and sincere regret at the passing of Clarence Taylor Francis, and expresses its sympathy to the members of his bereaved family; and the City Clerk be and he is hereby instructed to send a copy of this resolution to the widow.

was introduced and read.

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

The question of proper regulations of weights and measures was referred to the City Attorney for report and recommendations.



A proposed letter agreement between the Miami Beach Railway Company and The City of Coral Gables, terminating the lease by the City to the said Company of the Flagler Street Line, was referred to the City Attorney for study and report.

Commissioner O'Shaughnessy offered a resolution appropriating \$1,500.00 to the Fairchild Tropical Gardens, but action upon it was deferred until a full Commission could be present.

The following ordinances:

AN ORDINANCE CHANGING THE NAME  
OF GASCA COURT TO TOLEDO PLAZA

and

AN ORDINANCE AMENDING ORDINANCE  
NO. 271, ADOPTED FEBRUARY 16, 1937,  
KNOWN AS THE "ZONING ORDINANCE",  
AS TO BUILDING AREA REQUIREMENTS IN  
BLOCK 32, BILTMORE SECTION AND THE  
NORTH HALF OF BLOCKS 114, AND 115,  
COUNTRY CLUB SECTION PART SIX; AND  
IN BLOCKS 109, 110, 113, 114, 117,  
118, 121 AND 122, RIVIERA SECTION.

which had been first read at the meeting of December 3, 1940; and

AN ORDINANCE AMENDING ORDINANCE NO.  
255, ENTITLED: " AN ORDINANCE REGULAT-  
ING THE MANUFACTURE, DISTRIBUTION AND  
SALE OF BEVERAGES CONTAINING MORE THAN  
ONE PERCENTUM OF ALCOHOL; REGULATING  
THE ISSUANCE OF LICENSES FOR SUCH  
OCCUPATIONS; PROVIDING PENALTIES FOR  
THE VIOLATION OF THE ORDINANCE; AND  
REPEALING EXISTING ORDINANCE IN CONFLICT  
WITH THE ORDINANCES" SO AS TO LIMIT THE  
NUMBER OF ALCOHOLIC BEVERAGE STORES IN  
PROPORTION TO THE POPULATION OF THE CITY.

and

AN ORDINANCE AMENDING PARAGRAPH TWO OF  
SECTION FOURTEEN OF ORDINANCE NO. 271,  
KNOWN AS THE "ZONING ORDINANCE" AS TO  
GASOLINTE AND OIL FILLING STATIONS.

which had been first read at the meeting of September 12, 1940, were read again, in full.

Motion for adoption of the ordinances by Commissioner O'Shaughnessy; seconded by Commissioner Bell. The Ordinances were adopted by the following roll call:

"Yes" - Commissioners Bell  
O'Shaughnessy  
Whitley  
Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinances adopted and approved, and ordered their publication as Numbers 388, 389, 390 and 391, respectively.



AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 15, 1937, KNOWN AS THE "ZONING ORDINANCE" AS TO SET-BACK ON COUNTRY CLUB PRADO.

and

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS TO BUILDING AREA ON LOTS 22 AND 23, BLOCK 3, FLAGLER SECTION; AND USE REQUIREMENT ON A PORTION OF LOTS 1 AND 2, BLOCK 36, SECTION "K".

were read by title on first reading and carried forward to a later meeting for further consideration and action.

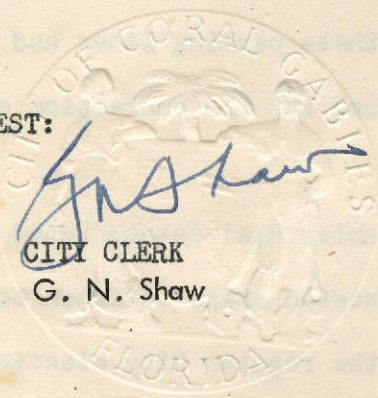
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

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 JANUARY 7, 1941

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 7, 1941.

Mayor McGarry in the chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

The minutes of the meetings of December 3 and 18 were read and approved.

A communication from the Coral Gables Real Estate Board protested against the revised parking angle on Ponce de Leon Boulevard and Coral Way and requested the return to the previous style of parking. The City Manager explained that the error in these parking lines had already been discovered and orders had been issued for the correction of the situation.

