

MINUTES OF MEETING OF THE COMMISSION
ON MARCH 18, 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 18, 1941.

Mayor McGarry in the Chair; Commissioners Bell, Phillips and Whitley present. Commissioner O'Shaughnessy absent on account of illness.

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

A delegation from the Country Club of Coral Gables appeared to submit to the Commission a proposed lease of the Club House and Tennis Courts and agreements for the use by the Club members of the Venetian Pool and the Golf Course.

The lease was taken under advisement by the Commission to be acted upon at the earliest possible date.

Mr. McGregor Smith of the Miami Water Company and Consumers Water Company submitted to the Commission a proposed three party contract between the City of Miami and Consumers Water Company and The City of Coral Gables, covering the supply and distribution of water in The City of Coral Gables. Said contract being intended to replace the four party contract of March 26, 1931, following the acquisition of the Miami Water Company property by the City of Miami.

Upon motion by Commissioner Whitley, seconded by Commissioner Phillips and unanimously carried, the City Manager, the City Attorney, and the Director of Finance, were appointed as a Committee to study the contract and to report back to the Commission with recommendations.

Dr. Lloyd C. Shanklin addressed the Commission on the subject of taking and exhibiting a color motion picture film as a part of the Coral Gables publicity activity.

Dr. Shanklin was requested to discuss the matter with Mrs. Mary Moore, the City Publicity Director.

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RESOLUTION NO. 2137

A RESOLUTION APPROPRIATING THE SUM OF FIVE HUNDRED DOLLARS, TO COVER THE COST OF CERTAIN SERVICES TO BE RENDERED TO THE CITY BY THE FLORIDA LEAGUE OF MUNICIPALITIES AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE AN AGREEMENT THEREFOR.

WHEREAS, the Florida League of Municipalities has offered to furnish daily to the City, during the 1941 session of the Florida Legislature, complete copies of all bills introduced therein affecting the municipal or municipally owned utilities, and further to furnish opinions and analysis of such proposed laws upon request, and

WHEREAS, the Commission deems it highly important that the City be advised of such proposed legislation in order that it may intelligently deal with proposals to modify its operations or fiscal affairs,

NOW, THEREFORE,

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 hereby is appropriated from the Contingent Fund and/or previously unanticipated and unappropriated revenue for the purpose of paying the Florida League of Municipalities for the above mentioned service, and the City Manager and City Clerk be, and they hereby are authorized and instructed to execute a contract with the Florida League of Municipalities, to provide for the furnishing to the City daily, copies of all bills affecting municipalities or municipally owned utilities.

was introduced and read.

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

"Yes" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

RESOLUTION NO. 2138

A RESOLUTION AUTHORIZING, (UNDER CERTAIN CONDITIONS), AN ADJUSTMENT OF CERTAIN TAXES ON LOT 29, BLOCK 15, SECTION D.

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 in full settlement of any taxes for the year 1940 or prior years, held by and payable to The City of Coral Gables, on Lot 29, Block 15, Section D, that portion of said taxes which shall represent, at time of settlement, the debt service levies contained therein, with interest and penalties thereon.

PROVIDED, HOWEVER, that the adjustment authorized herein shall be contingent upon the purchase and use of said property as a church site and the adjustment shall not be consummated until the erection of the Church is assured to the satisfaction of the Director of Finance.

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
Phillips
Whitley
Mayor McGarry

RESOLUTION NO. 2139

A RESOLUTION APPROPRIATING THE SUM OF TWENTY FIVE DOLLARS TO THE SUPPORT OF THE JUNIOR WOMEN'S CLUB DENTAL CLINIC.

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/or previously unanticipated and unappropriated revenues to Code No. 1690-9.5, for the purpose of contributing to the cost of material used in the free dental services rendered by the Junior Women's Club Clinic, or by Dr. W. W. Schomberg in connection therewith.

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

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.

which had been first read at the meeting of January 21, 1941 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" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved and ordered its publication as No. 395.

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

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

APPROVED:

Paul D. McGarry

Mayor
Paul D. McGarry

MINUTES OF MEETING OF THE COMMISSION
ON MARCH 29, 1941

Pursuant to called Special Meeting by Mayor McGarry, and the unanimous consent of the Commissioners, the Commission of The City of Coral Gables, Florida convened in special session at the City Hall at 12:15 P. M., on Saturday, March 29, 1941.

Mayor McGarry in the Chair; Commissioners Bell, Phillips and Whitley present. Commissioner O'Shaughnessy absent on leave, City Manager Curry and City Clerk Shaw absent on account of illness.

RESOLUTION NO. 2140

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

The Mayor stated that the purpose of the meeting was to receive the report of the Committee appointed to negotiate with the City of Miami upon the subject of the amendment of the transportation franchise, Miami Ordinance No. 422, and to receive the report of the Committee appointed to study the proposed amendment to the four-party water contract of March 26, 1931, and to take such action upon those matters as might be advisable.

The Mayor reported that on March 28, 1941, the Commission of the City of Miami had adopted Ordinance No. 2481, amending Ordinance No. 422,

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the original franchise ordinance, and had also adopted Resolution No. 16879 relating to the removal from the streets of Miami of the street car equipment owned by The City of Coral Gables.

The Mayor recommended that the City accept the terms of the modification of the franchise ordinance as set forth in Ordinance #2481, and accept the conditions of Resolution No. 16879;

Thereupon,

RESOLUTION NO. 2141

A RESOLUTION AUTHORIZING THE CITY MANAGER TO FILE WITH THE CITY CLERK OF THE CITY OF MIAMI, THE WRITTEN ACCEPTANCE OF THE TERMS AND PROVISIONS OF THE CITY OF MIAMI ORDINANCE NO. 2481; AND AUTHORIZING THE CITY ATTORNEY TO TAKE THE NECESSARY STEPS TO PROCURE THE APPROVAL OF THE RAILROAD COMMISSION OF THE STATE OF FLORIDA OF THE PERMANENT ABANDONMENT OF THE STREET RAILWAY SYSTEM.

WHEREAS, The City Commission of the City of Miami, did, on March 28, 1941, pass and adopt Miami Ordinance No. 2481, being "An Ordinance Amending Ordinance No. 422, and Granting Permission and Authority to The City of Coral Gables to Substitute Motor Busses for Street Cars as a Means of Transporting Passengers for Hire on portions of certain Streets over which the said City of Coral Gables Operated Street Cars Under Said Ordinance No. 422, Setting forth Provisions and Conditions Relating Thereto and to the Assignment Thereof; Declaring this Ordinance to be an Emergency Measure; and Dispensing with the Requirement of Reading said Ordinance on Two Separate Days by a Four-fifths Vote of the Members of the Commission."

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

1. That the terms and provisions of said Miami Ordinance No. 2481, be and the same are hereby accepted and approved.
2. That the City Manager be, and he hereby is, authorized and directed to file with the City Clerk of the City of Miami a written acceptance of the terms and provisions of said Miami Ordinance No. 2481.
3. That the City Manager and the City Attorney be, and they hereby are, authorized and directed to make application to the Florida Railroad Commission for authority to permanently abandon the operation of street cars heretofore carried out under said Miami Ordinance No. 422, and to cooperate with the City Manager of the City of Miami in such other proceedings as may be necessary to secure the approval of the said Railroad Commission.

and

RESOLUTION NO. 2142

A RESOLUTION RATIFYING AND APPROVING THE OFFER OF THE MAYOR OF CORAL GABLES TO THE CITY OF MIAMI REGARDING THE REMOVAL OF THE STREET CAR RAIL AND EQUIPMENT OWNED BY THE CITY OF CORAL GABLES IN THE STREETS OF THE CITY OF MIAMI.

WHEREAS, the City Commission of the City of Miami adopted, on March 28, 1941, Resolution No. 16879, authorizing the City Manager of the City of Miami to complete arrangements with The City of Coral Gables in accordance with the request of the Mayor of The City of Coral Gables as set forth in said Miami Resolution No. 16879; and

WHEREAS, The City Commission of the City of Miami, on March 28, 1941, passed and adopted Miami Ordinance No. 2481, amending Ordinance No. 422, and authorizing the permanent substitution of motor busses for street cars as a means of transporting passengers for hire in the City of Miami,

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

1. That the offer of the Mayor of The City of Coral Gables as contained in Miami Resolution No. 16879, passed and adopted March 28, 1941, be and the same hereby is, ratified and approved.
2. That the City Manager be, and he hereby is, authorized to enter into a written agreement with the City of Miami obligating The City of Coral Gables to remove the rails and equipment belonging to The City of Coral Gables, from the streets in the City of Miami where such rail transportation is being abandoned, and to repave such portion of said streets so torn up, and to resurface the area so repaved, as well as the surface of said streets between said rails, with asphaltic concrete as specified by the City of Miami, and to agree to commence such removal and repaving immediately upon the written request of the City of Miami.

were introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Whitley. The resolutions were adopted by the following roll call:

"Yes" - Commissioner Bell
 Phillips
 Whitley
 Mayor McGarry

The City Attorney, on behalf of the City Manager, filed the written report of the Committee appointed to study the proposed amendment to the four-party water contract of March 26, 1931, as follows:

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" March 24, 1941

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

RE: FOUR PARTY WATER CONTRACT
OF MARCH 26, 1941

Gentlemen:

At the March 18, 1941 meeting of the City Commission the proposal of the Miami Water Company and Consumers Water Company that The City of Coral Gables cooperate in the sale of the Miami Water Company to the City of Miami by an appropriate contract, making such changes and modifications in the March 26, 1931 contract as are appropriate under the new circumstances under which the City of Miami will own the properties of the Miami Water Company, was referred to us for consideration.

We have considered in detail a contract for the simple cancellation of the March 26, 1931 agreement and do not think that it would be to the advantage of The City of Coral Gables to cancel this contract and at this time to go into the negotiations of a new contract with the City of Miami for our water supply.

We have also considered in detail, a contract redrawing the 1931 contract as a three-party agreement between The City of Coral Gables, The City of Miami and Consumers Water Company, with changes required by the elimination of the Miami Water Company from the picture, and are of the opinion that such a redraft of the contract at this time would not be to the advantage of The City of Coral Gables.

The third contract considered by us is a contract in general effect eliminating the Miami Water Company from the Four-Party contract and substituting in lieu thereof The City of Miami, under which contract The City of Coral Gables will procure such water as it may require and have the same transported to the mains of the Consumers Water Company by the City of Miami.

There is one material change, to-wit:
the wholesale price which Coral Gables will pay to the City of Miami for the water and for its transportation from the pumping plants to the mains of the Consumers Water Company.

This rate is to be 'An amount resulting from the application of a rate per thousand (1,000) gallons equivalent to the average rate per thousand (1,000) gallons billed by the City of Miami to the City of Miami Beach for all water sold to the City of Miami Beach during the same month, plus one-half cents (1/2¢) per thousand (1,000) gallons.'

This results in a reduction in the amount which will be due to the City of Miami under the new contract.

At a meeting of the City Commission of the City of Miami, on March 21, 1941, by Resolution No. 16849, the City of Miami approved the form of contract and authorized the City Manager and the City Clerk to execute the same for and on behalf of the City of Miami.

We respectfully recommend that this form of contract be approved by the Commission.

Very truly yours,

A. B. Curry (signed)
City Manager
G. N. Shaw (signed)
City Clerk
Morton B. Adams (signed)
City Attorney

"

Thereupon,

RESOLUTION NO. 2143

A RESOLUTION APPROVING A PROPOSED AGREEMENT BETWEEN THE CITY OF CORAL GABLES, FLORIDA, THE CITY OF MIAMI, FLORIDA, THE MIAMI WATER COMPANY AND THE CONSUMERS WATER COMPANY, PROVIDING FOR THE ASSUMPTION BY THE CITY OF MIAMI OF ALL AND EVERY OBLIGATION OF MIAMI WATER COMPANY IN THE FOUR-PARTY AGREEMENT DATED MARCH 26, 1931, BETWEEN THE ABOVE PARTIES; PROVIDING THAT MIAMI WATER COMPANY BE RELEASED FROM THE PERFORMANCE OF ALL AND EVERY OBLIGATION TO BE PERFORMED BY IT UNDER SAID FOUR-PARTY AGREEMENT; PROVIDING FOR THE AMENDMENT OF THE SAID FOUR-PARTY AGREEMENT IN SEVERAL RESPECTS, 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 AGREEMENT WITH THE CITY OF MIAMI, FLORIDA, THE MIAMI WATER COMPANY AND THE CONSUMERS WATER COMPANY.

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

1. That the proposed Agreement between the City of Coral Gables, Florida, the City of Miami, Florida, the Miami Water Company and the Consumers Water 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 City of Miami, Florida, the Miami Water Company and the Consumers Water Company, the said proposed Agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

" THIS AGREEMENT, made and entered into this 28th day of March, 1941, by and between THE CITY OF CORAL GABLES, a municipal corporation organized and existing under the laws of the State of Florida, party of the first part; THE CITY OF MIAMI, a municipal corporation organized and existing under the laws of the State of Florida, party of the second part; MIAMI WATER COMPANY, a corporation organized and existing under the laws of the State of Florida, party of the third part; and CONSUMERS WATER COMPANY, a corporation organized and existing under the laws of the State of Florida, party of the fourth part;

WHEREAS, on March 26, 1931, the said City of Coral Gables, the said City of Miami, the said Miami Water Company and the said Consumers Water Company, entered into a certain four-party agreement providing for the furnishing, supplying, distributing, purchasing and selling of water so that the same might ultimately be delivered and sold to consumers in The City of Coral Gables; and

WHEREAS, The City of Miami, has entered into a contract, dated November 24, 1939, with Florida Power & Light Company, a Florida corporation, under the provisions whereof said City will acquire all of the physical properties, water contracts and other assets of Miami Water Company; and

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WHEREAS, the City of Miami will, at the time of its acquisition of the properties of Miami Water Company, assume the obligations which Miami Water Company is required to assume and perform under the said four-party agreement dated March 26, 1931; and

WHEREAS, it is proper that, coincident with such acquisition of the properties of Miami Water Company by the City of Miami, Miami Water Company be released from the obligations of the said four-party agreement, and that said agreement be otherwise amended; and

WHEREAS, the parties hereto agree that, effective as of the time of the acquisition of the properties of Miami Water Company by the City of Miami, the Miami Water Company shall be released from, and the City of Miami shall thereupon assume, the obligations of Miami Water Company under the said four-party agreement;

NOW, THEREFORE, THIS AGREEMENT

W I T N E S S E T H:

That for and in consideration of the mutual covenants herein set forth, the parties hereto covenant and agree as follows:

1. That, as of the time when this Agreement shall become effective as hereinafter provided, all rights of Miami Water Company in, to and under the four-party agreement dated March 26, 1931, and hereinabove described, shall cease and terminate, and thenceforth all rights and benefits which, under the provisions of said four-party agreement, were to be vested in and accrue to Miami Water Company shall be vested in and accrue to the City of Miami.

2. That, as of such effective time hereof, Miami Water Company shall be released and discharged from the assumption and performance thereafter of any and every duty and obligation under said four-party agreement, and thenceforth all duties and obligations which, under the provisions of said four-party agreement, were to be assumed and performed by Miami Water Company, shall be assumed and performed by the City of Miami.

3. That the said four-party agreement shall be amended in the following respects:

(a) That Section B(3) of the said agreement shall be stricken therefrom.

(b) That Section C(2) of the said agreement shall be amended to read as follows:

"On or before the 10th day of each month, to pay to the City of Miami for all water delivered to The City of Coral Gables hereunder during the preceding month, an amount resulting from the application of a rate per thousand (1,000) gallons equivalent to the average rate per thousand (1,000) gallons billed by the City of Miami to the City of Miami Beach for all water sold to the City of Miami Beach during the same month, plus one-half cent (1/2¢) per thousand (1,000) gallons."

4. That, except as expressly provided herein, and notwithstanding any of the provisions of Sections E(5), E(6), and E(7) of the said four-party agreement which provide for the termination thereof, the said four-party agreement dated March 26, 1931, shall remain in full force and effect between The City of Coral Gables, the City of Miami and the Consumers Water Company, except as herein amended.

5. That in the event the party of the first part acquires the Coral Gables water distribution system of the party of the fourth part, then as of the date of such acquisition and without the necessity for further agreement, the party of the first part shall assume and perform all duties and obligations of the party of the fourth part under said March 26, 1931 agreement, as amended herein, and said agreement, as amended herein, shall remain in full force and effect between the party of the first part and the party of the second part.

6. That this Agreement shall become effective coincident with the time of acquisition of the properties of Miami Water Company by the City of Miami in accordance with the provisions of the said contract dated November 24, 1939, between the City of Miami and said Florida Power & Light Company.

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

Signed, sealed and delivered in the presence of:

Loretta V. Sheehy
E. H. Shaw

THE CITY OF CORAL GABLES

By A. B. Curry (signed)
City Manager
ATTEST:
G. N. Shaw (signed)
City Clerk S E A L

THE CITY OF MIAMI

Josephine L. Paris
Sidney S. Hoelil ^{Hoehl}

By L. L. Lee (signed)
City Manager
ATTEST:
Frank J. Kelly (signed)
City Clerk S E A L

MIAMI WATER COMPANY

Joseph L. Scheinis
Wm. M. Preston

By McGregor Smith (signed)
President
ATTEST:
M. B. McDonald (signed)
Secretary S E A L

CONSUMERS WATER COMPANY

Joseph L. Scheinis
Wm. M. Preston

By H. E. Simpson (signed)
Vice President
ATTEST:
M. B. McDonald (signed)
Secretary S E A L

APPROVED as to form and correctness this 29 day of March, 1941.

Morton B. Adams (signed)
Attorney for The City of Coral Gables.

APPROVED as to form and correctness this 28 day of March, 1941.

Lewis Twyman (signed)
Attorney for The City of Miami

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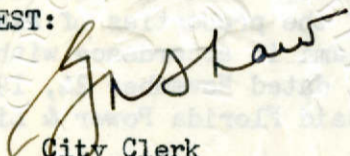
was introduced and read.

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

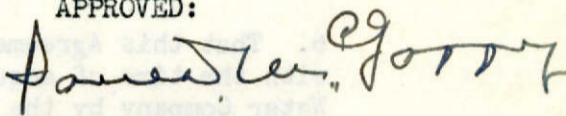
"Yes" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

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

ATTEST:


City Clerk
G. N. Shaw

APPROVED:


Mayor
Paul D. McGarry

THE CITY OF CORAL GABLES
By A. B. Gury (signed)
City Manager
ATTEST:
G. N. Shaw (signed)
City Clerk
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THE CITY OF MIAMI
By J. J. Lee (signed)
City Manager
ATTEST:
Frank J. Kelly (signed)
City Clerk
3 E A 1

MIAMI WATER COMPANY
By Mcgregor Smith (signed)
President
ATTEST:
M. B. McDonald (signed)
Secretary
3 E A 1

CONSUMERS WATER COMPANY
By H. E. Simpson (signed)
Vice President
ATTEST:
M. B. McDonald (signed)
Secretary
3 E A 1

APPROVED as to form and correct-
ness this 28 day of March, 1941.
Lewis Hyman (signed)
Attorney for the City of Miami

Signed, sealed and delivered
in the presence of:
Joseph V. Shady
E. H. Shaw
Josephine E. Paris
Sidney S. Howell
Joseph L. Scheltnis
Mr. M. Preston
Joseph L. Scheltnis
Mr. M. Preston
Morton B. Adams (signed)
Attorney for the City of Coral
Gables

MINUTES OF MEETING OF THE COMMISSION
ON APRIL 8, 1941

Pursuant to called Special Meeting by Mayor McGarry, and the unanimous consent of the Commissioners, the Commission of The City of Coral Gables, Florida, convened in special session at the City Hall at five o'clock P. M. on Tuesday, April 8, 1941.

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

RESOLUTION NO. 2144

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

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

RESOLUTION NO. 2145

A RESOLUTION EXPRESSING THE GRIEF OF
THE COMMISSION AT THE DEATH OF
WALTER W. BRUNS.

WHEREAS, Walter W. Bruns departed this life on
April 7, 1941, and in his passing, the Metropolitan
Miami Area lost one of its pioneers and an enthusiastic
and untiring crusader for an ever greater and better
Metropolitan Miami Area, and

WHEREAS, Walter W. Bruns was a vital factor in the
early development of The City of Coral Gables, and ever
since has been a close friend of this City and always
ready to cooperate in worth while civic endeavors, and
The City of Coral Gables particularly has lost a valuable
friend,

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

1. That this Commission does hereby express, on behalf of its members and of the people of The City of Coral Gables, its deep sorrow at the passing of Walter W. Bruns, and hereby expresses its sympathy and condolences to his bereaved family.
2. That the City Clerk be and he hereby is instructed to cause certified copies of this Resolution to be sent to Mrs. Walter W. Bruns.

was introduced and read.

Moved, seconded and unanimously carried.

RESOLUTION NO. 2146
A RESOLUTION AUTHORIZING, UNDER CERTAIN CONDITIONS, THE EXECUTION BY THE CITY MANAGER AND CITY CLERK OF A CERTAIN INDENTURE BETWEEN THE CITY OF CORAL GABLES AND THE COUNTRY CLUB OF CORAL GABLES.

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

That, contingent upon and concurrently with the execution of a Letter Agreement between The City of Coral Gables and The Country Club of Coral Gables, to be executed on behalf of the City by the City Manager, providing for the submission to the City for its files each year during the term of the indenture hereinafter referred to, of the Audit Report showing operations and profits of the Country Club of Coral Gables, and, providing further, that the alterations and repairs to be undertaken by the Country Club of Coral Gables, shall be commenced within a period of ninety (90) days of the effective date of said indenture; the City Manager and City Clerk be and they hereby are authorized and instructed to execute, on behalf of The City of Coral Gables, that certain indenture, being a lease upon Lot 39, Block 32, Section B and that portion of the Granada Golf Course now used and occupied as tennis courts and a contract for certain privileges of the members of the said Country Club of Coral Gables at the Venetian Pool and the Granada Golf Course, for a period of five years, which has been submitted to the Commission of The City of Coral Gables, bearing the endorsement and recommendation of the City Manager, the City Attorney 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" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

RESOLUTION NO. 2147

A RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED SEVENTY FIVE DOLLARS (\$175.00) FROM THE CONTINGENT FUND AND/OR PREVIOUSLY UNANTICIPATED AND UNAPPROPRIATED REVENUE FOR CERTAIN PURPOSES.

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

That the sum of One Hundred Seventy Five Dollars, (\$175.00), be and the same is hereby appropriated from the Contingent Fund and/or previously unanticipated and unappropriated revenue, to the codes as shown, for the purposes hereinafter set opposite the respective amounts:

- 1. For assistance in the expense of burial of L. O. Nixon - Code 1690-9.54...\$ 75.00
- 2. For assistance in the expense of trophies of the 6th Annual Metropolitan Miami Fishing Tournament - Code 1690-9.5..... 100.00

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by Commissioner Whitley. Resolution was adopted by the following roll call:

"Yes" - Commissioner Bell
 Phillips
 Whitley
 Mayor McGarry

RESOLUTION NO. 2148

A RESOLUTION AUTHORIZING AN ADJUSTMENT OF CERTAIN TAXES ON PROPERTY IN FRENCH VILLAGE SUBDIVISION.

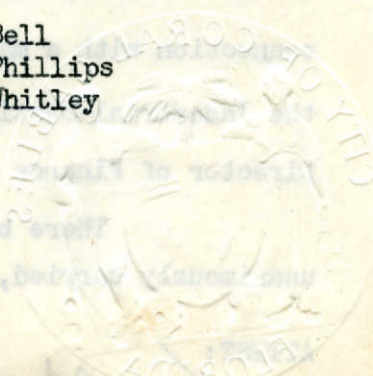
BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

That the Tax Collector be and he hereby is authorized to waive interest and penalties on delinquent tax sale certificates held by and payable to the City, upon the vacant lands in French Village Subdivision, recently acquired by the University of Miami, Inc., for the use and benefit of said University, and to accept in full payment of said taxes, the face amount thereof appearing upon the records of The City of Coral Gables.

was introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Bell. Resolution was adopted by the following roll call:

"Yes" - Commissioner Bell
 Phillips
 Whitley
 Mayor McGarry



[Handwritten signature]
 4-8-41

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MINUTES OF MEETING OF THE COMMISSION
ON APRIL 15, 1941

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 15, 1941.

Mayor McGarry in the Chair; Commissioners Bell, Phillips and Whitley present.

The minutes of the meetings of January 7th, 21st, 28th, February 6th, 18th, March 4th, 18th, 29th and April 8th, were read and approved.

RESOLUTION NO. 2149

A RESOLUTION REQUESTING THE DATE COUNTY LEGISLATIVE DELEGATION TO ENACT A LAW AMENDING THE CHARTER OF THE CITY OF CORAL GABLES, BEING CHAPTER 13972, SPECIAL LAWS OF 1929; 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 for the past two years has made an intensive study of needed amendments to its Special Charter Act, being Chapter 13972, Special Laws of 1929, and has had prepared certain amendments to the said special laws, and

WHEREAS, publicity in the form of news item and the legal notice of intention of the Commission of The City of Coral Gables to propose certain amendments has been published in the Coral Gables Riviera, a newspaper published and circulated in the said City;

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

1. That the Dade County Legislative Delegation be, and it hereby is, requested to introduce and enact into law the accompanying Bill, to be entitled "An Act to Amend Sections 7, 8, 10, 14, 26, 56, 61, 61-a, 62-a, 62 (e), 64, 67(1) and 67(L) of Chapter 13972, Special Acts of 1929, being 'An Act to Abolish the Present Municipal Government of The City of Coral Gables, Dade County, Florida, and Create, Establish and Organize a Municipality to be Known and Designated as The City of Coral Gables, and to Define its Territorial Boundaries, and to Provide for Taxes, Government, Jurisdiction, Powers and Privileges,' as Amended by Subsequent Acts, Section 700 Relating to Inquisitorial Power of the Commission to Determine Facts Essential to Taking Official Action; Sections 8, 10 and 14 Relating to the Election of Commissioners and Mayor and Their Term of

Office; Section 26 Relating to the Organization of Departments by the Commission; Section 56 Relating to Annual Audit of Accounts and Financial Affairs of the City; Sections 61, 61-a, 62a, 67(1). and 67(L) Relating to the Development of Canal and Waterway improvements as Special Improvements; and Sections 62(e) and 64 Relating to Approval of Assessment Lien by Qualified Electors."

2. That a copy of this Resolution and the said Bill amending the said Charter Act be forwarded to Honorable Ernest R. Graham, State Senator, and the Honorable George E. Holt, H. E. Overstreet and Marshall C. Wiseheart, Representatives from Dade County.

3. That the said Delegation be, and it is hereby, requested to refrain from introducing any local legislation affecting The City of Coral Gables without first advising the City Commission of such proposed legislation and giving the Commission an opportunity to investigate and approve or disapprove the same.

was introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Whitley. The resolution was adopted by unanimous vote.

A communication was received from Vincent D. Wyman, with reference to the assessments of the properties of the Florida Power & Light Company, Consumers Water Company and the Southern Bell Telephone and Telegraph Company. No action was taken, the Commissioners desiring to confer with Mr. Wyman on the subject and feeling that the matter should properly be taken up in the coming Equalization Board meetings.

On motion duly seconded and unanimously carried, Mark L. Albury was appointed a member of the Board of Electrical Examiners, to fill the vacancy created by the death of R. E. Lowry.

RESOLUTION NO. 2150

A RESOLUTION REQUESTING DADE COUNTY TO ASSUME THE MAINTENANCE OF PONCE DE LEON BOULEVARD FROM THE MIAMI-HOMESTEAD HIGHWAY TO SUNSET ROAD.

WHEREAS, Ponce de Leon Boulevard from the Miami-Homestead Highway to Sunset Road is of greater service to and in more use by the residents of the County and of communities lying South of Sunset Road, particularly as an approach to the Ponce de Leon High School, than to the residents of The City of Coral Gables, and

WHEREAS, the maintenance of said street by The City of Coral Gables is a problem and burden to said City, not well justified by the needs of its residents;

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

1. That the Dade County Commission be and it hereby is respectfully and urgently requested to declare that part of Ponce de Leon Boulevard lying between the Miami-Homestead Highway and Sunset Road as a part of the County Road system, and to assume the responsibility and cost of its maintenance.

2. That the City Clerk be and he hereby is instructed to cause certified copies of this resolution to be sent to each of the members of the Dade County Commission.

was introduced and read.

Moved, seconded and unanimously carried.

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.

ATTEST:

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

APPROVED:

Paul D. McGarry

MAYOR
Paul D. McGarry

MINUTES OF SPECIAL MEETING OF THE COMMISSION
ON APRIL 22, 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, April 22nd, 1941.

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

RESOLUTION NO. 2151

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" - Commissioner Bell
O'Shaughnessy
Whitley
Mayor McGarry

RESOLUTION NO. 2152

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:

2. That a copy of this Resolution and of the Bill hereinabove described be forwarded to the Honorable Ernest R. Graham, State Senator; Honorable George E. Holt, Honorable H. E. Overstreet and Honorable Marshall Wiseheart, Representatives from Dade County; and they are hereby requested to cooperate to the end that the said Bill may be given prompt passage to make possible the consummation of certain negotiations now being conducted by the Commission.

was introduced and read.

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

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.

which had been first read at the meeting of April 15, 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" - Commissioner Bell
 O'Shaughnessy
 Whitley
 Mayor McGarry

Thereupon, Mayor McGarry declared the Ordinance adopted and approved and ordered its publication as No. 397.

A communication was received from Mr. Frank N. Holley, President of the Coral Gables Chamber of Commerce, commending the City upon the action being taken to prevent the spread of Infantile Paralysis and recommending to the City the closing of all schools. The matter was referred to the City Manager and his Medical Advisory Committee.

AN ORDINANCE FORBIDDING THE DRAINAGE OR STORAGE OF WASTE LIQUIDS OR OTHER WASTE MATTER ACROSS OR UPON THE SIDEWALKS, STREETS AND OTHER PUBLIC WAYS AND ESTABLISHING PENALTIES FOR THE VIOLATION HEREOF.

MINUTES OF MEETING OF THE COMMISSIONERS
ON MAY 4, 1941

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. Motion seconded by Commissioner Bell and carried by the following roll call:

- "Yes" - Commissioner Bell
- O'Shaughnessy
- Whitley
- Mayor McGarry

Thereupon, the ordinance 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" - Commissioner Bell
- O'Shaughnessy
- Whitley
- Mayor McGarry

Thereupon, Mayor McGarry declared the ordinance adopted and approved and ordered its publication as No. 398.

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

WHEREAS, the owners of lots 1 to 22 inclusive and lots 23 to 50 inclusive, Block 36, Williams Addition Section have submitted a re-plot of said property, subdividing it into larger parcels and showing as closed the alley which was located by the City Ordinance No. 382, and said plot has been checked and approved by the City Manager

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and City Clerk,

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

That, that certain re-plat³⁶ entitled, "Re-SUBDIVISION OF A PORTION OF BLOCK 35, CORAL GABLES BILTMORE SECTION" prepared by the Biscayne Engineering Company and bearing date of April 1941, be and the same is hereby accepted and approved and the Tax Assessor be and he hereby is authorized and instructed to use such plat as a basis for future City of Coral Gables assessments.

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
Phillips
Whitley
Mayor McGarry

RESOLUTION NO. 2156

A RESOLUTION APPOINTING A. B. CURRY AS MUNICIPAL JUDGE.

WHEREAS, the office of Municipal Judge of The City of Coral Gables, Florida, has been vacated by the resignation of Thomas C. Mayes, and the Commission wishes to fill said office temporarily, so as to defer the permanent appointment until after the induction into office of the Commissioners to be elected on June 10,

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

That A. B. Curry, City Manager, be and he hereby is appointed Municipal Judge of The City of Coral Gables, until and unless some permanent appointment shall be made by the City Commission.

was introduced and read.

Motion for adoption by Commissioner Whitley, seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2157

A RESOLUTION REQUESTING THE CORAL GABLES REAL ESTATE BOARD TO CO-OPERATE WITH THE CITY IN THE CONTROL OF ADVERTISING SIGNS.

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WHEREAS, it is deemed to the advantage of the City and its property owners to eliminate for sale and for rent signs, and to control "open for inspection" signs, as an effort to prevent the unattractive and unsightly conditions which would arise from the indiscriminate placing of many such signs, and in order to prevent harm to property value by the display of many such signs, giving the appearance of an overabundance of property for sale; and

WHEREAS, it is also deemed to the best interest of the City generally, in keeping with its dignified charter and ideals, to regulate signs in the business area, to prevent the installation of gaudy and unsightly signs, and to prevent the cheapening of the appearance of said business district by many unnecessary advertising signs.

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

That the Commission hereby requests that the Coral Gables Real Estate Board cooperate with the City Administration in its effort to control for sale, for rent, open for inspection and advertising signs generally, and that said Board appoint a Committee to confer with the City Manager in an effort to work out a comprehensive plan for such control, which will be to the best interest of the City as a whole, and which will have the full support of the said Board.

was introduced and read.

Motion for adoption by Commissioner Whitley, seconded by Commissioner Bell. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2158

A RESOLUTION APPROPRIATING THE SUM OF FORTY SEVEN DOLLARS TOWARD THE EXPENSE OF THE EXHIBITION OF CONTEMPORARY AMERICAN PAINTING.

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

That the sum of Forty-seven Dollars (\$47.00), be and the same is hereby appropriated from the contingent fund and/or previously unanticipated and unappropriated revenue, to Code No.1690-9.5 as the City's contribution to the Exhibition of Contemporary American Painting, sponsored and held in The City of Coral Gables by the Works Progress Administration.

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by Commissioner Phillips. The motion was adopted by the following roll call:

"Yes"- Commission Bell
Phillips
Whitley
Mayor McGarry

The Commission received a communication from the City Attorney suggesting settlement of the claim of Mrs. Katherine Kelly, for the sum of \$150.00; but, after discussion with the City Manager instructed the City Attorney to continue with the defense of the claim.

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS TO THE FACING OF BUILDINGS ON LOT 22, BLOCK 14, SECTION A; LOT 12, BLOCK 14, SECTION B; LOTS 11 to 14 INCLUSIVE, BLOCK 31, DOUGLAS SECTION; LOT 9, BLOCK 6, GOLDEN GATE. AS TO REQUIRED FLOOR AREA ON LOT 39 and 1/2 OF LOT 38, COCONUT GROVE TERRACE; LOT 10 AND NORTH 1/2 OF LOT 11, BLOCK 8, SECTION C; LOT 9 BLOCK 12, DOUGLAS SECTION. AS TO SETBACKS ON LOTS 22 TO 27 INCLUSIVE BLOCK 50, COUNTRY CLUB SECTION, PART 4; LOTS 17 AND 18 BLOCK 223, RIVIERA SECTION. AS TO USE ON LOTS 18 TO 20 INCLUSIVE BLOCK 4, CRAFT SECTION; AND LOTS 1 TO 6 INCLUSIVE, BLOCK 27, SECTION K.

and

AN ORDINANCE AMENDING ORDINANCE NO. 271, ADOPTED FEBRUARY 16, 1937, KNOWN AS THE "ZONING ORDINANCE", AS TO BUILDING AREA FOR LOTS FACING ON SOROLLA FROM GRANADA BOULEVARD TO FERDINAND STREET.

were introduced and read.

Motion by Commissioner Whitley that the requirements for reading on two separate days be dispensed with and that the Ordinances be placed on second reading at once. Motion seconded by Commissioner Bell and carried by the following roll call:

"Yes"-Commissioner Bell
Phillips
Whitley
Mayor McGarry

Thereupon the Ordinances were read again in full.

Motion for adoption of the Ordinances by Commissioner Whitley, seconded by Commissioner Bell. The Ordinances were adopted by the following roll call:

"Yes"- Commissioner Bell
Phillips
Whitley
Mayor McGarry

Thereupon Mayor McGarry declared the Ordinances adopted and approved and ordered their publication as numbers 399 and 400 respectively.

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RESOLUTION NO. 2159

A RESOLUTION FIXING THE SALARIES OF THE CITY MANAGER AND CITY CLERK AND APPROPRIATING THEREFOR.

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

Sec. 1. That effective June 1, 1941, the salary of the City Manager shall be on the basis of Six Thousand Dollars (\$6000.00) per year; and the salary of the City Clerk and Director of Finance shall be on the basis of Five Thousand Dollars (\$5000.00) per year, and that said City Manager be and he hereby is authorized to make the necessary provisions therefor in the City Manager's Budget estimate now being prepared for the fiscal year 1941-1942.

Sec. 2 That the sum of One Hundred Twenty-five Dollars (\$125.00) be and the same is hereby appropriated from the contingent fund and/or previously unanticipated and unappropriated revenues to Codes No. 1610-01 and 1630-01 to provide for the payment of the salaries as revised during the month of June 1941.

was introduced and read.

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

"Yes"-Commissioner Bell
Phillips
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 COMMISSIONERS
ON MAY 20, 1941

The Commission of The City of Coral Gables, convened in regular session at the City Hall at 5 O'Clock P. M., on Tuesday, May 20, 1941.

Mayor McGarry in the Chair; Commissioners Bell, Phillips and Whitley present.

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

RESOLUTION NO.2160

A RESOLUTION APPOINTING A
CLERK AND INSPECTORS FOR THE
ELECTION OF JUNE 10, 1941.

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 10, 1941, in the capacities set opposite their names:

Lewis H. Fogle	Clerk
H. R. Anderson	Inspector
R. J. Beaton	"
E. G. Bishop	"
Wm. Rutherford Brown	"
S. J. DeLanoy, Jr.,	"
Charles E. Michel	"
John M. Montgomery	"
James B. Moore	"
George Mugford, Sr.	"
W. C. Russell	"
Walter E. Schaefer	"
R. E. Temple	"
Madeline Whitcher	"

was introduced and read.

Motion for adoption by Commissioner Whitley, seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION No. 2161

A RESOLUTION APPROPRIATING THE
SUM OF FOUR HUNDRED SIXTY-FIVE
DOLLARS FOR CERTAIN PURPOSES.

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

625
4166
8334

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That the sum of Four Hundred Sixty-five Dollars (\$465.00) be and the same is hereby appropriated from the Contingent Fund and/or previously unanticipated and unappropriated revenue, to the codes indicated, for the purposes hereinafter set opposite the respective amounts:

1. For installation of fire hydrant in the 1000 Block on Avenue Astruria, Code No. 1625-5.84 \$250.00
2. For the expense of the City Manager in attending the State Conference of City Managers at St. Petersburg Code No. 1610 \$ 40.00
3. For the settlement of Katherine W. Kelly injury claim Code No. 1680-8.3 \$175.00

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

RESOLUTION NO. 2162

A RESOLUTION AUTHORIZING ADJUSTMENT OF CERTAIN TAXES ON LOTS 19 AND 20 BLOCK 3, SECTION "D".