Communication from the Coral Gables Real Estate Board and the Taxpayers Association of Coral Gables requested steps be taken to amend the City Charter so as to provide that the regular City elections be held on the first Tuesday after the first Monday in April of each election year. The Mayor explained to the representatives of these bodies present, that such a measure was already prepared to provide for the holding of the elections in March, but that the Commission would consider the suggested April date and that necessary steps would be taken with the Legislature.

The City Attorney, in accordance with instructions at the meeting of December 18, 1940, reported to the Commission in connection with short weights and measures, that the State Law adequately provided provided for penalties in such matters, and that the adoption by the City, by previous ordinance, of all wrongs classified by the State Law as misdemeanors had already given the City sufficient power to proceed against any persons guilty of giving short weights and measures. The Commission agreed that no further measures should be adopted by the City in this connection, and requested the City Manager to undertake the proper administration and enforcement of the City ordinance providing for the inspection of weights and measures.



The City Manager was authorized to work out, in his best judgment, an arrangement to provide for parking stands for sight-seeing busses at some reasonably central point in the business area.

A communication from the City Attorney, recommending the foreclosure of tax sale certificates held by the City for the year 1937 was held for further study and consideration.

A communication from the City Attorney, in connection with the pending ouster suit affecting Block 232, Riviera Section, was discussed but was held for further consideration. The City Attorney was requested to determine what the Coral Gables Development Company will do in the way of adjustment of the 1932 to 1935, inclusive taxes.

A request by the City of Miami for the furnishing of six truck tires as additional contribution by The City of Coral Gables to the Master Airport Project was deferred, pending a report by the City Manager on the total of the City's contribution to that project to date.

The Zoning Board's refusal of an exception to permit the operation of a sanitarium and convalescent home in the Don Carlos Apartments on Fontaine Avenue, was unanimously upheld.

RESOLUTION NO. 2126

A RESOLUTION APPROVING A PROPOSED LETTER AGREEMENT BETWEEN THE CITY OF CORAL GABLES, FLORIDA AND THE MIAMI BEACH RAILWAY COMPANY, WHEREBY IT IS MUTUALLY AGREED BETWEEN THE CITY OF CORAL GABLES, FLORIDA, AND THE SAID RAILWAY COMPANY, THAT THAT CERTAIN LEASE AGREEMENT DATED THE 28TH DAY OF JULY, 1928, BETWEEN THE CITY AND THE SAID RAILWAY COMPANY, WHEREBY THE CITY LEASED TO SAID COMPANY ITS STREET RAILWAY LINES, EXCLUDING ROLLING STOCK, BUT INCLUDING RAILS, TIES, OVERHEAD TROLLEYS AND SIGNAL EQUIPMENT, MORE PARTICULARLY DESCRIBED IN SAID LETTER AGREEMENT, AND ALL LOCATED IN THE CITY OF MIAMI, FLORIDA, BE CANCELLED AND TERMINATED AS OF NOVEMBER 18, 1940; 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 LETTER AGREEMENT WITH THE MIAMI BEACH RAILWAY COMPANY.

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

1. That the proposed Letter Agreement with The Miami Beach Railway Company, which is hereinafter set forth in form and substance 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 of Coral Gables, Florida, be and they are hereby authorized and directed to execute and enter into with The Miami Beach Railway Company, the said proposed Letter Agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

" November 29, 1940

The City of Coral Gables,  
Coral Gables, Florida.

Gentlemen:

This relates to that certain Lease Agreement between us dated July 28, 1928, whereby the City leased to us its street railway line, excluding rolling stock, but including rails, ties, overhead trolleys and signal equipment, now located and constructed from West Flagler Street and 22nd Avenue, in Miami, Florida, and running Westerly along West Flagler Street to Ponce de Leon Boulevard, Coral Gables, Florida, all being within the City of Miami, Florida, for a period of time from the 1st day of August, 1928, to the 30th day of June 1954.

In view of the fact that as of November 18, 1940, we discontinued the operation of street cars in the City of Miami, Dade County, Florida, we hereby request that as of such date the said Lease Agreement be cancelled and terminated.

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,

THE MIAMI BEACH RAILWAY COMPANY

BY \_\_\_\_\_  
Vice President

ATTEST:

\_\_\_\_\_  
Assistant Secretary

We agree to the foregoing this  
\_\_\_\_\_ day of \_\_\_\_\_  
1940.

THE CITY OF CORAL GABLES, FLORIDA

BY \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

"

was introduced and read.



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

"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

RESOLUTION NO. 2127

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE FOR THE PURCHASE OF A POLICE CAR AND APPROPRIATING FOR THE CASH PAYMENT THEREON; AND PROVIDING FOR THE DEFERRED PAYMENTS.

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

That the City Manager be and he hereby is authorized to negotiate for and proceed with the purchase of a new police car; and the sum of Three Hundred Dollars (\$300.00), be and it is hereby appropriated from the Contingent Fund to Appropriation Code 1650-4.11 for the purpose of making the cash payment thereon; and the City Manager and the City Clerk are hereby further authorized to execute, on behalf of the City, notes for the payment of the balance of the cost of such car over a period of three years.

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 Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

AN ORDINANCE AMENDING ORDINANCE NO. 271 ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO SET-BACK ON COUNTRY CLUB PRADO.

and

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE", AS TO BUILDING AREA ON LOTS 22 AND 23, BLOCK 3, FLAGLER SECTION; AND USE REQUIREMENT ON A PORTION OF LOTS 1 AND 2, BLOCK 36, SECTION "K".

which had been first read at the meeting of December 18, 1940, were read again in full.



Motion for adoption of the ordinances by Commissioner O'Shaughnessy; seconded by Commissioner Whitley. The ordinances were adopted by the following roll call:

"Yes" - Commissioners Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

Thereupon, Mayor McGarry declared the ordinances adopted and approved and ordered their publication as Numbers 392 and 393, respectively.

AN ORDINANCE PROVIDING FOR AND REQUIRING IDENTIFICATION CARDS AND CERTIFICATES OF GOOD HEALTH FOR PERSONS ENGAGED IN CERTAIN OCCUPATIONS IN THE CITY OF CORAL GABLES; PROVIDING FOR THE METHOD OF EXAMINATION AND IDENTIFICATION; PROVIDING FOR FEES IN CONNECTION THEREWITH; PROVIDING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING OTHER ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH.

was read by title on first reading and carried forward to a later meeting for further consideration and action.

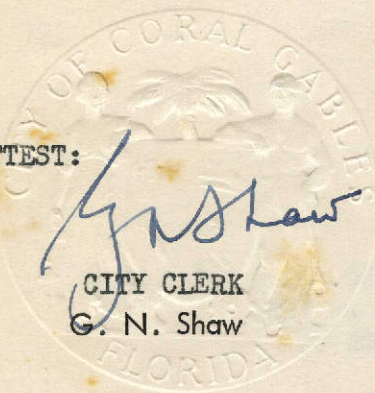
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

APPROVED:

*Paul D. McGarry*

MAYOR  
 Paul D. McGarry

ATTEST:





MINUTES OF MEETING OF THE CITY COMMISSION  
ON JANUARY 21, 1941

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 21, 1940.

Vice-Mayor O'Shaughnessy in the Chair; Commissioners Bell and Whitley present. Mayor McGarry absent from the City; Commissioner Phillips absent.

The reading of the minutes of the previous meeting was waived, by unanimous consent.

The City Manager reported that a request had been made by the Chamber of Commerce that a portion of Ponce de Leon Boulevard and of Coral Way, through the business district, be planted with palm trees - the Chamber of Commerce to furnish the trees, through popular subscription, and the City to plant them. It was decided to table the matter until an opinion could be secured from the Planning Board. The City Manager was instructed to present the matter to the Planning Board, and to report back to the City Commission at the next meeting.

Mr. U. J. Hiss, Business Manager of the University of Miami, appeared in connection with proposed recreation grounds for the students of the University, and submitted sketches showing the area intended for that use, covering all of French Village Subdivision. It was the opinion of the Commission that the matter should first be referred to the Zoning Board, after which the Commission would discuss it further.

The City Manager reported that gasoline bids for the ensuing six months had been opened and tabulated by the Finance Department. Commissioner O'Shaughnessy suggested that since the bid of the Flamingo Tire Company of Coral Gables is only approximately Sixty-Three Dollars (\$63.00), (for the entire period), higher than that of the lowest bidder, and since the policy of the City is to favor local concerns where but slight differences exist, that the award be made to the Flamingo Tire Company,

Motion to that effect by Commissioner Bell; seconded by Commissioner Whitley, and unanimously carried.