WHEREAS, Lots 19 and 20, Block 3, Section D, have been heretofore assessed as improved property and the tax levies thereon have been far greater than the value of the lots, and

WHEREAS, the improvement existing thereon is not usable and must be removed before the lots may be used for building purposes, and

WHEREAS, the City has sold the tax buyers its taxes prior to the year 1937 at the figures produced by the improved property assessment and has therefore realized more than its proper return upon these lots, and the accumulation of such taxes is out of proportion to the market value of the lots.

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 to accept in full settlement of the taxes for the years 1937 to 1940 inclusive on said lots, the sum of One Dollar (\$1.00) per year per lot.

was introduced and read.

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

"Yes"- Commissioner Bell
Phillips
Whitley
Mayor McGarry

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271, KNOWN AS THE "ZONING ORDINANCE" AS TO USE REQUIREMENTS ON LOTS 47 AND 48, BLOCK 16, CRAFT SECTION AND 28 TO 31 INCLUSIVE, BLOCK 11, FLAGLER SECTION.

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

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MINUTES OF SPECIAL MEETING OF THE COMMISSION
ON MAY 28, 1941

Pursuant to call of Special Meeting by Mayor McGarry, and the unanimous consent of the Commissioners, the Commission of The City of Coral Gables, Florida, convened in special session at the City Hall at five o'clock P. M., on Wednesday, May 28, 1941.

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

RESOLUTION NO. 2163

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

RESOLUTION NO. 2164

A RESOLUTION APPROPRIATING THE SUM OF SEVEN HUNDRED DOLLARS FOR CERTAIN PUBLIC HEALTH WORK.

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

That the sum of Seven Hundred Dollars (\$700.00), be and the same is hereby appropriated from the Contingent Fund and/or previously unanticipated and unappropriated revenue to the Department of Public Welfare, for the purpose of eliminating from vacant property, trash piles and other accumulations which might foster the breeding of mosquitoes and other pests and thus be a menace to public health.

was introduced and read.

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

"Yes" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

RESOLUTION NO. 2165

A RESOLUTION ACCEPTING AND ASSUMING CONTRACT FOR WIDENING AND DEEPENING THE APPROACH TO AND THE MOUTH OF CORAL GABLES DRAINAGE CANAL.

WHEREAS, property owners abutting upon the Coral Gables Waterway and Yacht Basin and the Mahi Waterway have petitioned the Commission of The City of Coral Gables, to create an improvement district for the purpose of widening and deepening the mouth of and the approach to the said Drainage Canal according to the plans and specifications prepared therefor by M. B. Garris, Civil Engineer of Miami, Florida dated April 1941, a copy of which signed petitions is hereto attached, and made a part hereof; and

WHEREAS, the carrying out of such an improvement is of vital importance to the said abutting property owners and the City in general, and it is to the best interests of such property owners that such a widening and deepening improvement be executed; and

WHEREAS, equipment that can do such work economically is rare and the only such equipment now in this area is owned by the M & M Dredging & Construction Co., a Florida Corporation, and the expense of bringing such equipment here for such an improvement alone would make the cost of the same prohibitive; and

WHEREAS, in order to secure the services of the said dredging company and its equipment, and to get the widening and deepening of the said Drainage Canal done as cheaply as possible the Canal Properties Inc., a Florida Corporation, organized by some of the said property owners, procured a contract with the said dredging company to do such widening and deepening at the unit price of twenty-five (25¢), cents per cubic yard, measured in place, and upon terms as set forth in the said contract, a copy of which is hereto attached and made a part of this resolution; and

WHEREAS, the MIAMI CORPORATION, owners of one of the largest tracts of land abutting upon the said canal, has offered to donate to the City a ninety-nine (99) year easement over its lands for such widening and deepening, and has offered to pay the entire cost of some additional dredging and levee work necessary and incidental to such widening and deepening of the said Canal, which will materially decrease the ultimate cost of said improvement to the aforesaid property owners, PROVIDED, The City of Coral Gables assumes

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the said contract between the Canal Properties Inc., and the M & M Dredging & Construction Co., and co-operates thereby in the completion of said improvement project and in securing the said Dredging Company to do and perform the aforesaid necessary and incidental work of additional dredging and levee construction; and

WHEREAS, by the assumption of the said contract and the aforesaid co-operation with the Miami Corporation, The City of Coral Gables can procure the donation of a ninety-nine (99) year easement on and over a one hundred (100) foot strip of land for the widening and deepening of the said Drainage Canal, and can procure the execution of the said plans and specifications prepared by M. B. Garris, Civil Engineer, at an ultimate cost to the property owners far below what the cost would be if the City did not take advantage of the aforesaid contract between the Canal Properties Inc., and the said Dredging Company;

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

That, upon the faith of the aforesaid petitions of property owners abutting upon the said canal and the agreement of said property owners to an assessment against their said properties for the payment of the ultimate cost of the said improvement to the City on a front foot basis according to the special benefits resulting to their property from said improvement, such assessment not to exceed, however, the sum of seventy-five cents (75¢) per front foot, the City Manager and the City Clerk be and they are hereby authorized and directed to accept from the Canal Properties Inc., an assignment of the aforesaid contract with the M & M Dredging & Construction Co., and in such assignment to assume the obligations of said contract in behalf of The City of Coral Gables.

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
Phillips
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 COMMISSION
ON JUNE 3, 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 June 3, 1941.

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

The minutes of the meetings of May 6th and May 20th were read and approved.

RESOLUTION NO. 2166

A RESOLUTION AUTHORIZING THE
ADJUSTMENT OF CERTAIN TAXES
FOR THE ACCOUNT OF THE UNIVERSITY
OF MIAMI, INC.

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

That the Tax Collector be, and he hereby is authorized to accept from the University of Miami, Inc., in full settlement of any taxes held by and payable to The City of Coral Gables, for the years 1937 to 1940 inclusive, on Lots 32 and 33, Block 75; Lots 2, 5 to 12 inclusive, 32, 34 and 35, Block 78; Lots 3 to 10 inclusive 12, and 23 to 29 inclusive, 31 and 32, Block 79; Lots 3 and 5 to 10 inclusive, 17, 20 and 23 to 27 inclusive, Block 82, all in Riviera Section, the face amount of said taxes without interest or penalties.

was introduced and read.

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

"Yes" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

Mr. Harold B. Lewis, local representative of the Miami Corporation appeared before the Commission in connection with the improvement of the Canal and its approach and channel.

RESOLUTION NO. 2167

A RESOLUTION AUTHORIZING THE
EXECUTION OF LETTER CONTRACT
WITH MIAMI CORPORATION RELAT-
ING TO THE WIDENING AND DEEP-
ENING OF THE CORAL GABLES CANAL
AT AND NEAR ITS ENTRANCE TO
BISCAYNE BAY.

WHEREAS, The City of Coral Gables, by letter of the City Manager to the Miami Corporation, dated May 9, 1941, in words and figures as follows:

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" Coral Gables, Florida,
May 9, 1941

Miami Corporation,
1119 Security Building,
Miami, Florida.

Gentlemen: ATTENTION: MR. H. B. LEWIS

The City of Coral Gables has filed a request, dated April 22, 1941, with the District Engineer, U. S. Engineer Office, Jacksonville, Florida, for a permit to dredge an entrance channel from the eight foot contour in Biscayne Bay connecting with the system of waterways of Coral Gables, which is within the corporate limits of The City of Coral Gables, as shown by plans therefor, prepared and drawn by M. B. Garriss, Civil Engineer of Miami, Florida, under date of April 1941, and filed with the said District Engineer.

In connection with such dredging operations, The City of Coral Gables will dredge and widen the existing Coral Gables Canal, (the same being an extension of the Coral Gables Waterway), to a uniform width of 100 feet and depth of 8 feet from Douglas Road to deep water. As a result of such dredging operations it is estimated that there will be approximately 100,000 cubic yards of spoil.

Miami Corporation has granted The City of Coral Gables the privilege of depositing on lands owned by Miami Corporation the spoil to be excavated in the proposed dredging operations. The City of Coral Gables hereby agrees that in consideration of such privilege, it will deposit all of the spoil resulting from such dredging operations, so long as such spoil and material does not exceed 150,000 cubic yards, on the lands of Miami Corporation in such places, and in such manner, and at such levels as Miami Corporation may designate, at a cost to Miami Corporation of 10¢ per cubic yard, in place. It is understood and agreed that in the event the spoil resulting from such dredging operations exceeds 150,000 cubic yards, then, in such event, Miami Corporation shall not be required to purchase such excess spoil, but that Miami Corporation, at its option, shall have the right to purchase such excess spoil at 10¢ per cubic yard, in place.

As an additional consideration to Miami Corporation to permit the depositing of spoil on its lands and to purchase all spoil resulting from such dredging operations up to but not in excess of 150,000 cubic yards, at a cost of 10¢ per cubic yard, in place, The City of Coral Gables further agrees to close, vacate, abandon and destroy the part of that certain road known as Old Coco Plum Road, which lies between Ingraham Highway and Biscayne Bay, and at the expense of The City of Coral Gables, to lay out and construct a new road, not less than 20 feet in width, from Granada Boulevard along LaBarca Avenue and a continuation or extension thereof to a point where such new road will intersect with the road known as Tahiti Beach Road in the vicinity of Tahiti Beach. The exact location of such new road, together with its width, elevation etc., is to be more specifically determined in a separate agreement between The City of Coral Gables and Miami Corporation.

Respectfully submitted,
THE CITY OF CORAL GABLES
A. B. CURRY - Its City Manager
Attest: G. N. SHAW - Its City Clerk
APPROVED AND ACCEPTED:
MIAMI CORPORATION
H. B. Lewis - Its Agent.

proposed to the Miami Corporation certain co-operation by the said corporation in the improvement project for the widening and deepening of the Coral Gables Canal near its entrance into Biscayne Bay and the widening and deepening of a channel out into the Bay; and

WHEREAS, the Miami Corporation, by letter dated May 17, 1941, in the following words and figures:

" May 17, 1941

The City of Coral Gables,
Coral Gables, Florida.

Gentlemen:

This will supplement your letter of May 9, 1941, to the undersigned, Miami Corporation, with respect to widening the existing Coral Gables Canal and dredging an entrance thereto.

1. In your letter of May 8, 1941, you agree, among other things, to lay out and construct a new road from Granada Boulevard along LaBarca Avenue and a continuation thereof to a point where such new road will intersect with the road known as Tahiti Beach Road in the vicinity of Tahiti Beach and you state that the exact location of such new road, together with its width and elevation to be more specifically determined by and between you and us. It has now been determined by and between you and us that said new road is to be located as shown on map prepared by M. B. Garris, Civil Engineer, hereinafter sometimes referred to as the Engineer, dated April 1941, (blueprint of which is attached to this letter), entitled, "Map of Proposed New Road to Tahiti Beach for Miami Corporation". This road is to be a minimum of 20 feet in width and is to have an elevation along the center line of its finished surface of not less than 5 feet above mean low water. The road proper shall be composed of not less than 8 inches of Miami Oolite Rock, rolled and water bonded. The surface of this finished road shall have applied 0.3 gallons of asphaltic oil per square yard of surface and then sanded. It is contemplated that in constructing the base for this road across the low lands comprising the eastern portion of the land known as "Cocoplum" you may use a part of the material which you may dredge from the channel or the submerged lands in front of the new bulkhead line to be established by the U. S. Engineer office. You shall have the option to utilize the rock now in the Tahiti Beach Road from the canal south to the junction of said road with the proposed continuation of the LaBarca Avenue and also the rock in the old Cocoplum Road, (which is to be destroyed by you), in the construction of the new road above referred to. The cost of the new road, including the cost of dredging and putting in place the material to be used in constructing the base thereof, and the cost of putting in place the rock now in the Tahiti Beach Road and the old Cocoplum Road shall be borne wholly by you.

2. You shall make or cause to be made and shall assume and shall perform contracts with M and M Dredging Corporation for the dredging and filling necessary to complete, within a reasonable time, all of the dredging and filling operations provided for in this letter and in your letter of the 9th inst., above referred to.

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3. We are to pay you 10¢ per cubic yard for material taken from the canal and its entrance channel and deposited on our land measured in place, subject to the conditions, limitations and in accordance with the terms of your letter of the 9th inst., to us, except that we shall pay you nothing for the material used in the construction of the new road above referred to.

4. It is contemplated that, in addition to the dredging of the channel proper, the contract for dredging between you and the dredging contractor will cover the dredging of a 50 foot strip of land or submerged land south of and adjacent to the south line of the proposed canal, (said 50 foot strip lying East of the lately removed Tahiti Beach Road bridge and West of the proposed new bulkhead line), and will also cover that portion of the existing spoil bank and shallow waters adjacent thereto lying within the following boundaries, (a) south of the proposed channel and (b) west of a line parallel with and 600 feet east of the proposed bulkhead line, and (c) north of a line projected 600 feet east from the easternmost point of Tahiti Beach and (d) east of the proposed bulkhead line. It is contemplated that the several areas mentioned in this paragraph shall be dredged to rock which is estimated to be approximately 5 feet below mean low water. It is estimated that the amount of material above rock available in such areas is not less than 25,000 cubic yards or more than 50,000 cubic yards. We agree to take not less than 25,000 cubic yards of such material and we shall have the option to take up to 50,000 cubic yards, if such amount shall be available in such areas above rock. Such material shall be deposited within the areas to the levees hereinafter described and in the manner hereinafter provided in paragraph 7 hereof. We agree to pay you 15¢ per cubic yard measured in place for such material taken by us but we shall pay you nothing for the material used in the construction of the new road above referred to.

5. The contract between you and the dredging contractor shall include the construction of a levee from the outer (or easternmost) point of Tahiti Beach extending along the proposed bulkhead line to a point 50 feet south of the proposed channel, thence extending northwesterly along a line 50 feet south of and parallel to the south line of the proposed channel to the said recently removed Tahiti Beach Road bridge, which said levee will be approximately 2,450 feet in length. The height of this levee shall be approximately 7 feet above mean low water and the cost shall be 75¢ per lineal foot, and such cost shall be paid to you by us.

6. The contract between you and the dredging contractor shall also include the construction of a levee from said recently removed Tahiti Beach Road bridge extending southerly along the west side of the present Tahiti Beach Road to a point opposite Tahiti Beach Lagoon, thence extending in an easterly direction along a line to be laid out by the Engineer, and thence along the north edge of the atoll to the outer point of Tahiti Beach, a distance of approximately 3,200 feet. The height of this levee shall also be approximately 7 feet above mean low water and the cost for said levee shall be 25¢ per lineal foot, and such cost shall be paid to you by us.

7. You shall, at your cost and expense, cut down from the areas lying within the boundaries of the levees hereinbefore described, all mangrove trees 4 inches and under, in diameter, so that neither the stumps nor the limbs nor the roots thereof will extend more than a height of $3\frac{1}{2}$ feet above mean low water. All material deposited within the areas of the levees hereinbefore described shall be deposited as evenly as is possible to be done with hydraulic dredging processes and no point of the fill shall be more than 6 feet above mean low water, all as directed by the Engineer.

8. Payments for dredging and filling to be paid for by us shall be made as follows:

- (a) Levees shall be paid for when all of them are completed and upon estimates of the Engineer, approved by the City Manager.
- (b) Material deposited within the areas of the levees hereinbefore described, shall be paid for upon completion of the proposed City channel work upon estimates of the Engineer, approved by the City Manager.
- (c) The removal of the existing spoil bank east of the proposed bulkhead line and the removal of the material south of the channel and the removal of any other material removed at our request shall be paid for upon completion of such work upon estimates of the Engineer, approved by the City Manager.

9. The payments herein provided to be made by us shall constitute full payment, settlement and satisfaction of any and all special assessments for benefits, actual or asserted, levied, assessed or charged against our lands from the construction and improvement of the canal.

10. We are considering the construction of a creosoted timber bulkhead extending along the proposed new bulkhead line from the easternmost point of Tahiti Beach to a point 50 feet south of the south line of the proposed channel, extending thence northwesterly along a line 50 feet south of and parallel to the south line of the channel to a point opposite the above mentioned lately removed Tahiti Beach Road bridge. We are not bound to construct this or any other bulkhead unless we choose so to do, even though the Federal Government may authorize us to construct a bulkhead as a result of our application for leave so to do.

11. The City Commission of The City of Coral Gables has declared and does hereby declare that the taxable value of the Cocoplum property now owned by Miami Corporation, will not be increased by the dredging, filling and other operations contemplated by this letter and your letter of May 9, 1941, herein referred to, until such property shall be improved, subdivided and made available for use.

12. Within fifteen days after the completion of the dredging operations provided for in this letter and in your letter of the 9th inst., we shall execute and deliver to you a right-of-way deed conveying to you, without warranties, a right-of-way over, across and along the property described

in right-of-way, (form of such deed being hereto attached). Such right-of-way shall be for a period of 99 years and shall be limited as to use, to be used only by pleasure craft, except, however, that said canal may be used (a) in time of storm as a haven of refuge for craft other than pleasure craft, and may be used (b) at any time for the transportation of equipment and materials for building bridges, seawalls, bulkheading and for further improvement of said canal.

Yours very truly,

MIAMI CORPORATION

H. B. ERMINGER, JR. (signed)
President.

ACCEPTED, AGREED TO AND APPROVED:

THE CITY OF CORAL GABLES

By A. B. CURRY (signed)
Its City Manager

ATTEST:

G. N. SHAW (signed)
Its City Clerk

APPROVED:

Morton B. Adams (signed)

City Attorney "

has made a written offer and proposal of the matters and things which the said corporation will do for the purpose of cooperating with the City in the accomplishment of the aforesaid public improvement of the Coral Gables Canal; and

WHEREAS, The City of Coral Gables, has, by assignment from the Canal Properties Inc., secured a contract with the M & M Dredging & Construction Co., to do and perform the several items of dredging and levee work mentioned in the aforesaid letter of May 17, 1941; and

WHEREAS, the contribution agreed to be made by the Miami Corporation in the said letter to the carrying out and completion of said improvement will materially decrease the ultimate cost of the said improvement to the City and its property owners directly affected thereby, and an acceptance of the proposal of the Miami Corporation is to the best interests of the City,

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

1. That the City Manager and the City Clerk be, and they are hereby authorized and directed to accept, agree to and approve the said letters of May 9, and May 17, 1941, and to execute the endorsement provided therefor on the said letter of May 17, 1941 from Miami Corporation.

2. That the taxable value of the Cocoplum property now owned by Miami Corporation will not be increased by the dredging filling and other operations proposed to be carried out under the terms and provisions of the aforesaid letters of May 9 and May 17, 1941, until such property shall be improved, subdivided and made available for use.

3. That the City Manager be, and he hereby is, authorized and directed to carry out the road construction work as provided in paragraph 1 of the hereinabove quoted letter dated May 17, 1941, and there is hereby appropriated from the contingent fund, or previously unanticipated and unappropriated revenues the sum of \$12,000.00 to pay the costs of the said work.

4. That the City Manager be, and he hereby is, authorized and directed to carry out the work agreed to be done by the City in paragraph 7 of the aforesaid letter dated May 17, 1941, and there is hereby appropriated from the contingent fund or previously unanticipated and unappropriated revenues the sum of \$300.00 to pay the cost of said work.

5. The City Manager be, and he hereby is, authorized and directed to accept in behalf of The City of Coral Gables, when delivery of the same is tendered by the Miami Corporation, a right-of-way deed executed to the City in conformity with the provisions in paragraph 12 of the aforesaid letter of May 17, 1941.

was introduced and read.

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

"Yes" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

The Clerk explained to the Commission that certain properties of the University of Miami were included in the tax sale and that the University could avoid approximately \$100.00 of penalties by paying the taxes at this time but was without funds for this purpose and had requested that an advance of \$1000.00 be made against the appropriation to be made for the University for the fiscal year 1941-1942. Thereupon, Commissioner Whitley introduced

RESOLUTION NO. 2168

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO ADVANCE \$1000.00 TO THE UNIVERSITY OF MIAMI AGAINST ITS APPROPRIATION FOR THE YEAR 1941-1942.

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 pay to the University of Miami, Inc., the sum of One Thousand Dollars (\$1000) as an advance against and to charge said amount as a part payment upon the appropriation to be made by the City to the University of Miami Inc., for the fiscal year 1941-1942, in order that the University of Miami may be enabled to pay, before the tax sale, the City taxes upon certain of its properties and thus avoid interest and penalties which would be collectible by the purchaser at the City Tax Sale.

and moved its adoption. Motion seconded by Commissioner Bell. The resolution was adopted by the following roll call:

"Yes" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

At the request of Mayor McGarry -

RESOLUTION NO. 2169

A RESOLUTION APPOINTING W. L. GRAY, JR., JUDGE OF THE MUNICIPAL COURT FOR A CERTAIN PERIOD.

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

That W. L. Gray, Jr., be and he hereby is appointed Judge of the Municipal Court of The City of Coral Gables to serve on Friday, June 6, 1941, for the purpose of hearing a pending case involving legal questions which should be acted upon by someone conversant with the law.

was introduced and read.

Motion for adoption by Commissioner Phillips, 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 USE REQUIREMENTS ON LOTS 47 AND 48 BLOCK 16, CRAFT SECTION, AND 28 TO 31 INCLUSIVE, BLOCK 11 FLAGLER SECTION.

which had been first read at the meeting of May 20, 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
Phillips
Whitley
Mayor McGarry

Thereupon Mayor McGarry declared the ordinance adopted and approved and ordered its publication as No. 401.

AN ORDINANCE GRANTING EXCEPTIONS TO THE TERMS OF ORDINANCE NO. 271 KNOWN AS THE "ZONING ORDINANCE" AS TO BUILDING AREA ON LOTS 12 AND 13, BLOCK 9, SECTION C AND AS TO SERVANT'S QUARTERS ON LOT 20, BLOCK 14, SECTION A.

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

The City Attorney presented an opinion upon zoning questions involving filling stations, in accordance with previous request of the Commission, the opinion was ordered filed for future guidance in such matters.

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

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MINUTES OF SPECIAL MEETING OF THE COMMISSION
ON JUNE 11, 1941

Pursuant to call of Special Meeting by Mayor McGarry, and the unanimous consent of the Commissioners, the Commission of The City of Coral Gables, Florida, convened in special session at the City Hall at 3 o'clock P. M. on Wednesday, June 11, 1941.

Mayor McGarry in the Chair; Commissioners Bell, Phillips and Whitley present. Commissioner O'Shaughnessy absent on leave. Commissioners elect Healy and Mayes were also present at the request of the Mayor to join the discussion of the matter under consideration.

The minutes of the meetings of May 28, and June 3, were read and approved.

RESOLUTION NO. 2170

A RESOLUTION WAIVING NOTICE
OF SPECIAL MEETING AND GRANT-
ING 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

The Clerk then presented to the Commission the Return Sheet and Report of the Clerk and Inspectors of the General Municipal Election of Tuesday, June 10, 1941, showing a total of 1939 votes cast in that election, with the following results:

FOR COMMISSIONERS:	CANDIDATE	NUMBER OF VOTES
	Wallace A. Bell	1013
	Dennis A. Cray	762
	Andrew T. Healy	1003
	S. Duffield Hopkins, Jr.,	634
	Allen F. Knibiehly	114
	Thomas C. Mayes	1235
	Lloyd W. Park	526

FOR MAYOR:

Wallace A. Bell	43
Dennis A. Cray	10
Andrew T. Healy	77
S. Duffield Hopkins, Jr.,	295
Allen F. Knibiehly	3
Thomas C. Mayes	62
Lloyd W. Park	50
W. Keith Phillips	622
Joe W. Whitley	747

Mayor McGarry ordered that the return sheet and report be filed in the permanent records of the Commission of The City of Coral Gables.

RESOLUTION NO. 2171

A RESOLUTION DECLARING THE
RESULTS OF THE GENERAL
ELECTION OF JUNA 10, 1941.

WHEREAS, There has been filed with the Commission of The City of Coral Gables, a certificate of the Inspectors and Clerk of the General Election held on June 10, 1941, and such certificate has been examined by the Commission:

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

That the Commission declares that the election was fairly and legally held; that the report of the Inspectors and Clerk is hereby accepted and approved, and the following are found to have been duly and legally elected at said election:

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

Messrs. Wallace A. Bell and Thomas C. Mayes

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

Mr. Andrew T. Healy

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

Mr. Joe W. Whitley

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

was introduced and read.

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Mayor McGarry surrendered the Chair to Commissioner Whitley and moved the adoption of the resolution, motion seconded by Commissioner Phillips and the resolution was adopted by the following roll call:

"Yes" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

Messrs. McGregor Smith, Natt T. Wagner and Will M. Preston then discussed with the Commission and with the Commissioners elect, the question of the purchase by the City of the Consumers Water Company, its physical properties and assets.

RESOLUTION NO. 2172

A RESOLUTION APPROVING A PROPOSED AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND NATT T. WAGNER PROVIDING FOR THE PURCHASE BY THE CITY FROM NATT T. WAGNER OF THE CORAL GABLES WATER DISTRIBUTION SYSTEM AND SETTING OUT THE TERMS AND CONDITIONS UNDER WHICH SAID WATER DISTRIBUTION SYSTEM SHALL BE PURCHASED; 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 AGREEMENT WITH SAID NATT T. WAGNER.

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

1. That the proposed agreement with Natt T. Wagner 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 said Natt T. Wagner, the said proposed agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

" AGREEMENT BETWEEN THE CITY OF CORAL GABLES AND NATT T. WAGNER FOR THE PURCHASE OF CORAL GABLES WATER DISTRIBUTION SYSTEM

PARTIES -

THIS CONTRACT, made and entered into this _____ day of June, 1941, by and between THE CITY OF CORAL GABLES, a municipal corporation organized and existing under the laws of the State of Florida, (hereinafter referred to as the "City"), and NATT T. WAGNER, of the City of New York and State of New York, (hereinafter referred to as the "Individual");

WITNESSETH:

GENERAL PURPOSE -

THAT WHEREAS, the Individual has entered into a Contract with Florida Power & Light Company, a Florida corporation, whereby the Individual will acquire all of the capital stock of Consumers Water Company, a corporation organized and existing under the laws of the State of Florida and owning or now operating water distribution properties and businesses in the cities of Stuart, Coral Gables, Florida, and elsewhere in the State of Florida; and

WHEREAS, the Individual, through the liquidation of Consumers Water Company on or before the closing date herein provided for, will acquire all of the then tangible and intangible assets of Consumers Water Company, including the water distribution system now owned and operated by Consumers Water Company within and without The City of Coral Gables, Florida, and known as the Coral Gables Water Distribution System, and

WHEREAS, the City and the Individual have agreed, subject to the terms and conditions outlined in this Agreement, that the City shall acquire from the Individual and thereafter own and operate the Coral Gables Water Distribution System and shall also acquire from the Individual cash to an amount of Twenty-Five Thousand Dollars (\$25,000.00), and this instrument is for the express purpose of reducing to writing and rendering their agreement certain;

MUTUAL UNDERTAKING -

NOW, THEREFORE, in consideration of the premises, and for valuable considerations passing from the City to the Individual and from the Individual to the City, receipt of which is hereby acknowledged, and in consideration of the mutual covenants and agreements herein set forth to be observed and performed, the parties hereto covenant and agree as follows:

CLOSING DATE -

1. The "closing date" provided for under this Agreement shall be such date prior to November 1, 1941, as the parties hereto may select and designate in writing.

PLACE OF CLOSING -

2. The parties hereto shall agree upon the place and hour of closing.

DELIVERIES BY INDIVIDUAL ON CLOSING DATE -

3. On the closing date the Individual shall deliver to the City the following:

- (a) A general warranty deed executed by the Individual, as Grantor, in favor of the City and covering all real estate owned by the Individual on the closing date and used, useful or held for use in connection with the Coral Gables Water Distribution System, said real estate to be free and clear of all liens and encumbrances.

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- (b) An instrument of conveyance executed by the Individual conveying to the City all rights, title and interest in and to all physical properties other than real estate, (including materials and supplies but not including cash), business and franchises, all water supply and water service contracts and customers accounts receivable, (including amounts due for services rendered to but unbilled on the closing date), miscellaneous assets other than physical properties which may be mutually agreed upon between the City and the Individual on or before the closing date, which shall be owned by the Individual on the closing date and be used, useful or held for use in connection with the Coral Gables Water Distribution system, properties and business.
- (c) The sum of Twenty-Five Thousand Dollars (\$25,000.00) in cash.
- (d) Such books and records of Consumers Water Company as are shown upon a list thereof to be agreed upon between the Director of Finance of the City and the Individual as being necessary or helpful in the continued operation of the Coral Gables Water Distribution System.

DELIVERIES BY CITY ON CLOSING DATE -

4. On the closing date, the City shall deliver to the Individual the following:

- (A) Water Revenue Bonds of The City of Coral Gables in the amount of Eight Hundred Thousand Dollars (\$800,000.00), which bonds shall be payable exclusively from the revenues of the Coral Gables Water Distribution System and the payment of which bonds shall not directly or indirectly or contingently obligate the City to levy or pledge any form of taxation whatever therefor.

INTEREST RATE OF AND DELIVERY OF BONDS -

5. In the event said \$800,000.00 Water Revenue Bonds are delivered by City to the Individual on a closing date on or before September 1, 1941, the said Water Revenue Bonds shall bear interest at the rate of 3% per annum, provided, however, that if such delivery is not made by September 1, 1941, then the Individual shall have the right to accept 3% interest rate Water Revenue Bonds up to and including November 1, 1941.

In the event said \$800,000.00 Water Revenue Bonds are not delivered on a closing date on or before September 1, 1941, but are issued and ready for delivery on a closing date between September 1, 1941 and November 1, 1941, and the Individual does not exercise his right to elect to accept 3% Water Revenue Bonds, then the Individual agrees to accept delivery of \$800,000.00 Water Revenue Bonds carrying a 3½% interest rate unless the City and the Individual shall agree upon an interest rate between 3% and 3½%.

During the period from September 1, 1941, to and through November 1, 1941, the Individual shall have the prior right and privilege to have said Water Revenue Bonds delivered to him as aforesaid, provided, however, that if the City secures a bona fide purchaser for said Water Revenue Bonds during said period from September 1, 1941 to November 1, 1941, and the City notifies the Individual in writing of the offer of such bona fide purchaser and furnishes a copy of such offer with such notice and within ten days after receipt of such written notice, including the said offer, the Individual does not accept delivery of the said \$800,000.00 Water Revenue Bonds at the terms stated therein, then City shall be relieved of delivery of said Water Revenue Bonds to the Individual.

In the event the City, in accordance with the provisions of the preceding paragraph, shall sell or deliver said \$800,000.00 Water Revenue Bonds to a vendee other than the Individual, then and in that event the delivery to be made by the City under subsection (A) of Section 4, hereof shall be \$800,000.00 in cash, instead of \$800,000.00 Water Revenue Bonds and this Agreement shall be binding on the parties hereto and shall be effectuated just as though said subsection (A) of Section 4 hereof provided for a delivery of \$800,000.00 cash instead of said \$800,000.00 Water Revenue Bonds.

TAXATION CONTINGENCY -

6. In the event that prior to the delivery by the City to the Individual of the said Water Revenue Bonds, the income received by private holders from bonds of the same type and character as said Water Revenue Bonds shall be declared to be taxable under present Income Tax Laws, either by ruling of the Bureau of Internal Revenue or by a decision of any Federal Court, or shall be taxable by the terms of any Federal Income Tax Law or otherwise, the Individual may, at his election, be relieved of any obligations under this Agreement to accept delivery of said Water Revenue Bonds and in the event such an election is exercised, then and in that event this Agreement shall terminate and the parties relieved of all their obligations thereunder.

DESCRIPTION OF BONDS, MATURITIES, TRUST INDENTURE AND BOND COUNSEL -

7. Said Water Revenue Bonds are, as aforesaid, to be payable exclusively from the revenues of the Coral Gables Water Distribution System and their payment shall not directly or indirectly or contingently obligate the City to levy or pledge any form of taxation whatsoever therefor and they are (a) to be dated as of the approximate date of delivery; (b) to bear interest as aforesaid, payable semi-annually; (c) to be issued in the denomination of \$1,000.00; (d) to mature as shown on the statement hereto attached, made a part hereof and marked "Exhibit A" without option of prior payment; (e) to be payable with respect to principal and interest at the office of the trustee hereinafter provided for; (f) to be subject to registration in the name of holders as to principal alone; (g) to be delivered to the Individual on the closing date herein provided for, and (h) to be approved as to form and validity by Masslich & Mitchell, bond Counsel of New York, New York.

The said \$800,000.00 Water Revenue Bonds payable exclusively from the revenues of the Coral Gables Water Distribution System shall be secured by Trust Indenture between the City and any bank or trust company within or without the State of Florida and authorized by law, charter or otherwise to enter into such a Trust Indenture. The Trust Indenture shall be in the form hereto attached, made a part hereof and marked "Exhibit B". Such Trust Indenture has been prepared by said Masslich & Mitchell, and all cost, expense and attorney fees in connection with such preparation and in connection with all other legal services which said Masslich & Mitchell has rendered or may render in connection with the preparation of said Trust Indenture or authorization, issuance and validation of said Water Revenue Bonds has been and shall be at the cost and expense of the Individual and not at the cost or expense of the City. The City shall bear the cost of printing said Water Revenue Bonds and Trust Indenture and also all court costs and its attorney's fees in connection with the validation of said Water Revenue Bonds.

The City shall pass and adopt such ordinances and resolutions and do all other acts and things and carry out such proceedings as may be necessary in the opinion of said bond counsel for the authorization and delivery of said Trust Indenture and for the authorization, issuance, validation and delivery of said Water Revenue Bonds.

MONETARY ADJUSTMENTS IN CLOSING -

8. Incident to the closing of the transaction covered hereby and with respect to the Coral Gables Water Distribution System and business, the parties shall settle, adjust and prorate as of the closing date the following items: accounts receivable and refundable deposits, both as shown by the books of the Consumers Water Company; uncollectible accounts to be determined jointly by representative of the City and the Individual as hereinafter outlined; an amount equivalent to revenues for services rendered by Consumers Water Company and unbilled on the closing date, materials and supplies as shown by the records of Consumers Water Company on the closing date, (including materials and supplies on order but not included in the materials and supplies account of Consumers Water Company on the closing date); prepayments for water service not rendered by Consumers Water Company as of the closing date; the net cost of additions and betterments to the Coral Gables Water Distribution System, properties or business from April 28, 1941, to the closing date; miscellaneous assets other than physical properties which may be mutually agreed upon between the parties hereto; miscellaneous liabilities which may be mutually agreed upon between the parties hereto; unpaid real and personal taxes and assessments up to the date of closing levied against the property comprising the Coral Gables Water Distribution System, it being understood that such taxes may be paid before the closing date, in which event the City shall be liable for prorata part of such taxes from the closing date until and through December 31, 1941.

Whenever the settlement, adjustment or proration of any of the foregoing items shall reflect the need for a cash payment by either party, such cash payment shall be made to the other party on the closing date.

FULL SETTLEMENT ON CLOSING DATE WHERE POSSIBLE -

9. Severally and separately every item or account anywhere referred to herein as an item or account to be settled, adjusted or paid on the closing date, shall be definitely and finally disposed of on such date, in whole or in part, to the full extent that the figures as of the date nearest to the closing date are available at such time on such item or account; the remainder, if any, shall be settled, adjusted and paid as promptly thereafter as the necessary figures shall become available and in no event later than fifteen (15) days thereafter.

ARBITER ON ADJUSTMENTS -

10. All adjustments to be made on or after the closing date shall be determined jointly by representatives of the City and of the Individual. In the event the City and the Individual shall be unable to agree upon any of such amounts to be paid or credited as herein set forth, an arbiter shall be agreed upon between the City and the Individual and the findings of such arbiter shall be accepted and given effect by the parties.

CONTINUED AVAILABILITY OF BOOKS AND RECORDS -

11. At all reasonable times the City shall make or cause to be made conveniently available and accessible to the Consumers Water Company or its former parent company, Florida Power & Light Company, for the making of entries, examination and reproduction for the use by such company, such books and records of Consumers Water Company as shall come into possession of the City under this Agreement.

PRESERVATION OF WATER PROPERTIES -

12. From the date hereof to the closing date, the Individual has contracted with said Florida Power & Light Company whereby said Company will cause Consumers Water Company to refrain from disposing of any of its Coral Gables Water Distribution System except in the ordinary course of business.

CONDITIONED UPON INDIVIDUAL'S ACQUISITION OF CORAL GABLES WATER DISTRIBUTION SYSTEM -

13. The effectuation of this Agreement is conditioned upon the Individual acquiring the Coral Gables Water Distribution system under his said Contract with said Florida Power & Light Company.

TIME LIMIT -

14. If the transactions provided for herein are not consummated on or before the first day of November, 1941, then, unless the parties hereto by agreement should elect otherwise, this Agreement shall be null and void and terminated without act of the parties.

CONDITIONED UPON ELECTORATE APPROVING WATER REVENUE BONDS -

15. The effectuation of this Agreement is also expressly conditioned upon the said Water Revenue Bonds being approved at a special election to be called by the City and held for such purpose and this election the City shall proceed forthwith to hold and shall hold not later than July 15, 1941, If said election is not held on or before said date or if said Water Revenue Bonds shall not have been approved by a majority of the vote cast at such election, at which a majority of the freeholders who are qualified electors residing in the City shall participate, then and thereupon this Agreement shall be rendered null and void and shall terminate without further act of the parties.

CONDITIONED UPON VALIDATION, ISSUANCE AND DELIVERY OF WATER REVENUE BONDS.-

16. If said Water Revenue Bonds shall be so approved at such election, then the effectuation of this Agreement is further conditioned upon the ability of the City by the use of reasonable efforts and diligence to cause said bonds to be validated, issued and delivered on or before November 1, 1941.

TRANSACTION TAXES AND EXPENSE -

17. The Individual shall pay or be responsible for any and all Federal and State of Florida stamp taxes and other expenses relating to the instruments required hereunder to be executed and delivered by the Individual. The City shall pay or be responsible for any and all such taxes and expenses relating to bonds or instruments required to be executed and delivered by the City. Each party shall pay and be responsible for recording in the Public Records of Dade County such recordable instruments as shall be delivered to such party hereunder.

(SEAL)

WITNESSES AS TO INDIVIDUAL:

WITNESSES AS TO CITY:

APPROVED AS TO FORM AND CONTENTS

Attorney for the City of Coral Gables

AAJ239

AMPLIFICATIONS -

18. To avoid all misunderstandings and to give the true agreement of the parties, and notwithstanding any and every provision hereinbefore contained, the following is expressed to be a part of the covenant of the parties:

1. The Individual has obtained a covenant from said Florida Power & Light Company that such Company will pay or cause to be paid all income taxes, if any, levied against the Consumers Water Company arising out of its operations, (Coral Gables and otherwise), up to the closing date.
2. As a part of the acquisition of the Coral Gables Water Distribution System, properties and business the City will acquire all water supply or water service contracts, including the water supply agreement now in effect between the City of Miami, The City of Coral Gables and Consumers Water Company.
3. The Individual has obtained a covenant from said Florida Power & Light Company that said Company will cause Consumers Water Company to refrain from disposing of any of its Coral Gables Water Distribution System except in the ordinary course of business.