AN ORDINANCE AMENDING ORDINANCE NO. 1  
SECTION 30, PARAGRAPH 7, OF THE CITY  
OF CORAL GABLES, KNOWN AS THE BUILDING  
CODE, SO AS TO REQUIRE ALL FLUES TO BE  
OF MASONRY EXCEPT IN AREAS DEFINED BY  
ORDINANCE NO. 271 AS INDUSTRIAL USE AREAS.

was introduced and read by title on first reading, and carried forward to a later meeting for further consideration and action.

The City Manager reported that a request had been made by Mr. John Ravlin, for a temporary permit to open an information booth in the old building at Cocoplum Plaza for the purpose of disseminating general information regarding Coral Gables, and particularly the canal development in that section. Objections in writing have been received by the City Manager from the Coral Gables Real Estate Board and from Mr. R. D. Maxwell, which objections were later withdrawn by telephone request. The Commission instructed the City Manager to secure written withdrawals or consents, and to present the matter at the next meeting.

RESOLUTION NO. 2128

A RESOLUTION APPROPRIATING THE SUM OF ONE THOUSAND DOLLARS (\$1000.00) TO PROVIDE FOR THE INSTALLATION OF THE NECESSARY TRAFFIC LIGHTS AT THE INTERSECTION OF LE JEUNE ROAD, CORAL WAY AND BILTMORE WAY.

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

That the sum of One Thousand Dollars (\$1000.00), be and the same is hereby appropriated from unappropriated and unanticipated revenue, to Appropriation Code 1650-5.71, for the purpose of installing the necessary traffic lights at the intersection of LeJeune Road, Coral Way and Biltmore Way; and the City Manager be and he hereby is authorized and instructed to proceed with the work immediately.

was introduced and read.

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

"Yes" - Commissioners Bell  
Whitley  
Vice-Mayor O'Shaughnessy

The City Manager reported that because of the increasing costs of top soil and crushed rock, which are used in large quantities by the Parks and the Streets Departments, it would be economical for the City



to own a small power shovel of the crawler tractor type. The cost of such equipment could be financed over a period of three years, and delivery could be made in about twelve weeks, which would be the time at which top-soiling and planting of the parkways should begin. After discussion, the Commission deferred the matter until a later meeting and until a full Commission could be present.

The City Manager reported that the local draft board wished to know if it is the desire of the Commission to have the members of the Fire and Police Departments put on the deferred list, which could be done at the request of the City Commission.

No action was taken on the matter.

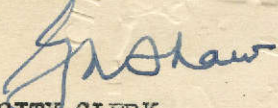
The City Manager reported that the Zoning Board of Appeals, at its meeting on January 20, 1941, had approved the re-zoning of the property at the Southeast corner of Alhambra Circle and LeJeune Road, to permit the operation of a factory and display room to house the Granada Shops, furniture makers. The Commission was of the opinion that this request should be denied because of the proximity to the residential section across LeJeune Road, and ordered the matter tabled until a full Commission could be present at a later meeting.

The City Manager reported that the Zoning Board denied a request by the Pi Chi Fraternity to be allowed to use the residence at 4307 Segovia Street for a Fraternity House. The Commission upheld the decision of the Zoning Board.

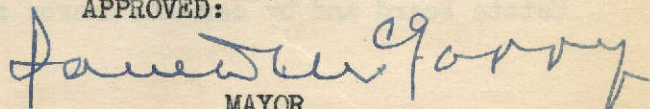
The City Manager submitted a sketch of a sign proposed to be erected at the new Howard Johnson's Restaurant on Lots 34 to 41 inclusive, Block 22, Flagler Section, and reported that the sign did not conform with the City's Sign Ordinance. The Commission ordered that permit for the sign not be issued.

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 SPECIAL MEETING OF THE CITY COMMISSION  
ON JANUARY 28, 1941

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, January 28, 1941.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy Phillips and Whitley present.

The reading of the minutes of the previous meeting was waived by unanimous consent.

RESOLUTION NO. 2129

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 Phillips; seconded by Commissioner Bell. The resolution was adopted by the following roll call:

"Yes" - Commissioner Bell  
Phillips  
Whitley  
Mayor McGarry

Following a renewal of the discussion at the meeting of January 21, on the proposal by Mr. John Ravlin to open an information booth in the old building lying to the East of LeJeune Road and North of Cocoplum Plaza Bridge, the Commission authorized the City Manager to issue a temporary permit for the use of this building as a general Coral Gables information booth. The City Manager stated to the Commission that the objections previously made to this proposal by the Coral Gables Real Estate Board and by certain nearby residents had been withdrawn.



## RESOLUTION NO. 2130

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE A POWER TRACTOR TYPE SHOVEL, AND APPROPRIATING FOR THE INITIAL PAYMENT THEREON.

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

1. That the City Manager be and he hereby is authorized to negotiate and consummate the purchase of a tractor type power shovel for use in the City's general parkway and street work, at a total cost of approximately \$7,240.00 and a trailer to be used in connection therewith, at a total cost of approximately \$595.00; the terms of said purchase to be approximately \$3,000.00 on delivery and the balance in equal installments from the 1941-42 and 1942-43 budgets and appropriations.
2. To provide for the initial payment upon the equipment authorized to be purchased in Section hereof, there is hereby appropriated from previously unanticipated and unappropriated revenue, the sum of \$3,000.00 which shall be transferred and allocated to appropriation code No. 1645-4.12.
3. The City Manager and the City Clerk be and they hereby are authorized to sign such instruments, contracts or notes as may be necessary to consummate the purchase, and to assure the vendors of payment of the deferred instruments.

was introduced and read.

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

"Yes" - Commissioners Bell  
O'Shaughnessy  
Phillips  
Whitley

Mayor McGarry

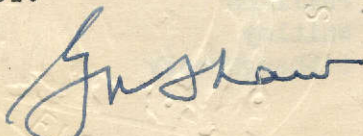
AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS TO THE USE REQUIREMENTS ON LOTS 1 TO 6, INCLUSIVE, BLOCK 27, SECTION "K".

was read by title on first reading and carried forward to a later meeting for further consideration and action.

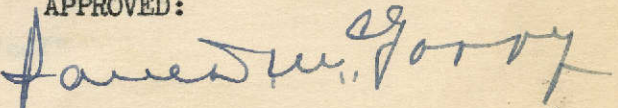
The Mayor announced that the next regular meeting date was in conflict with a hearing set by Judge John W. Holland on a question in the City's municipal bankruptcy petition, and for that reason the next meeting would be held on Thursday, February 6, at 4:30 o'clock P. M., instead of on Tuesday February 4, as ordinarily scheduled.

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 FEBRUARY 6, 1941

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 6, 1941.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

A delegation appeared in connection with the ruling of the Zoning Board on the proposed University Recreational Development in French Village Sub-division. Representatives of the University who were present, stated that it would be satisfactory to the University to limit to tennis the activities upon the proposed development. The hearing before the Zoning Board, having been based upon varied use of the premises for a number of different sports, the Commission ordered the matter referred again to the Zoning Board for a recommendation as to whether the proposal should be approved for tennis only.

Mr. Mark Wilcox appeared on behalf of T. Grant Walker, requesting a hearing before the Commission on the question of Mr. Walker's dismissal from the service of the City. The Commission advised Mr. Wilcox that both the Commission and the Administrative offices are extremely busy with current litigation and projects, but that the Commission would take the matter up at the earliest opportunity.

RESOLUTION NO. 2131

A RESOLUTION ACCEPTING A RE-PLAT OF  
SAN-SOUCI SUB-DIVISION.

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

That that certain plat titled "A Second Revised and Amended Plat of San Souci", a subdivision in the SE $\frac{1}{4}$  of Section 29, Township 54 S, Range 41 E, as prepared by Chas. G. Hannock, Engineer, as of December 1940, 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 such plat.

was introduced and read.

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

"Yes" - Commissioners Bell  
Phillips  
Whitley  
O'Shaughnessy

Mayor McGarry



AN ORDINANCE AMENDING ORDINANCE NO. 271,  
KNOWN AS THE "ZONING ORDINANCE", SO AS TO  
LIMIT AND RESTRICT SIGNS ON APARTMENTS AND  
HOTEL BUILDINGS EXCEPT IN COMMERCIAL AND  
INDUSTRIAL DISTRICTS.

was read by title on first reading, and carried forward to a later meeting  
for further consideration and action.