NOTICES -

19. All notices which may be necessary hereunder shall be sufficient if sent by registered mail or telegram to the then Mayor of The City of Coral Gables, or to the Individual, 115 Broadway, New York, N. Y.

ALL INCLUSIVE -

20. This Agreement supersedes all representations and agreements at any time made by either of the parties during the negotiations hereof with respect to the subject matter hereof.

RESTRICTION ON ASSIGNMENT OF CONTRACT -

21. Neither of the parties hereunto may assign this Agreement without the consent of the other, but upon such an assignment this Agreement and all contracts ancillary thereto shall inure to the benefit of and be binding upon the successors and assigns of the parties.

IN WITNESS WHEREOF, The City of Coral Gables has caused this instrument and an exact duplicate to be executed in its name and its corporate seal affixed hereto and to said duplicate by its duly authorized officers and the Individual has hereunto and to an exact duplicate hereof set his hand and seal, all as of the day and year first hereinabove written.

Witnesses as to City:

THE CITY OF CORAL GABLES

By _____
City Manager

ATTEST:

City Clerk

Witnesses as to Individual:

(SEAL)
NATT T. WAGNER

Approved as to form and correctness
this ____ day of June, 1941.

Attorney for The City of Coral Gables

EXHIBIT "A"THE CITY OF CORAL GABLESSCHEDULE OF MATURITIESOF\$800,000 WATER REVENUE BONDS

<u>YEAR OF ISSUE</u>	<u>AMOUNT OUTSTANDING FIRST OF YEAR</u>	<u>PRINCIPAL MATURING END OF YEAR</u>
1	\$800,000.	\$ 10,000.
2	790,000.	10,000.
3	780,000.	10,000.
4	770,000.	10,000.
5	760,000.	10,000.
6	750,000.	15,000.
7	735,000.	20,000.
8	715,000.	20,000.
9	695,000.	20,000.
10	675,000.	20,000.
11	655,000.	20,000.
12	635,000.	25,000.
13	610,000.	25,000.
14	585,000.	25,000.
15	560,000.	25,000.
16	535,000.	25,000.
17	510,000.	25,000.
18	485,000.	30,000.
19	455,000.	30,000.
20	425,000.	30,000.
21	395,000.	30,000.
22	365,000.	30,000.
23	335,000.	30,000.
24	305,000.	35,000.
25	270,000.	35,000.
26	235,000.	35,000.
27	200,000.	40,000.
28	160,000.	40,000.
29	120,000.	40,000.
30	80,000.	80,000.
		<u>800,000.</u>

AAJ299

EXHIBIT "B"MEMORANDUMTHE CITY OF CORAL GABLESWATER REVENUE BONDS

Memorandum of provisions to be incorporated in the trust agreement or trust indenture securing a proposed issue of water revenue bonds of The City of Coral Gables, Florida.

Trustee- a bank or trust company doing business in the State of Florida, which is authorized to exercise corporate trust powers.

Recitals in preambles-

Brief description of system to be acquired, sufficient to identify it.

Reference to act under which City is authorized to acquire the water system and to issue the revenue bonds.

Statement as to holding of Freeholder's election and approval of proposed bonds.

Form of bonds and coupons, and of following endorsements upon bonds; Trustee's certificate, certificate of validation, and provisions for registration as to principal.

Statement that City is authorized to enter into the agreement or indenture and that same has been authorized by resolution.

Agreement of parties and pledge of revenues-

ARTICLE I

Designation of bonds and manner of execution and certain details.

Provisions concerning authentication of bonds.

Provisions for registration of bonds as to principal only.

Remaining details of bonds of original issue and usual provision concerning their authentication and papers to be filed with Trustee before authenticating and delivering the bonds.

Section permitting the issuance of additional bonds from time to time in the future, to finance extensions and improvements, in order that the water plant may keep pace with the growth of the City, all of such bonds to be on a parity with bonds first issued; this section will contain the usual safeguards, for example, a requirement that the net earnings of the plant for the three preceding fiscal years before the issuance of additional bonds must be at least 1.5 times debt service requirements for principal and interest of the bonds then outstanding and the bonds proposed to be issued in any subsequent fiscal year.

ARTICLE II

Brief provisions creating a Construction Fund, for the credit of which the credit of which the proceeds of any additional bonds are to be deposited, for the expenditure of moneys in the Construction Fund for extensions, improvements, renewals and replacements.

ARTICLE III

Covenants as to the initial rates to be charged for water (the rates now in force), and covenants re rendering bills monthly or quarterly.

Usual covenants to maintain sufficient rates to maintain, repair and operate the plant and to make the required payments to the sinking fund.

All revenues deposited as received with the Trustee.

Provisions for the adoption of an annual budget by the City Commission after a public hearing; these provisions are to be in harmony with the Charter provisions for the regular City budget.

Statement of manner of making payments from water revenue fund for current expenses of operation.

Provisions for monthly transfers of moneys from water revenue fund to credit sinking fund for payment of principal and interest of bonds, including building up a reserve during the first five or six years of approximately one year's debt service requirements.

Pledge of moneys in sinking fund to pay the principal and interest of the bonds.

Machinery for withdrawing money from sinking fund and paying coupons and bonds.

Provisions covering the disposition of any surplus in the water revenue fund after making the foregoing transfers.

ARTICLE IV

Usual provisions requiring all banks with which any of the moneys mentioned above may be deposited, to secure such deposits by collateral security or surety bonds.

ARTICLE V

Usual covenants on the part of the City to maintain and operate the plant in an efficient and economical manner, to carry such insurance as is customarily carried by a private water company, to make monthly reports of receipts and expenditures to the Trustee, to have an annual audit made by certified public accountants and usual covenants against sale or encumbrance of the plant.

ARTICLE VI

Statement as to what constitutes an event of default, usual provisions for acceleration of maturities in case of default, (as the bonds will mature serially, the holders of the late maturing bonds will want to be placed on an equality with the holders of the early maturing bonds in case of a default), and the usual provisions for the enforcement of remedies in case of default.

ARTICLE VII

Usual provisions concerning the Trustee, its duties, etc., and provisions relating to the resignation of the Trustee or its removal and the appointment of a successor Trustee.

ARTICLE VIII

Brief article setting forth manner of bondholders' evidencing ownership of their bonds; this Article relates more to the Trustee than to the City.

ARTICLE IX

Usual defeasance clause- cancellation of trust agreement or trust indenture upon payment of bonds.

ARTICLE X

Provisions for modifying the trust agreement with the consent of the holders of 75% in aggregate principal amount of the bonds at the time outstanding. There should be some flexibility in the Trust Agreement or Trust Indenture so that the City will be able to take care of situations which may arise in the future and which cannot now be foreseen.

ARTICLE XI

Few miscellaneous provisions and definitions, and denials of pledge of faith and credit of 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" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

RESOLUTION NO. 2173

A RESOLUTION PROVIDING FOR THE
ISSUANCE OF \$800,000. REVENUE
BONDS OF THE CITY OF CORAL GABLES
FOR THE PURPOSE OF FINANCING THE
ACQUISITION OF THE PRIVATELY OWNED
WATER DISTRIBUTION SYSTEM NOW
SERVING THE CITY AND FOR AN ELECTION
ON THE QUESTION OF ISSUING SAID BONDS,
AND FOR THE REGISTRATION OF FREEHOLDER
ELECTORS.

WHEREAS, by virtue of a Special Act passed by the Legislature of Florida at its regular session in 1941, (House Bill No. 1259), and which Act became effective on June 10, 1941, The City of Coral Gables, (hereinafter sometimes called the "City"), is authorized to acquire waterworks systems within or without the City, or partially within and partially without the City, and to issue its general obligation bonds or its revenue bonds to finance such acquisition and to provide working capital for the operation of such a system; and

WHEREAS, the Consumers Water Company now owns and operates a water distribution system and business which is supplying water within and without the City and to the City's inhabitants and others, consisting of physical properties, mains, service connections, materials and supplies, tangible and intangible assets, franchise, and other property appurtenant thereto, and which system and business is hereinafter referred to as the Coral Gables Water Distribution System; and

WHEREAS, the city has entered into a contract for the acquisition of said Coral Gables Water Distribution System and the providing of working capital necessary for the operation of said system, and, for the purpose of financing the acquisition of said system and the providing of said working capital, has determined to authorize and to issue, subject to the approval of the qualified electors of the City who are Freeholders therein at an election to be held in the manner provided by law, water revenue bonds of the City payable exclusively from the revenues of said system; NOW, THEREFORE,

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

Section 1. That for the purpose of financing the acquisition of the Coral Gables water distribution system of the Consumers Water Company now supplying water to the City and its inhabitants and to others without said City, and for the further purpose of providing working capital necessary for the operation of the said system which the City Commission hereby determines to be an amount of Twenty-five Thousand Dollars, there shall be issued, subject to the election hereinafter provided for, water revenue bonds of The City of Coral Gables, Florida, in the aggregate principal amount of \$800,000. dated August 1, 1941, bearing interest at a rate not to exceed $3\frac{1}{2}\%$ per annum, payable semi-annually on the first days of February and August in each year, and maturing annually, August 1, \$10,000. 1942 to 1946, inclusive, \$15,000. 1947, \$20,000. 1948 to 1952, \$25,000. 1953 to 1958, \$30,000. 1959 to 1964, \$35,000. 1965 to 1967, \$40,000. 1968 to 1970, all inclusive and \$80,000. 1971 and without option of prior payment. Said bonds shall be payable as to principal, interest and redemption premium, if any, exclusively from the revenues of said water distribution system, and the City shall have no power to levy or to pledge any form of taxation for the payment of said bonds. Said bonds shall be issued under and secured by the provisions of a trust agreement to be entered into by and between the City and a bank or trust company organized and doing business under the laws of the State of Florida, and authorized under the laws of the said State to execute trust powers.

Section 2. A special election is hereby called to be held on Tuesday, July 15, 1941 for the purpose of submitting to the qualified electors of the City who are freeholders therein the question whether said water revenue bonds shall be issued. Notice of said special water revenue bond election shall be published in the Coral Gables Riviera, a newspaper published in The City of Coral Gables, at least once each week for four consecutive weeks before said election, the date of the first publication of such notice to be at least thirty days before said election, which notice shall be in substantially the following form:

NOTICE OF SPECIAL WATER

REVENUE BOND ELECTION

THE CITY OF CORAL GABLES, FLORIDA

JULY 15, 1941

AAJ299

As provided by a Resolution duly adopted by the Commission of The City of Coral Gables, Florida, on June 11, 1941, a special election will be held on Tuesday, July 15, 1941, for the purpose of submitting to the qualified electors of The City of Coral Gables, Florida, who are freeholders therein, the question whether water revenue bonds of The City of Coral Gables, Florida in the aggregate amount of \$800,000. shall be issued for the purpose of financing the acquisition of the water distribution system now owned and operated by the Consumers Water Company and supplying water to The City of Coral Gables and its inhabitants, and without said City, and for the further purpose of acquiring necessary working capital for the operation of the water distribution system which the City Commission has determined to be in the amount of Twenty-five Thousand Dollars. Said bonds shall be payable exclusively from the revenues of said system, and for the payment of which the City shall have no power to levy or pledge any form of taxation for the payment of said bonds. Said bonds shall be dated August 1, 1941, shall bear interest at a rate not to exceed $3\frac{1}{2}\%$ per annum, payable semi-annually on the first days of February and August in each year, and shall mature annually, August 1, \$10,000. 1942 to 1946, inclusive, \$15,000. 1947, \$20,000. 1948, to 1952, \$25,000.00 1953 to 1958, \$30,000 1959 to 1964, \$35,000 1965 to 1967, \$40,000. 1968 to 1970, all inclusive, and \$80,000. 1971. Said bonds shall be issued under and secured by the provisions of a trust agreement to be entered into by and between the City and a bank or trust Company organized and doing business under the laws of the State of Florida and authorized under the laws of said State to execute trust powers.

For said water revenue bond election the general registration books for elections in the City shall be used and such books shall be open for the registration of freeholder electors not theretofore registered in the office of the City Clerk in the City Hall of The City of Coral Gables

(a) from 9 A. M. until 5 P. M. on each day, except Saturdays Sundays and holidays, beginning Monday, June 16, 1941, and ending Monday, June 30, 1941, and

(b) from 9 A. M. until 9 P. M. on each day, except Saturdays, Sundays and holidays, beginning Tuesday July 1, 1941 and ending Tuesday, July 8, 1941.

The polls at said election will be open from 7 o'clock A. M. until sundown of the same day. Said election will be held at the usual polling place in the City Hall of The City of Coral Gables, Florida, and the following persons have been appointed as Inspectors of Election and Clerk of Election for such polling place:

CLERK:	Lewis H. Fogle	
INSPECTORS:	H. R. Anderson	Charles E. Michel
	Joseph Byerly	John M. Montgomery
	R. J. Beaton	James B. Moore
	E. G. Bishop	R. E. Temple
	Wm. Rutherford Brown	Madeline Whitcher
	S. J. Delanoy, Jr.	

By order of the City Commission of The City of Coral Gables, Florida. Dated this ____ day of June, 1941.

City Clerk of The City of Coral Gables, Florida.

- Section 3. That for said water revenue bond election the general registration books for elections in the City shall be used, and such books shall be open for registration of freeholder electors not theretofore registered, in the office of the City Clerk in the City Hall of The City of Coral Gables, Florida,
- (a) from 9 A.M. to 5 P.M. on each day, except Saturdays, Sundays and holidays, beginning Monday, June 16, 1941, and ending Monday June 30, 1941, and
 - (b) from 9 A.M. until 9 P.M. on each day, except Saturdays, Sundays and holidays, beginning Tuesday, July 1, 1941 and ending Tuesday, July 8, 1941.

Section 4. Said special water revenue bond election shall be held at the usual polling place in the City Hall of the City as set forth in the foregoing notice of special bond election and the persons named as Inspectors and Clerk in said notice are hereby appointed as Inspectors of Election and Clerk of Election for the said polling place, all of whom are residents and registered, qualified electors of the City.

Section 5. That only qualified electors of the City who are freeholders therein shall be permitted to vote at said special bond election, and George N. Shaw, the registration officer having charge of the registration books of The City of Coral Gables, Florida, shall be and he hereby is directed to furnish to the Inspectors of Election and Clerk of Election hereinabove appointed a certified copy of the list of all of the qualified electors who are freeholders residing within the City who are entitled to participate in said election. The ballots to be used at said election shall be that portion of the cardboard or paper or other material within the ballot frames of the voting machines which shall contain a statement of the question submitted, and said voting machines shall provide facilities for qualified electors who are freeholders to vote for or against the question of issuing said bonds as they may choose, and said ballot as it shall appear within the ballot frames of the voting machines shall be in substantially the following form:

OFFICIAL BALLOT
 SPECIAL WATER REVENUE BOND ELECTION
 JULY 15, 1941
 THE CITY OF CORAL GABLES, FLORIDA

INSTRUCTIONS: Those desiring to vote for the issuance of said bonds are instructed to turn down the pointer or lever over the words "FOR BONDS" and those desiring to vote against the issuance of said bonds are instructed to turn down the pointer or lever over the words "AGAINST BONDS".

FOR BONDS

AGAINST BONDS

Shall The City of Coral Gables, Florida issue water revenue bonds of the City in the amount of \$800,000. bearing interest not to exceed 3½% per annum, for the purpose of financing the acquisition of the water distribution system of the Consumers Water Company now supplying water to the City and its inhabitants, and to others without said City, and for the further purpose of providing working capital necessary for the operation of said system, said bonds to be payable exclusively from the revenues of said system, and the payment of which water revenue bonds shall not directly or indirectly or contingently obligate the City to levy or pledge any form of taxation whatever therefor, all as more particularly described in Resolution No. 2173 adopted by the City Commission on June 11, 1941.

AAJ209

APPROVED:
[Signature]
 Mayor
 Paul D. McGary



Section 6. The printed ballots to be used in absentee voting, as authorized by law, at said election shall be in substantially the following form:

OFFICIAL BALLOT
SPECIAL WATER REVENUE BOND ELECTION
JULY 15, 1941
THE CITY OF CORAL GABLES, FLORIDA

INSTRUCTIONS: Those desiring to vote for the issuance of the water revenue bonds make a cross mark "X" in the square after the words "FOR BONDS". Those desiring to vote against the issuance of the water revenue bonds make a cross mark "X" in the square after the words "AGAINST BONDS".

FOR BONDS AGAINST BONDS

Shall The City of Coral Gables, Florida, issue water revenue bonds of the City in the amount of \$800,000. bearing interest not to exceed 3½% per annum, for the purpose of financing the acquisition of the water distribution system of the Consumers Water Company now supplying water to the City and its inhabitants, and to others without said City, and for the further purpose of providing working capital necessary for the operation of said system, said bonds to be payable exclusively from the revenues of said system, and the payment of which water revenue bonds shall not directly or indirectly or contingently obligate the City to levy or pledge any form of taxation whatever therefor, all as more particularly described in Resolution No. 2173 adopted by the City Commission on June 11, 1941?

Section 7. That this Resolution shall take effect immediately upon its passage and adoption.

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by Commissioner

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

- "Yes" - Commissioner Bell
Phillips
Whitley
Mayor McGarry

On both of the above resolutions, Commissioners Elect Healy and Mayes expressed their approval of the action.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned after appointing 4:30 o'clock P. M., Thursday, June 12, for a meeting to conclude the reading of minutes and to dispose of any uncompleted business pending before this commission.

ATTEST:

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

APPROVED:

Paul D. McGarry

MAYOR
Paul D. McGarry

Section 1. That the following unexpended and un-needed balances be and the same are hereby returned to the Contingent Fund for the purpose of supporting other necessary appropriations therefrom:

	<u>CODE</u>	<u>AMOUNT</u>
Office of City Attorney	1605	\$ 128.00 ✓
Planning Board	1616	1947.37 ✓
Maintenance and Operation of City Hall	1620	50.00 ✓
Office of Purchasing Agent	1632	1015.00 ✓
Bonds and Insurance	1634	125.00 ✓
Street Lighting	1646	68.50 ✓
Municipal Court	1651	125.00 ✓
News Bureau	1690-9.23	165.00 ✓
Federal Water Survey	1690-9.51	423.51 ✓
Transportation	1680	5388.00 ✓
Golf Course	1681	300.00 ✓
		<u>9735.38</u>

Section 2. For the purpose of providing for expenses heretofore informally authorized by the City Commission, the following appropriations be and they hereby are made from the Contingent Fund and/or previously unanticipated and unappropriated revenues to the departments set opposite the respective amounts:

	<u>CODE</u>	<u>AMOUNT</u>
Commission	1600	\$ 381.00 ✓
Office of City Manager	1610	35.00 ✓
Inspection Department	1615	1955.00 ✓
Department of Finance	1630	1325.00 ✓
Assessor	1631	25.00 ✓
Parks and Parkways	1640	2365.00 ✓
Wastes & Garbage Disposal	1643	1345.00 ✓
Streets, Sewers & Equipment	1645	1290.00 ✓
Public Safety	1650	2230.00 ✓
Public Welfare	1660	350.00 ✓
Salvadore Park	1661	75.00 ✓
Diamond Ball	1662	525.00 ✓
Water System Research and Negotiations	1684	1000.00 ✓
Pensions	1690-8.1	712.00 ✓
Misc. Litigation Expense	1690-8.5	50.00 ✓
Library	1690-9.12	55.00 ✓
Advertising	1690-9.22	1.50 ✓
Frost Damage	1690-9.31	1617.54 ✓
Canal Cleaning	1690-9.32	230.00 ✓
Cooperative Activities	1690-9.5	660.73 ✓
Airport Project	1690-9.52	64.01 ✓
Public Entertainment	1690-9.55	368.07 ✓
Municipal Bankruptcy Expense	1695-10.93	8500.00 ✓
Venetian Pool	1682	1070.00 ✓
Country Club	1683	150.93 ✓
		<u>26380.78</u>

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
Whitley
Mayor McGarry

Mayor McGarry reported to the Commission that the Committee on Utilities Assessments appointed in November 1940, had not completed its studies, but stated that he would discharge the Committee in order that the incoming Mayor might set up his own Committee upon the subject. The proposed action met with the consent of the Commissioners present.

Mayor McGarry reminded the Commission of the fact that the matter of consideration to George E. Merrick for the deed to the waterways and abutting canal lands had never been completed and expressed the hope that the new Commission would attempt to work out some practical plan of compensation to Mr. Merrick. At the suggestion of Commissioner Whitley, a Committee was appointed to study and report upon this matter, the Committee to consist of Messrs. Whitley, Curry, Adams and Shaw.

The Mayor further reminded the Commission that the matters of special assessment liens for the improvement of the canal and its entrance channel and for street improvements in the colored sections, were still uncompleted and requested the Commissioners to assist the incoming Commission in working out these matters at an early date.

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

APPROVED:

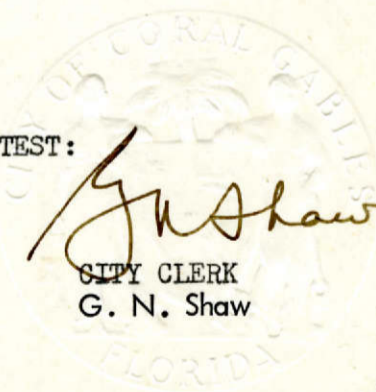
Paul D. McGarry

MAYOR
Paul D. McGarry

ATTEST:

G. N. Shaw

CITY CLERK
G. N. Shaw



AAJ299

MINUTES OF MEETING OF THE COMMISSION
ON JUNE 13, 1941

Pursuant to requirements of the Charter, the Commission of The City of Coral Gables, convened at twelve o'clock Noon on June 13, 1941, at City Hall, for the purpose of inducting into office the Mayor and Commissioners elected.

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

Commissioners elect Bell, Healy and Mayes were sworn in by the Honorable John W. Holland, Federal Judge and assumed their place at the Commission Table; following which Mayor elect Joe Whitley was also given the oath and received the gavel and Chair from retiring Mayor Paul D. McGarry.

Invocation by Dr. Nevin Schaaf.

Thereupon the meeting was adjourned.

APPROVED:

ATTEST:

J. Shaw
City Clerk

Paul D. McGarry
MAYOR



MINUTES OF MEETING OF THE COMMISSION
ON JUNE 17, 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, June 17, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

A communication was received from The University of Miami, Inc., requesting an advance upon the appropriation to be made for that institution for the year 1941-42.

Thereupon,

RESOLUTION NO. 2176

A RESOLUTION AUTHORIZING AN ADVANCE TO THE UNIVERSITY OF MIAMI INC., UPON APPROPRIATION TO BE MADE FOR IT FOR THE YEAR 1941-42.

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 advance to the University of Miami, Inc., the sum of FIFTEEN THOUSAND DOLLARS (\$15,000.00), as an advance upon the appropriation contemplated to be made in the Appropriation Ordinance for the fiscal year 1941-42 and to charge the said advance against said appropriation for the year 1941-42, when made.

was introduced and read.

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

"Yes" - Commissioner Bell
Healy
Mayes
Mayor Whitley

RESOLUTION NO. 2177

A RESOLUTION EXPRESSING APPRECIATION TO FORMER MAYOR PAUL D. McGARRY AND EXTENDING AUTHORITY FOR HIS CONTINUED USE OF OFFICIAL POLICE STARS OF THE CITY OF CORAL GABLES.

WHEREAS, PAUL D. McGARRY, served as City Attorney in the early years of the City and assisted and collaborated in the preparation of the City Charter; and served on the City Commission during the eight years from June 1933 to June 1941; and has been Mayor of The City of Coral Gables during the last four years of said term; and

WHEREAS, all of the years of his service of the City and its people have been fraught with difficulties and problems requiring more than ordinary service and sacrifice by the Mayor and Commissioners and Paul D. McGarry has labored continuously and unselfishly in an effort to solve the difficult situations, and

WHEREAS, the Commissions of which he has been a part, and of some of which he has been Mayor, have accomplished much in municipal efficiency and economy and in municipal planning, and no small part of these accomplishments are due to his efforts and untiring activity,

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

1. That this Commission hereby expresses to Paul D. McGarry, on its own behalf and on behalf of the people of The City of Coral Gables, sincere appreciation for the time, effort and loyalty he has devoted to the service of the people of The City of Coral Gables, and further expresses its regret at his retirement from the service of the City and the discontinuance of his official connection and association.

2. BE IT FURTHER RESOLVED, that Paul D. McGarry be and he hereby is authorized to continue the use of the official police stars of The City of Coral Gables upon his private vehicles.

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2178

A RESOLUTION APPOINTING
A. B. CURRY, CITY MANAGER

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, as of this date.

was introduced and read.

Motion for adoption by Commissioner Mayes, seconded by Commissioner Bell. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2179

A RESOLUTION APPOINTING
G. N. SHAW, CITY CLERK.

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

That G. N. Shaw, be and he hereby is appointed
City Clerk of The City of Coral Gables, Florida, as
of this date.

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by
Commissioner Mayes. The resolution was adopted by unanimous vote.

Mayor Whitley then asked the Clerk to read the names of
those who had made application for the office of Municipal Judge;
which was done. The Mayor then asked for nominations for this office.

Commissioner Phillips offered the name of Jordan Peck
in nomination but there was no second.

Commissioner Healy nominated C. S. Robertson, the
nomination was seconded by Commissioner Bell. There being no further
nominations.

RESOLUTION NO. 2180

A RESOLUTION APPOINTING
C. S. ROBERTSON, MUNICIPAL
JUDGE.

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

That C. S. Robertson be and he hereby is appointed
Municipal Judge of The City of Coral Gables, Florida,
as of this date.

was introduced and read.

Motion for adoption by Commissioner Healy, seconded by
Commissioner Bell. The resolution was adopted by unanimous vote.

By unanimous consent of the Commissioners, the Mayor designated
7:30 P. M. on Wednesday June 18, for a Commission Conference on the City
Manager's Budget Estimate for the year 1941-42 and designated the hour of
5 P. M. on Monday July 7, and 5 P. M. on Tuesday, July 8, for the opening
of the two public hearings upon the 1941-42 appropriation ordinance and
instructed that proper advertising be made of those meetings.

Mr. George Dietz expressed to the Commission his best wishes
for good luck in their administration.

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

ATTEST:

CITY CLERK, G. N. Shaw

APPROVED:

MAYOR, Paul D. McGarry 6/17/41

AAJ299

MINUTES OF SPECIAL MEETING OF THE COMMISSION
ON JUNE 23, 1941

Pursuant to call of Special Meeting by Mayor Whitley,
and unanimous consent of the Commissioners, the Commission of The
City of Coral Gables, convened in special session at the City
Hall at 5:30 o'clock P. M. on Monday, June 23, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy,
Mayes and Phillips present.

RESOLUTION NO. 2181

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 Healy, seconded
by Commissioner Bell. The resolution was adopted by the following
roll call:

"Yes" - Commissioner Bell
Healy
Mayes
Phillips
Mayor Whitley

RESOLUTION NO. 2182

A RESOLUTION APPOINTING
B. M. SMETHURST CITY AUDITOR

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

That B. M. Smethurst, be and he hereby is
appointed City Auditor of The City of Coral Gables, to
examine, audit and report upon the transactions and
accounts of The City of Coral Gables for the fiscal
year commencing July 1, 1941.

was introduced and read.



MINUTES OF MEETING OF THE COMMISSION
OF JULY 1, 1941

The Commission of the City of Coral Gables convened

in regular session at the City Hall, at 2 o'clock P. M. on Tuesday,

Motion for adoption by Commissioner Healy, seconded by

Commissioner Bell. The resolution was adopted by the following

roll call:

- "Yes" - Commissioner Bell
- Healy
- Mayes
- Phillips
- Mayor Whitley.

There being no further business, the meeting was adjourned.

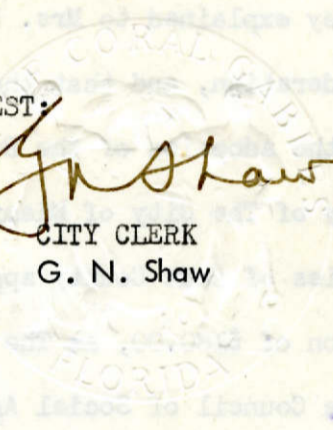
APPROVED:

ATTEST:

G. N. Shaw

MAYOR

CITY CLERK
G. N. Shaw



AAJ299

MINUTES OF MEETING OF THE COMMISSION
ON JULY 1, 1941

The Commission of The City of Coral Gables convened in regular session, at the City Hall, at 5 o'clock P. M. on Tuesday, July 1, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Mayes and Phillips present, Commissioner Healy absent.

The minutes of the meetings of June 12, 13, 17 and 23, 1941 were read and approved.

Mrs. Andrew Doleman appeared before the Commission to ask for an inquiry of the City's appropriation to the Public Library to the amount of \$7500.00. Mayor Whitley explained to Mrs. Doleman that the City's Budget was still under consideration, and that the matter would be considered by the Commission before the adoption of the Budget.

City Clerk Frank Kelly of The City of Miami and Mrs. Rutledge of the Council of Social Agencies of Dade County appeared to request the Commission for an appropriation of \$180.00, as The City of Coral Gables share in the support of the Council of Social Agencies. Mayor Whitley assured Mr. Kelly and Mrs. Rutledge that the matter would be considered in the Commission's allocation of its Contingent Fund to specific purposes.

Mr. Jordan Peck appeared in connection with an application for permit to construct a filling station at the northwest corner of Bird Road and Ponce de Leon Boulevard. Mayor Whitley advised Mr. Peck that the matter had been referred again to the Zoning Board of Appeals for consideration at a meeting to be held on Monday, July 7th, 1941.

AN ORDINANCE AMENDING ORDINANCE
NO. 271, KNOWN AS THE "ZONING
ORDINANCE", AS PREVIOUSLY AMENDED
BY ORDINANCE NO. 316, AS TO THE
MEMBERSHIP AND TERMS OF OFFICE OF
THE ZONING BOARD OF APPEALS.

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

The City Manager explained that the terms of all members of the Zoning Board of Appeals had expired, and requested the appointment of three members to serve until the Commission had taken final action upon the Ordinance just introduced. Thereupon,

RESOLUTION NO. 2183

A RESOLUTION APPOINTING CERTAIN MEMBERS OF THE ZONING BOARD OF APPEALS OF THE CITY OF CORAL GABLES.

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

That Messrs. Rodney Miller and J. Allen Brown be and they hereby are appointed members of the Zoning Board of Appeals for the period ending June 30, 1943; and that Ralph Wilkins be and he hereby is appointed a member of said Board for the period ending June 30, 1942.

was introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Bell. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2184

A RESOLUTION MAKING APPROPRIATION FOR THE OPERATING EXPENSES OF THE CITY OF CORAL GABLES AND ITS INCOME PRODUCING PROPERTIES DURING THE MONTH OF JULY 1941.

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

1. That for the purpose of providing for and authorizing the necessary operations of the City and its Income Producing Properties during the month of July, 1941, prior to the adoption of the regular appropriation ordinance for the year 1941-42, there is hereby appropriated out of funds on hand or to be received during the month of July, the following sums:

For the operation of the City	
Departments and Offices	\$22,750.00
For education (University of Miami)	16,000.00
For Miscellaneous and Contingent	3,400.00
For the Operation of the Transportation System, the Venetian Pool and the Golf Course	<u>8,700.00</u>
	\$50,950.00

AAJ299

was introduced and read by title on first reading.

Motion by Commissioner Mayes that the requirement for reading on two separate days be waived, and that the Ordinance be placed on second reading at once; seconded by Commissioner Phillips.

Motion carried by the following roll call:

"Yes" - Commissioner Bell
 Mayes
 Phillips
 Mayor Whitley

Thereupon the ordinance was read again in full.

Motion for adoption of the ordinance by Commissioner Mayes, seconded by Commissioner Bell. The ordinance was adopted by the following roll call:

"Yes" - Commissioner Bell
 Mayes
 Phillips
 Mayor Whitley

Thereupon Mayor Whitley declared the ordinance adopted and approved and ordered its publication as No. 402.

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 SPECIAL MEETING OF THE COMMISSION
ON JULY 7, 1941

Pursuant to published notice and requirement of Charter, the Commission of The City of Coral Gables, convened in Special Session at the City Hall at 5 o'clock P. M., on Monday, July 7, 1941, for the purpose of conducting a public hearing upon the proposed appropriation ordinance for the year commencing July 1, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

AN ORDINANCE MAKING APPROPRIATIONS
FOR THE EXPENSES OF OPERATION OF
THE CITY OF CORAL GABLES AND ITS
INCOME PRODUCING PROPERTIES, AND FOR
PAYMENTS UPON DEBT SERVICE, FOR THE
FISCAL YEAR COMMENCING JULY 1, 1941.

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

Mayor Whitley then explained the purpose of the meeting, and upon motion duly seconded and unanimously carried, the meeting was resolved into a Committee of the Whole to conduct the Public Hearing.

Messrs. A. W. Barrett and S. Duffield Hopkins, Jr., addressed the Commission on the subject of the Budget. Mr. Barrett complimented the Commission upon the Budget, Mr. Hopkins proposed that no appropriation be made to the Fairchild Tropical Garden and that the money heretofore given to that Institution each year be used this year instead for the purpose of increasing the appropriation to the Public Library.

There being no further business, and no further appearances, the Commission, as a Committee of the Whole, adjourned until 5 o'clock P.M., on Tuesday, July 8th, 1941, to resume at that time the Public Hearings.

APPROVED:

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

Mayor

MINUTES OF ADJOURNED MEETING
OF THE COMMISSION ON JULY 8, 1941

Pursuant to adjournment at the meeting of July 7, 1941, the Commission of The City of Coral Gables, as a Committee of the Whole, convened in Special Session at the City Hall at 5 o'clock P.M. on Tuesday, July 8, 1941, for the purpose of resuming the required public hearings upon the proposed Appropriation Ordinance for the fiscal year commencing July 1, 1941.

Mayor Whitley in the Chair, Commissioners Bell, Healy, Mayes and Phillips present.

Mayor Whitley explained the purpose of the meeting, and asked if there were any persons who desired to comment upon the proposed Appropriation Ordinance. There being no such appearances, it was moved, seconded and unanimously carried, that the Commission adjourn as a Committee of the Whole and re-convene as the Commission, for the purpose of acting further upon the Appropriation Ordinance.

Thereupon,

AN ORDINANCE MAKING APPROPRIATION
FOR THE EXPENSES OF OPERATION OF
THE CITY OF CORAL GABLES AND ITS
INCOME PRODUCING PROPERTIES, AND
FOR PAYMENT UPON DEBT SERVICE, FOR
THE FISCAL YEAR COMMENCING JULY 1, 1941.

which had been first read at the meeting of July 7, 1941 was read again in full.

Motion for adoption of the Ordinance by Commissioner Healy, seconded by Commissioner Mayes. The ordinance was adopted by the following roll call:

"Yes" - Commissioner Bell
Healy
Mayes
Phillips
Mayor Whitley

Thereupon, Mayor Whitley declared the Ordinance adopted as approved and ordered its publication as No. 403.

City Manager Curry was authorized to place C. R. Cook, of the Park Department on temporary leave of absence at half pay, on account of illness.

Mr. Hollis Rinehart, Jr., and Mr. Boice Miller and others of the Coral Gables Country Club, spoke to the Commission about the proposition of the Club leasing the Granada Golf Course from the City and operating it as a Club Golf Course, open to the public, however. The proposed lease contract was left with the Commission for study, and the Mayor assured the delegation that every possible consideration would be given to the proposal.

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

APPROVED:

Mayor

ATTEST:

G. N. Shaw
 City Clerk
 G. N. Shaw

AAJ299

MINUTES OF MEETING OF THE COMMISSION
ON JULY 15, 1941

The Commission of The City of Coral Gables, Florida, convened in regular session at the City Hall at 5 o'clock on Tuesday, July 15, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

City Attorney Morton B. Adams presented to the Commission the following letter of resignation:

" July 15, 1941

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

Gentlemen:

For some time past I have found that the burdens and responsibility of my general duties as City Attorney, of conducting the pending Municipal Bankruptcy Case, and of continuing my private practice have been more than I could efficiently carry on with justice to myself and my clients.

I therefore tender my resignation as City Attorney to become effective as soon as you may deem advisable.

Respectfully,

MORTON B. ADAMS (signed) "

Motion by Commissioner Healy that the resignation be accepted with regret; motion seconded by Commissioner Bell and carried by unanimous vote.

Mayor Whitley surrendered the gavel and Chair to Commissioner Bell, and introduced and moved the adoption of the following resolution:

RESOLUTION NO. 2187

A RESOLUTION APPOINTING E. L.
SEMPLER ATTORNEY OF THE CITY
OF CORAL GABLES.

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

That E. L. Semple be and he hereby is appointed City Attorney of The City of Coral Gables, effective this date.

Motion seconded by Commissioner Healy and the resolution was adopted by the following roll call:

"Yes" - Commissioner Bell
Healy
Mayes
Phillips
Mayor Whitley

RESOLUTION NO. 2188

A RESOLUTION AUTHORIZING MORTON B. ADAMS, AS SPECIAL CITY ATTORNEY TO CONTINUE THE PROSECUTION OF THE PENDING MUNICIPAL BANKRUPTCY SUIT.

WHEREAS, Morton B. Adams has been City Attorney and as such has satisfactorily handled all of the litigation involving the bonded debts of the City for the past six years, and has been in charge of the City's Municipal Bankruptcy Suit since its institution more than a year ago, and

WHEREAS, it will be to the material advantage of the City to have the said Bankruptcy Suit continue without change in the Attorneys representing the City,

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

1. That Morton B. Adams, as Special City Attorney, be and he hereby is authorized and directed to continue the prosecution of the pending Municipal Bankruptcy Suit.
2. That the City Manager and the Director of Finance be and they, hereby are authorized and directed, out of funds heretofore appropriated to pay expenses of the Bankruptcy Suit, to advance to Morton B. Adams on account of fees earned and to be earned by him in the said Bankruptcy Suit, the sum of TWO HUNDRED FIFTY DOLLARS (\$250.00), per month for a period of six months, the total of said fee or fees to be fixed by the City Commission.

was introduced and read.

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

"Yes" - Commissioner Bell
Healy
Mayes
Phillips
Mayor Whitley

There being insufficient time to deal with other business, by motion seconded and unanimously carried, the meeting was adjourned until ten o'clock A. M. on Wednesday, July 16, 1941.