The Commission unanimously authorized the Director of  
Finance to accept Twenty Five Dollars (\$25.00), as the license fee of the  
Stock Brokerage Branch, being conducted in the Miami Biltmore Hotel,  
with the understanding that this nominal and reduced amount will have no  
bearing upon the amount of the license for future years.

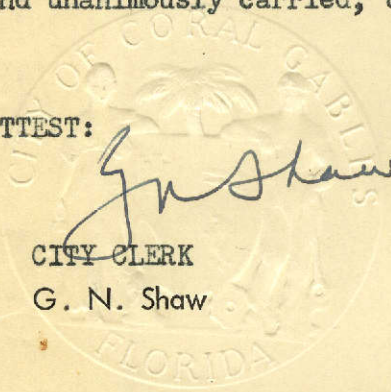
There being no further business, on motion duly seconded  
and unanimously carried, the meeting was adjourned.

APPROVED:

ATTEST:

CITY CLERK  
G. N. Shaw

MAYOR  
Paul D. McGarry



*Paul D. McGarry*

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## MINUTES OF MEETING OF THE COMMISSION

ON MARCH 4, 1941

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 4, 1941.

Mayor McGarry in the Chair; Commissioners Bell, O'Shaughnessy, Phillips and Whitley present.

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

Commissioner O'Shaughnessy addressed the Commission on the subject of the Fairchild Tropical Garden and requested the Commission's assistance in the support of the Garden;

Thereupon,

## RESOLUTION NO. 2132

A RESOLUTION APPROPRIATING THE SUM OF FIFTEEN HUNDRED DOLLARS (\$1500.00), FROM THE CONTINGENT FUND AND/OR PREVIOUSLY UNANTICIPATED AND UN-APPROPRIATED REVENUES AS A CONTRIBUTION TO THE FAIRCHILD TROPICAL GARDEN.

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

1. That the sum of Fifteen Hundred Dollars (\$1500.00) be, and the same hereby is appropriated from the Contingent Fund and/or previously unanticipated and unappropriated revenues to Code No. 1690-9.5 for the purpose of contributing to the support of the Fairchild Tropical Garden.
2. That the Director of Finance be, and he hereby is authorized to pay the above contribution to the Fairchild Tropical Garden, when, in his opinion, the financial condition of the City will justify and permit the release of the moneys, and, after having received from the City Attorney an opinion as to the legal propriety and advisability of the payment.

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" - Commissioner Bell  
 O'Shaughnessy  
 Phillips  
 Whitney

Mayor McGarry



## RESOLUTION NO. 2133

A RESOLUTION FORBIDDING POLITICAL  
ACTIVITY BY CITY EMPLOYEES.

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

1. That no employee of this City take any active part in any future political campaigns involving elections of candidates for office for Commissioner of The City of Coral Gables, or for Mayor of The City of Coral Gables; that no City employee shall contribute, directly or indirectly, in services, cash or otherwise, to the election or attempted election of any person to any elective office in The City of Coral Gables.
2. That this resolution is in no sense to be taken or considered as an attempt to cause or prevent such employees, duly qualified voters, from participating in any and all elections of The City of Coral Gables by casting his or her vote for whomsoever he or she may choose.
3. That this resolution shall apply to any or all employees of The City of Coral Gables, who may be inactive because of leaves of absence granted, but who are on the payroll of and receiving compensation from said City.
4. That disregard and infraction of the letter or spirit of this resolution, by any employee of The City of Coral Gables shall be sufficient cause to justify his or her discharge from the employ of said City, without other or further grounds.

was introduced and read.

Motion for adoption by Commissioner Whitley, seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

AN ORDINANCE REQUIRING THE INSTALLATION  
OF PROPER AND ADEQUATE DRAINS IN GASOLINE  
FILLING STATIONS; ESTABLISHING THE  
MINIMUM SPECIFICATIONS FOR SUCH DRAINS,  
AND PROVIDING PENALTIES FOR THE VIOLATION  
THEREOF.

was introduced and read by title on first reading and carried forward to a later meeting for further consideration and action.

AN ORDINANCE AMENDING ORDINANCE NO. 271,  
KNOWN AS THE "ZONING ORDINANCE", SO AS  
TO LIMIT AND RESTRICT SIGNS ON APARTMENTS  
AND HOTEL BUILDINGS EXCEPT IN COMMERCIAL  
AND INDUSTRIAL DISTRICTS.

which had been first read at the meeting of February 6, 1941, was read again in full.

Motion for adoption of the Ordinance by Commissioner Phillips, seconded by Commissioner Bell. The ordinance was adopted by the following roll call:

"Yes" - Commissioner Bell  
O'Shaughnessy  
Phillips  
Whitney  
Mayor McGarry



Thereupon Mayor McGarry declared the ordinance adopted and approved and ordered its publication as No. 394.

RESOLUTION NO. 2134

A RESOLUTION GRANTING TO COMMISSIONER O'SHAUGHNESSY, AN INDEFINITE LEAVE OF ABSENCE.

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

That for the purpose of recuperating from his recent illness, Commissioner O'Shaughnessy be and he hereby is granted an indefinite leave of absence from the meetings and other business of the Commission of The City of Coral Gables.

was introduced and read.

Motion for adoption by Commissioner Whitley, seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2135

A RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED FIFTY DOLLARS FOR THE INSTALLATION OF A TRAFFIC LIGHT AT THE INTERSECTION OF LEJEUNE AND BIRD ROADS.

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

That the sum of Three Hundred Fifty Dollars (\$350.) be and the same is hereby appropriated from the Contingent Fund and/or previously unanticipated and unappropriated revenues, to Code No. 1650-5.71, for the purpose of installing an automatic traffic light or signal at the intersection of LeJeune Road and Bird Road.

was introduced and read.

Motion for adoption by Commissioner Whitley, seconded by Commissioner Bell. The resolution was adopted by the following roll call:

"Yes" - Commissioner Bell  
O'Shaughnessy  
Phillips  
Whitley  
Mayor McGarry

RESOLUTION NO. 2136

A RESOLUTION APPROPRIATING THE SUM OF FIFTEEN HUNDRED DOLLARS FOR THE PURPOSE OF PROSPECTING FOR POTABLE WATER.

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

That the sum of Fifteen Hundred Dollars (\$1500), be and the same is hereby appropriated from the Contingent Fund and/or previously unanticipated and unappropriated



revenues to Code No. 1684, for the purpose of providing the City Manager with funds with which to drill test wells or to conduct such other prospecting and research activities as may, in his discretion, be necessary to the search for a source of potable water within the limits of or upon property owned by The City of Coral Gables.

was introduced and read.

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

"Yes" - Commissioner Bell  
 O'Shaughnessy  
 Phillips  
 Whitley  
 Mayor McGarry

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS TO GARAGE CONSTRUCTION ON LOTS 3 and 4, BLOCK 38, GRANADA SECTION, SO AS TO PERMIT THE ERECTION OF AN ATTACHED GARAGE WITHIN THREE FEET FROM THE SIDE LINE AND FIVE FEET FROM THE REAR LINE OF LOTS 3 and 4, BLOCK 38, GRANADA SECTION, IN CONJUNCTION WITH THE DWELLING EXISTING ON SAID LOTS, PROVIDED HOWEVER, THAT SAID PROPOSED GARAGE BUILDING SHALL NOT BE USED OR PREPARED FOR USE AS LIVING QUARTERS.

was read by title on first reading and carried forward to a later meeting for further consideration and action.

The Commission concurred in the ruling of the Zoning Board that no formal action would be necessary on the application for permit to erect a building on Lots 10 and 11, Block 27, Section K, to contain a plumbing fixture sales and display room in the front and a plumbing shop in the rear and an apartment on the second floor, provided that no outside storage of pipe or other material or equipment would be allowed in connection with the building.

The Commission held in suspense the application for permit to face a proposed house East, instead of the required North facings on Lots 10 and 11, Block 15, Section A, which had been approved by the Zoning Board.

No action was taken upon the application of the Pa-Po-Ya Company for permit to erect a building on Lots 26 and 27, Block 13, Flagler Section, which had been referred by the Zoning Board for approval, the Commission being advised, subsequent to the action of the Board, of the abandonment of the proposed building site by the said Pa-Po-Ya 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