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

APPROVED:

Mayor

AAJ299

MINUTES OF ADJOURNED MEETING OF THE
COMMISSION ON JULY 16, 1941

Pursuant to adjournment at the meeting of July, 15, 1941, the Commission of The City of Coral Gables, convened in adjourned session at the City Hall at 10 o'clock A.M., on Wednesday, July 16, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

Mr. Jordan Peck appeared in connection with an application for permit to construct a filling station at the northwest corner of Ponce de Leon Boulevard and Bird Road. Motion by Commissioner Healy, seconded by Commissioner Phillips that the exception be granted and the Clerk be instructed to draft a proper ordinance to make it effective. Motion carried by unanimous vote.

The City Attorney was instructed to study and be prepared to advise the Commission upon the suggestion of the Zoning Board that Ponce de Leon Boulevard, North of Bird Road, be re-zoned so as to require CSB 7 $\frac{1}{2}$ (Duplex) requirement.

Mr. S. S. Pederson appeared before the Commission to apply for permit to construct a filling station at the northwest corner of Miami-Homestead Highway and LeJeune Road. Motion by Commissioner Bell, seconded by Commissioner Mayes that the exception be granted and that the Clerk be instructed to draw a proper ordinance to make it effective was carried by unanimous vote.

Mrs. Claire Flanagan appeared to request a permit to operate a kindergarten at 4307 Segovia Street. Her application was supported by a signed statement from the owners of neighboring property acquiescing in the permit. Upon motion by Commissioner Bell, seconded by Commissioner Mayes and unanimously carried, the City Manager was authorized to issue a one year permit for the said operation.

Application of the University of Miami for permission to put a library building on Lots 1, 2, 21 and 22, of Block 117, Country Club, Section Part 6, was unanimously approved, on the proviso that the existing set-backs be observed and that the plans be subject to the approval of the supervising Architect.

Mr. E. B. Hunter of Coral Gables Post 98, The American Legion, appeared to request the City's financial and other assistance in installing a recreational center next door to the present Legion Post home. The City Manager and the Director of Finance were instructed to study the situation and determine the cost of installing two shuffle board courts and four horse shoe courts, and to report back to the Commission.

After considering certain complaints as to noise at the Country Club during the early morning hours, the Commission instructed the City Manager to attempt to work out with the Club the elimination of these bothersome noises, suggesting that the Bar be closed at 1:00 or 1:30 A.M. The City Manager was instructed to discuss the matter with the Club Directors and report back to the Commission.

RESOLUTION NO. 2189

A RESOLUTION APPROPRIATING THE SUM OF \$350.00 FROM THE CONTINGENT FUND FOR THE PURPOSE OF INSTALLING TRAFFIC LIGHT AT LeJEUNE ROAD AND THE MIAMI-HOMESTEAD HIGHWAY.

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

That the sum of Three Hundred Fifty Dollars (\$350.00), be and the same is hereby appropriated from the Contingent Fund to Appropriation Code No. 1750-5.71, for the purpose of providing for a new improved traffic light at the interesection of the Miami-Homestead Highway and LeJeune Road.

was introduced and read.

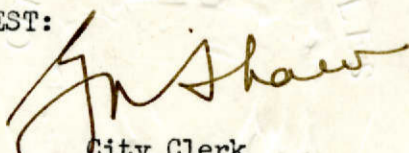
Motion for adoption by Commissioner Phillips, seconded by Commissioner Mayes. The resolution was adopted by the following roll call:

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

Upon inquiry of City Attorney E. L. Semple, the Commission expressed the unanimous opinion that they held him in no wise responsible for the conduct of the Municipal Bankruptcy action, but desired that he sit in upon that Court Proceedings as a technical observer and advisor

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

ATTEST:


City Clerk
G. N. Shaw

APPROVED:

Mayor

AAJ299

MINUTES OF MEETING OF THE COMMISSION
ON JULY 17, 1941

Pursuant to call of Special Meeting by Mayor Whitley, and the unanimous consent of the Commissioners, the Commission of The City of Coral Gables, Florida, convened in Special Session at the City Hall at 10:30 o'clock A. M., on Thursday, July 17, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

RESOLUTION NO. 2190

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 Healy, seconded by Commissioner Phillips. The resolution was adopted by the following roll call:

"YES" - Commissioner Bell
Healy
Mayes
Phillips
Mayor Whitley

RESOLUTION NO. 2191

A RESOLUTION DECLARING THE
RESULTS OF THE SPECIAL WATER
REVENUE BOND ELECTION OF
JULY 15, 1941.

WHEREAS, the Clerk and Inspectors of the Special Water Revenue Bond Election of July 15, 1941, ordered and called by the City Commission, by Resolution No. 2173, adopted June 11, 1941, have submitted to the Commission their report and return sheet, showing:

A total of 804 votes cast in the election, with 429 votes cast for the bonds, and 375 votes cast against the bonds; and

WHEREAS, the Supervisor of Registration had certified to the said Clerk and Inspectors, in accordance with the requirements of Section 6 of Chapter 14715, Laws of Florida, 1931, a list of 1942 persons found by him to be qualified to vote in said election under the provisions of that Act, comprised of 940 persons registered as freeholder-electors during the period the books were open for registration under the provisions of Resolution No. 2173, and 1002 persons found by him to be registered upon the general registration books of the City and also having the qualifications of freeholders as of July 8, 1941; and

WHEREAS, said Chapter 14715 of the Laws of Florida, the special enabling Act of 1941, and Resolution No. 2173, provided that the Water Revenue Bonds should be issued only after being approved by the majority of the votes cast in an election in which a majority of the freeholders who are qualified electors residing in the City should participate, and the participation by such a majority would have required the casting of 972 votes in said election,

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

1. That this Commission hereby declares that, although the Issuance of the Water Revenue Bonds was approved by a majority of the votes cast in the election of July 15th, 1941, the said election was without force and effect because of the failure of a majority of the qualified freeholder-electors to participate in said election as required by law.

was introduced and read.

Motion for adoption by Commissioner Healy, seconded by Commissioner Phillips. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2192

A RESOLUTION APPOINTING CERTAIN MEMBERS OF THE ZONING BOARD OF APPEALS OF THE CITY OF CORAL GABLES.

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

That, in addition to the members appointed by Resolution No. 2183, Messrs. Dennis Cray and A. O. Renuart, be and they hereby are appointed as members of the Zoning Board of Appeals of The City of Coral Gables, for the period ending June 30, 1942.

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by Commissioner Mayes. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2193

A RESOLUTION CONFIRMING CERTAIN APPOINTMENTS BY THE CITY MANAGER TO THE BOARD OF SUPERVISING ARCHITECTS OF THE CITY OF CORAL GABLES.

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

That the City Manager's appointment of Carl M. Apuzzo, H. Geo. Fink and Marion I. Manley, as members of the Board of Supervising Architects of The City of Coral Gables, for the period ending June 30, 1943, be and the same is hereby confirmed and approved.

was introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Mayes. The resolution was adopted by unanimous vote.

After discussion of the problem of the title to the Community House and Library Building, the Commission designated four o'clock P. M. on Monday, July 21, 1941, for a meeting with the Committee and and the Counsel for the Women's Club, and the City Manager was requested to advise the President of the Women's Club accordingly and request the presence of the proper members of the Club at the said meeting.

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 SPECIAL MEETING OF THE COMMISSION
ON JULY 21, 1941

Pursuant to call of Special Meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in Special Session at the City Hall at 4:00 o'clock P. M., on Monday, July 21, 1941.

The meeting was called during a conference with the Committee of and the Counsel for the Coral Gables Womens Club on the question of the title to the Community House and Library Building.

RESOLUTION NO. 2194

A RESOLUTION OFFERING TO THE
CORAL GABLES WOMENS CLUB THREE
ALTERNATIVE SOLUTIONS TO THE
PROBLEM OF THE TITLE TO THE
COMMUNITY HOUSE AND LIBRARY
BUILDING.

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

That the following alternatives be and they are hereby proposed and offered to The Coral Gables Womens Club as methods of disposing of the questions raised by the United States Government concerning the title to the Community House and Library Building, the said alternatives to be considered in the ordered named herein:

1. The Womens Club to return the deed to said property to the City and the said property to be thereafter administered and operated substantially as set forth in a proposed ordinance heretofore drawn and submitted to said Club by a Board of Governors to be composed of seven members to be appointed by the City Commission, three of whom shall be members of and nominated by the Womens Club, the remaining four to be nominated by the City Commission, and shall be citizens of the City and may also be members of the Womens Club. The said Board of Governors shall be responsible to and shall be under the authority of the City Commission. The occupancy of the property by the Womens Club shall be subject to the rules and regulations adopted by the Board of Governors, but should the said Womens Club be denied the use of or dispossessed of the premises, then the City shall repay to the Club all of the money contributed or invested by it in the construction of the buildings.

AAJ299

2. The Womens Club to surrender the property and the title thereto to the City, and the City to repay to the Club all the money contributed or invested by said Club in the construction of the buildings.

3. The question to be submitted to the proper court for trial and adjudication, and the court's decision to be binding upon both parties. In the event this third alternative is undertaken, all other offers by the City are to be considered terminated and withdrawn.

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
Healy
Mayes
Phillips

Mayor Whitley

RESOLUTION NO. 2195

A RESOLUTION APPROPRIATING
FOR CERTAIN EXPENSES OF THE
ATTORNEY FOR THE CORAL GABLES
WOMENS CLUB, AND STATING CERTAIN
CONDITIONS IN CONNECTION THEREWITH.

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

I. That, contingent upon the reconveyance to the City, on or before August 1st, 1941, of the title to the Community House and Library Buildings, there shall be and there hereby is appropriated from the Contingent Fund the sum of THREE HUNDRED FIFTY DOLLARS (\$350.00), to pay the fee and expenses, (the latter not to exceed \$25.00 per diem, and the whole not to exceed the amount of this appropriation), of the Attorney for The Coral Gables Womens Club in conferring with Works Progress Administration officials in Washington in an effort to have reconsidered the rulings by said officials on the question of the title to said buildings.

2. In the event the said Attorney is successful in securing the necessary authority of the Works Progress Administration, the City will again deed the property to the Womens Club. Should such authority not be secured, then the said Womens Club shall still have the opportunity of availing itself of alternatives 1 and 2 expressed in Resolution No. 2194, heretofore adopted this date.

was introduced and read.

MINUTES OF MEETING OF THE COMMISSION
ON JULY 28, 1941

The Commission of the City of Coral Gables convened in special

session at the City Hall at five o'clock P. M., on Monday, July 28, 1941.

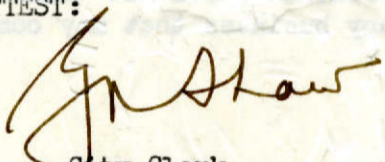
Motion for adoption by Commissioner Phillips, seconded
by Commissioner Healy. The resolution was adopted by the following
roll call:

- "Yes" - Commissioner Bell
- Healy
- Mayes
- Phillips
- Mayor Whitley

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

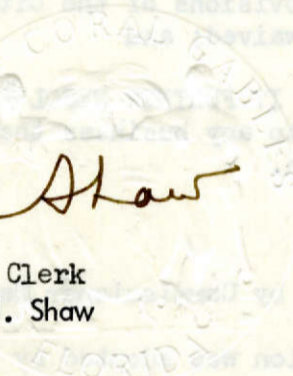
APPROVED:

ATTEST:



Mayor

City Clerk
G. N. Shaw



AAJ299

MINUTES OF MEETING OF THE COMMISSION
ON JULY 28, 1941

The Commission of The City of Coral Gables convened in Special Session at the City Hall at five o'clock P. M., on Monday July 28, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes, present; Commissioner Phillips absent because of illness.

RESOLUTION NO. 2196

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 Healy, seconded by Commissioner Bell. The resolution was adopted by the following roll call:

"YES" - Commissioners Bell
Healy
Mayes
Mayor Whitley

Questions of applications for filling station permits at the northwest corner of the Miami-Homestead Highway and LeJeune Road, and at the northeast corner of Tamiami Trail and Galiano Street, were referred to the Zoning Board of Appeals for a public hearing.

A request for waiver of tax penalties by Mr. Cesarano was denied by the Commission on the ground that the Commission had no power to adjust delinquent taxes or to remit penalties until the expiration of two years following date of tax sale.

The Commission expressed the wish that Registration Books be kept open at all times except for a sufficient period before each election to permit the clerical work necessary in preparation for the election, and requested the City Attorney to determine whether this could be done under existing laws, instructing that a proper ordinance be prepared in the event this handling was found possible.

RESOLUTION NO. 2197

A RESOLUTION AUTHORIZING THE CITY MANAGER OR THE CITY CLERK TO ENTER CERTAIN UNDERTAKINGS WITH THE COUNTY OF DADE CONCERNING THE RECONSTRUCTION OF THE COCOPLUM PLAZA BRIDGE.

WHEREAS, funds are now available, in appropriations of Dade County, to reconstruct Cocoplum Plaza Bridge, and the County has consented to so construct the piers and center span of said bridge that in the future it can be converted into a single leaf bascule bridge, upon the condition that the City assume the cost of building the approaches and approach spans, the cost of which approaches and approach spans is estimated as not to exceed \$20,000.00; and

WHEREAS, The Commission deems it advisable to enter into this arrangement with Dade County as another step toward the eventual completion of the Coral Gables Deep Waterway System;

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

That the City Manager and/or the City Clerk be and they hereby are authorized to enter into an undertaking with the officials of Dade County, by which the City will agree to pay the cost of the approaches and approach spans of the Cocoplum Plaza Bridge, if Dade County will build piers and center span adaptable for later conversion into a bascule type bridge, the City's share of said work not to exceed \$20,000.00; and the City Manager and the City Clerk be and they hereby are authorized and instructed to reserve for that purpose the amounts to be received by the County from its share of the County Road and Bridge millage during the next ensuing two years.

was introduced and read.

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

"YES" - Commissioners Bell
Healy
Mayes
Mayor Whitley

RESOLUTION NO. 2198

A RESOLUTION APPROPRIATING THE SUM OF \$240.00 FOR CERTAIN PURPOSES.

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

That the sum of \$240.00 be and the same is hereby appropriated from the Contingent Fund to the codes hereinafter set opposite the respective amounts and for the purposes indicated:

For certain special work in connection with the water revenue bond election - Code 1684 \$140.00
For an advertisement in the Miami Port and Aviation Book - Code 1790-9.22 100.00

was introduced and read.

Motion for adoption by Commissioner Healy, seconded by Commissioner Mayes. The resolution was adopted by the following roll call:

"Yes" - Commissioner Bell
Healy
Mayes
Mayor Whitley

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

AAJ299

MINUTES OF MEETING OF THE COMMISSION
ON AUGUST 12, 1941

Pursuant to call of special meeting by Mayor Whitley 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, August 12, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

Mr. C. P. Neider, Mr. Turner of the Somerset Company, and others appeared to protest the allowance by the City of the erection of a bowling alley on S. W. 8th Street between Douglas Road and Galiano Street. The Mayor assured the delegation that no permit would be issued for the erection unless the Board of Supervising Architects were satisfied that the building would be sound-proof, and would not constitute a nuisance to the neighborhood.

Mr. E. B. Hunter appeared to suggest to the Commission a plan of re-districting by which Coral Gables might have better representation on the Dade County School Board, and requested the support of the Commission. The Mayor advised Mr. Hunter that the Commission was in favor of any steps which would tend to improve the conditions and support of the Coral Gables schools.

The minutes of the meetings of July 1, 7, 8, 15, 16, 17, 21 and 28, 1941, were read and approved.

RESOLUTION NO. 2199

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

"Yes" - Commissioners Bell
Healy
Mayes
Phillips

Mayor Whitley

Upon a report by the City Clerk that the Zoning Board had held public hearings upon the questions of filling station applications on S. W. 8th Street at the corner of Galiano Street, and on the Miami-Homestead Highway at the northwest corner of its intersection with Le Jeune Road, and had recommended to the Commission that the applications not be allowed as being opposed by the neighborhoods and by being in opposition to existing City Ordinances, it was moved by Commissioner Phillips, seconded by Commissioner Bell, and unanimously carried, that the recommendations of the Zoning Board be accepted and approved.

The Commission unanimously agreed that the Zoning Board should be requested to review and recommend any necessary changes in the Zoning Ordinance applicable to filling stations.

RESOLUTION NO. 2200

A RESOLUTION APPROPRIATING THE SUM OF SEVEN HUNDRED FIFTY DOLLARS FOR CONTRIBUTIONS TO THE HUMANE SOCIETY OF GREATER MIAMI, THE FLORIDA ASSOCIATION OF WORKERS FOR THE BLIND, AND FOR AN ADVERTISEMENT IN THE FLORIDA MUNICIPAL RECORD.

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 purposes hereinafter set opposite the respective amounts:

- 1. For contributions to the Humane Society of Greater Miami, at the rate of \$25.00 per month through June, 1941; Code, 1790-9.54 . . . \$275.00
- 2. For contributions to the Florida Association of Workers for the Blind, at the rate of \$25.00 per month through June, 1941; Code, 1790-9.54 . . . \$275.00
- 3. For a full page advertisement in the 1941 convention number of the Florida Municipal Record: Code, 1790-9.5 \$200.00

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
- Healy
- Phillips
- Mayes
- Mayor Whitley

AAJ299

A communication was received, requesting the City's membership in and support of the Florida State Chamber of Commerce, but it was unanimously decided that the moneys in the Contingent Fund were insufficient to permit the City's compliance with this request.

RESOLUTION NO. 2201

A RESOLUTION APPROVING AND ACCEPTING A CORRECTED PLAT OF SECOND REVISED AND AMENDED PLAT OF SANS SOUCI SUBDIVISION.

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

That that certain plat entitled: "Corrected Plat of Second Revised and Amended Plat of Sans Souci", prepared by Charles G. Hannock, Engineer, in July, 1941, be and the same is hereby accepted and approved; and the Tax Assessor be and he hereby is instructed to make his future assessments of property in that subdivision in accordance with said plat.

was introduced and read.

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

RESOLUTION NO. 2202

A RESOLUTION ORDERING LOCAL IMPROVEMENT H-30.

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

Section 1. That the local improvement described and designated as follows shall be made, under Chapter 13972, Special Acts of 1929, as amended by House Bill No. 494 of the Special Laws of 1941:

IMPROVEMENT H-30. Construction of a new lime rock base and an asphalt seal to replace the previous worn out paving or to constitute new paving with a minimum width of sixteen(16) feet, on the following streets:

Oak Avenue from Miami-Homestead Highway to Brooker Street
 Frow Avenue from Miami-Homestead Highway to Brooker Street
 Florida Avenue from Miami-Homestead Highway to Brooker Street
 Jefferson Street from Miami-Homestead Highway to Grand Avenue
 Brooker Street from Miami-Homestead Highway to Grand Avenue
 Industrial Avenue from Oak Avenue to Brooker Street
 Short Avenue from Oak Avenue to Brooker Street
 Washington Drive from Lincoln Drive to City Limits
 Jefferson Drive from Washington to Lincoln Drive, including double portion around Block 3, Golden Gate.
 Grant Drive from Washington Drive to Lincoln Drive

Section 2. It is hereby found that the property to be directly and especially benefitted by said improvement is all that property in Coconut Grove Warehouse Center Subdivision, Golden Gate Subdivision and MacFarland Homestead Subdivision, abutting and having frontage upon the streets

hereinabove named and between the terminal points named in connection therewith and said property is hereby ordered assessed for the cost of said improvement, excepting that portion of the cost to be borne by the City at large, as the cost of paving the intersections, as defined by sub-paragraph "b" of Paragraph 4 of Section 67 of the Charter of The City of Coral Gables.

Section 3. That the City Manager and the City Clerk be and they hereby are instructed to take any and all steps necessarily precedent to the consummation of the said work and to the establishment of the assessment levies for the cost thereof.

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
- Healy
- Mayes
- Phillips
- Mayor Whitley

RESOLUTION NO. 2203

A RESOLUTION ORDERING LOCAL IMPROVEMENT W-1

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

Section 1. That a local improvement described and designated as follows shall be made under Chapter 13972, Special Acts of 1929, as amended by House Bill 494, of the Special Laws of 1941;

IMPROVEMENT W-1. Widen and deepen the Coral Gables Canal or Waterway eastward of Cocoplum Plaza Bridge to a minimum width of one hundred (100) feet and a minimum depth of eight (8) feet at mean low water, and straighten the mouth of said waterway and continue and extend the channel therefrom to the eight foot contour in Biscayne Bay, approximately six thousand (6,000) feet southeastward of the present mouth of said waterway.

Pump all spoil from said dredging upon tidal lands abutting upon said waterway, so as to eliminate dangerous spoil banks beside or near said approach channel.

Section 2. It is hereby found that the property to be directly and especially benefitted by said improvement is:

All that property lying and abutting upon the Coral Gables Canal or Waterway and Yacht Basin from the easterly mouth thereof westward and northwestward to the southeasterly boundary of the Miami-Homestead Highway (South University Concourse), and lying and abutting upon the Mahi Canal or Waterway, from its juncture with the Yacht Basin westward and northwestward to its present actual westerly terminus, all in accordance with latest existing plats of record;

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and such property is hereby ordered assessed for the cost of said improvement, less the proceeds of the sale or disposition of any of the material to be taken from said canal or waterway and channel, but the amount of such assessment per front foot shall not exceed seventy-five cents (75¢), and the cost in excess of said amount shall be borne and paid by the City at large.

Section 3. That the City Manager and the City Clerk be and they hereby are instructed to take any and all steps necessarily precedent to the consummation of said work, and to the establishment of the assessment liens for the cost thereof.

was introduced and read.

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

"Yes" -- Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

RESOLUTION NO. 2204

A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE APPLICATION FOR A PROJECT TO CONSTRUCT A DRILL FIELD AND RECREATION GROUND FOR AVIATION CADETS IN TRAINING IN THE CITY OF CORAL GABLES.

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

That the City Manager be and he hereby is authorized and instructed to make application, on behalf of the City, to the Public Works Administration for a project for the construction and equipment of a drill field and recreation center for British and American aviation cadets in training in the City of Coral Gables, said project to be located in an area to be designated and approved by the City Manager.

was introduced and read.

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

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

The Commission then discussed the question of the title to the Coral Gables Community House and Library Building, and instructed that the following communication from Mr. Clifton D. Benson, Attorney for the Woman's Club, be copied in the minutes of the meeting.

"August 5th, 1941

Hon. Mayor & City Commission
Coral Gables, Florida

In re: Coral Gables Community Building

Gentlemen:

I am authorized by the Club's President to say that full consideration was recently given to your two resolutions Nos. 2194 and 2195 with reference to this matter.

As to your offer to pay the fees and expenses not in excess of \$350.00 of the attorney for the Club to Washington in connection with this matter, you are advised that neither the Club nor its counsel felt that this offer could be accepted because of the condition precedent imposed thereon that title to the property should be re-conveyed to the City prior to August 1st last.

One of the demands of the W.P.A. has been that there by such re-conveyance. If same were made you can appreciate that the Club(s) attorney would have little chance of success in Washington in having the matter changed because to accomplish their purpose the W.P.A. need only decline the Club's request to maintain the present status and they would, therefore, undoubtedly do so. Hence it would seem futile to accept this proposition.

The Club decided to take no action on your Resolution No. 2194 until hearing further from Washington where a brief has been filed by the Club's counsel with the W. P. A. authorities.

Very truly yours,

/s/ Clifton D. Benson

Attorney for the Club

CDB:w

P.S. The Club still feels you should pay the cost of a trip of its attorney to Washington, without condition, unless the Government's attorney will come here.

CDB

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

APPROVED:

ATTEST:



CITY CLERK
G. N. Shaw

MAYOR

AAJ299

was introduced and read.

Motion for adoption by Commissioner Healy; seconded by Commissioner Mayes. The resolution was adopted by unanimous vote.

RESOLUTION NO. 2207

A RESOLUTION AUTHORIZING AND INSTRUCTING THE CITY ATTORNEY TO TAKE STEPS TO RECAPTURE THE TITLE TO THE CORAL GABLES COMMUNITY HOUSE AND LIBRARY PROPERTY.

WHEREAS, The City of Coral Gables has not been successful in any of its efforts to amicably recapture title to the property known as Coral Gables Community House and Library, also known as Coral Gables Woman's Club Building; and,

WHEREAS, The W. P. A. is insistent that some action be taken toward recapturing such title prior to the fifteenth of this month;

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

That the City Attorney be and he is hereby instructed and authorized to commence such proceedings as in his discretion he deems most advisable for the purpose of recapturing the title to the property above described.

was introduced and read.

The Clerk announced that telegrams had been received from Commissioners Bell and Phillips, absent from the City on vacation, asking that they be recorded as approving such instructions to the City Attorney. Thereupon, motion for adoption by Commissioners Mayes; seconded by Commissioner Healy. The resolution was adopted by the following roll call:

"Yes" - Commissioners Healy
Mayes

Mayor Whitley
Commissioners Bell and Phillips
recorded as voting "Yes" in accordance
with their request.

RESOLUTION NO. 2208

A RESOLUTION AUTHORIZING AND INSTRUCTING THE TAX ASSESSOR TO GRANT A CERTAIN HOMESTEAD EXEMPTION.

WHEREAS, Paul Avery, the owner of Lots 36 and 37, Block 19, Coconut Grove Section, requested the withdrawal of his homestead exemption application for 1941, in the belief that he would be called to the Army and because he had rented his house for that reason; and,

WHEREAS, He has now been deferred and it is the belief of the Commission that he is entitled to the Homestead Exemption;

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 reinstate and put into force and effect the 1941 homestead exemption application of Paul Avery, affecting Lots 36 and 37, Block 19, Coconut Grove Section.

was introduced and read.

Motion for adoption by Commissioner Healy; seconded by

Commissioner Mayes. The resolution was adopted by the following roll call:

"Yes" - Commissioners Healy
Mayes
Mayor Whitley

RESOLUTION NO. 2209

A RESOLUTION INSTRUCTING THE TAX ASSESSOR TO DISALLOW THE HOMESTEAD EXEMPTION APPLICATION ON LOT 11, BLOCK 65, GRANADA SECTION.

WHEREAS, The Tax Assessor and the Commission have discussed the circumstances of ownership and citizenship of the owner of Lot 11, Block 65, Granada Section, and the Commission is of the opinion that the circumstances do not justify the allowance of a homestead exemption upon that property under the existing conditions;

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 disallow the said homestead exemption application on Lot 11, Block 65, Granada Section, and to notify the applicant of such action.

was introduced and read.

Motion for adoption by Commissioner Mayes; seconded by Commissioner

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

"Yes" - Commissioners Healy
Mayes
Mayor Whitley

RESOLUTION NO. 2210

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SEND SERGEANT KIMBROUGH TO THE FEDERAL BUREAU OF INVESTIGATION OFFICERS SCHOOL.

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

That the City Manager be and he hereby is authorized to send Sergeant Kimbrough to the Federal Bureau of Investigation 1941 Police Officers School, and to charge the costs and expenses thereof/the miscellaneous appropriations of the Police Department.

was introduced and read.

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

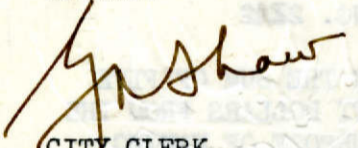
"Yes" - Commissioners Healy
Mayes
Mayor Whitley

Upon a report by the City Clerk that the Zoning Board had
reviewed and recommended the renewal of the permit for the operation of
a fraternity house in the building at 4521 Anderson Road, it was moved,
seconded and unanimously carried that the recommendation of the Zoning
Board be accepted and approved, and the permit allowed.

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

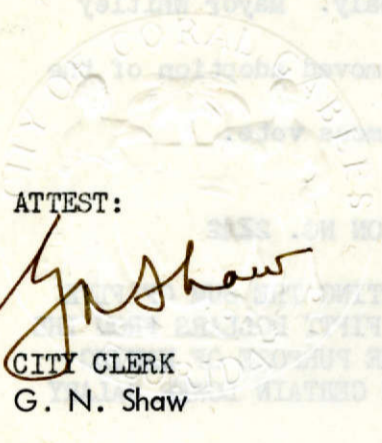
APPROVED:

ATTEST:



MAYOR

CITY CLERK
G. N. Shaw



WHEREAS, the City Manager has advised the Commission
that due to defense activities and increased employment, the
lower salary and wage scales of the City's operating depart-
ments are out of line and must be increased to insure
continuous and effective operation;

AND WHEREAS, it is resolved by the Commission of
the City of Coral Gables, Florida:

That the recommendations of the City Manager as to
temporary and emergency increases in certain wage and salary
scales be and they are hereby accepted and approved and for
the support thereof there be and there hereby is appropriated
from the Contingent Fund the sum of five thousand, one hundred
fifty dollars (\$5,150.00) to the departments and appropriations
hereinafter set opposite the respective amounts:

\$ 66.00	1725-1.1	Inspection
50.00	1720-1.1	City Hall
50.00	1721-1.1	Parks & Pathways
2079.65	1721-1.2	"
50.00	1723-1.1	Wastes
1521.00	1723-1.2	"
374.00	1725-1.2	Streets
23.75	1730-1.2	Public Safety
100.00	1760-1.1	Health
125.00	1762-1.1	Vocational Pool
<u>\$3150.00</u>		

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 16, 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, September 16, 1941.

Mayor Whitley in the Chair; Commissioners Mayes and Phillips present. Commissioners Bell and Healy absent from the City on vacation.

The minutes of the meetings of August 12 and September 9 were read and approved.

Mayor Whitley discussed with the Commission the request of Mr. Sealander that his property in the northwest corner of Section 32-54-41 be permitted to be withdrawn from the City. City Attorney Semple advised the Commission that the City has no power to permit the withdrawal of property, and further that it is the City's duty to oppose attempts at withdrawal to every legal extent possible.

The City Manager was instructed to inquire into the probable cost of new publicity booklets, and to report back to the Commission for further decision upon the matter.

RESOLUTION NO. 2213

A RESOLUTION APPROPRIATING THE SUM OF \$1,188.33 FOR CERTAIN SPECIAL PURPOSES.

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

That the sum of \$1,188.33 be and the same is hereby appropriated from the Contingent Fund for the purposes hereinafter set opposite the respective amounts:

- a. To assist in constructing and equipping a recreation center on property surrounding the home of Coral Gables Post #98, the American Legion.
Code 1790-9.5 - - \$250.00
- b. To provide for additional monthly payments to the Chamber of Commerce to the extent of \$83.33 per month during the remainder of the fiscal year, as the City's contribution to publicity measures to be undertaken.
Code 1790-9.21 \$833.33
- c. To provide for quarter-page ad in Miami Herald Sixteen Section Edition, commemorating new building.
Code 1790-9.29 \$105.00

was introduced and read.

Motion for adoption by Commissioner Mayes; seconded by

AAJ299

Commissioner Phillips.

The resolution was adopted by the following roll call:

"Yes" - Commissioners Mayes
Phillips
Mayor Whitley

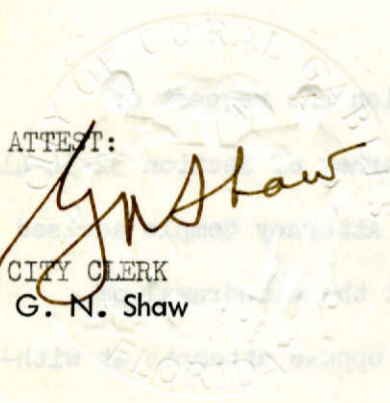
There being no further business, on motion duly seconded and
unanimously carried, the meeting was adjourned.

APPROVED:

MAYOR

ATTEST:

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



RESOLUTION NO. 223
A RESOLUTION APPROPRIATING THE SUM OF
\$1,186.33 FOR CERTAIN SPECIAL PURPOSES.
BE IT RESOLVED BY THE COMMISSION OF THE CITY OF
CORAL GABLES, FLORIDA:
That the sum of \$1,186.33 be and the same is
hereby appropriated from the Contingent Fund for the
purpose hereinafter set opposite the respective amounts:
a. To assist in constructing and equipping
a recreation center on property surrounding the home
of Coral Gables Post #98, the American Legion.
Code 1790-9.2 \$250.00
b. To provide for additional monthly payments
to the Chamber of Commerce to the extent of \$83.33 per
month during the remainder of the fiscal year, as the
City's contribution to publicly measures to be
undertaken.
Code 1790-9.21 \$833.33
c. To provide for quarter-pay to its fiscal
Harold Stinson Section Editor, commencing new
bonding.
Code 1790-9.29 \$102.00

Note: For minutes of special meeting of September 23, 1941, see page 108.

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 30, 1941

Pursuant to notice published in the Miami Daily News, the Miami Herald, and the Coral Gables Riviera, on September 19, 1941, the Commission of The City of Coral Gables convened at five o'clock p.m. on Tuesday, September 30, 1941, for the purpose of conducting hearings upon Improvement Districts H-30 and W-1 ordered by Resolutions 2202 and 2203, respectively.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

The Mayor announced the purpose of the meeting and asked whether any were present to comment upon the improvement district projects.

Mr. Lyle Holcomb appeared in behalf of Benjamin Russell, the owner of approximately 3,270 lineal feet of property on the north side of the canal in Sections 28 and 29-54-41. Mr. Holcomb objected on behalf of Mr. Russell, on the ground that the said property would not receive the same benefits from the improvements as other property on the waterway. The City Manager explained to Mr. Holcomb that it was the opinion of the City that the property east of Cocoplum Plaza received probably more immediate benefits than property lying on the canal above the Cocoplum Plaza Bridge. Mr. Holcomb asked to be notified of the next meeting upon the subject.

There were no other appearances in connection with Waterway Improvement W-1 and the Clerk reported no communications in connection with this improvement.

There were neither communications nor appearances in connection with Highway Improvement District H-30.

The meeting having been called for a special purpose, the following resolution was then introduced and read:

RESOLUTION NO. 2214

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,

AAJ299

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 Healy; seconded by Commissioner Bell. The resolution was adopted by the following roll call:

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1941, AND ENDING JULY 1, 1942; 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.

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

RESOLUTION NO. 2215

A RESOLUTION CONFIRMING AND RATIFYING A CERTAIN SETTLEMENT OF OMITTED TAXES FOR THE YEARS 1938 THROUGH 1940.

WHEREAS, Through an act of omission of the Building Inspector, the improvement on Lots 16 and 17, Block 5, Section "A" was not assessed for the years 1938 through 1940, and the taxes on that property for those years were paid as vacant land taxes in the amount of \$35.20 each year; and,

WHEREAS, The City could legally back-assess the said property for those three years for additional taxes in the estimated amount of \$389.40; but,

WHEREAS, It appears that the present owner of the property was not aware of the situation and it has been further determined that the house was not in his ownership and possession for one-half of said taxable period;

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

That the act of the City Clerk and the Tax Assessor in agreeing to waive the City's right of back-assessment in consideration for a payment of one-half the estimated amount of back taxes so assessable be and the same is hereby ratified and confirmed; and the Tax Collector be and he hereby is authorized to accept the sum of One Hundred Ninety-four Dollars and Seventy Cents (\$194.70) in full payment and satisfaction of any taxes which might otherwise be assessed against the said Lots 16 and 17, Block 5, Section "A" for the years 1938 to 1940, inclusive.

was introduced and read.

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

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

The City Manager, the City Clerk, and the City Attorney were instructed to draft and present to the next meeting for consideration and action, ordinances to accomplish the following purposes: (a) An ordinance to repeal Ordinance No. 384 and to restore the original provision for the filing of a driveway deposit for all builders concurrently with the securing of a building permit; (b) An ordinance to restrict noises generally, and particularly those of unnecessarily raucous automobile horns; (c) An ordinance to require that all persons driving motor vehicles within the limits of the City of Coral Gables be the possessors of State Drivers Licenses.

RESOLUTION NO. 2216

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO ISSUE A CERTAIN DEED TO COUNTY OF DADE FOR THE PURPOSE OF WIDENING CORAL WAY.

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

That the Mayor and the City Clerk be and they are hereby authorized and instructed to execute and deliver to the County of Dade, Florida, for highway purposes, a deed to the North 15 feet of Blocks 139, 163, 164, 165 and 166, Central Miami Seaboard Section, according to plat recorded in Plat Book 2865 of the public records of Dade County, Florida, said deed and dedication to be for the purpose of assisting in the widening of Coral Way west of Ludlum Road.

was introduced and read.

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

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

The Mayor appointed a committee consisting of himself, City Manager Curry, Commissioner Bell, and Publicity Director Moore to work on the City's participation in the National Waterways Convention to be held in the Miami area in the near future.

By unanimous consent, the Commission designated 7:30 o'clock p.m. on

AAJ299

Wednesday, October 8, 1941, for a meeting to hear the evidence on the suspension of Police Officer A. E. Tipton.

RESOLUTION NO. 2217

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING HIGHWAY IMPROVEMENT H-30.

WHEREAS, The City Commission, at a meeting held at five o'clock p.m. on Tuesday, September 30, 1941, after legal notice, heard all objections presented by interested persons to the confirmation of the resolution ordering Highway Improvement District 30, and the plans, specifications, and estimates of cost thereof, and no objection was sustained;

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

That Resolution No. 2202, adopted August 12, 1941, ordering Highway Improvement District H-30, be and the same is hereby confirmed.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by

Commissioner Mayes; The resolution was adopted by the following roll call:

- "Yes" - Commissioners Bell
- Healy
- Mayes
- Phillips
- Mayor Whitley

RESOLUTION NO. 2218

A RESOLUTION CONFIRMING THE RESOLUTION ORDERING WATERWAY IMPROVEMENT DISTRICT W-1.

WHEREAS, The City Commission, at a meeting held at five o'clock p.m. on Tuesday, September 30, 1941, after legal notice, heard all objections presented by interested persons to the confirmation of the resolution ordering Waterway Improvement District W-1, and the plans, specifications, and estimates of cost thereof, and no objection was sustained;

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

That Resolution No. 2203 adopted August 12, 1941, ordering Waterway Improvement District W-1, be and the same is hereby confirmed.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded by Commissioner

Mayes; The resolution was adopted by the following roll call:

- "Yes" - Commissioners Bell
- Healy
- Phillips
- Mayes
- Mayor Whitley

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

AAJ290

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 23, 1941

Pursuant to call of special meeting by Mayor Whitley, 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, September 23, 1941.

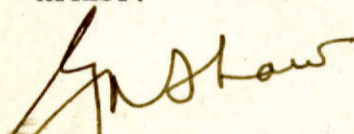
Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

Mayor Whitley, with the approval of the Commission, appointed a Committee to consist of the City Manager, the City Clerk, the City Attorney, and the City Auditor, to study the audit of disbursements by the Womans Club in connection with the Community House construction, and to report to the Commission on the amount considered by them to be reimbursable to the Club under the terms of the contract and deed between the City and the Club. City Auditor Smethurst was instructed to examine the accounts of the Club, if necessary to do so to arrive at a definite and proper figure.

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

APPROVED:

ATTEST:


CITY CLERK

MAYOR

MINUTES OF MEETING OF THE CITY COMMISSION

ON OCTOBER 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, October 7, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

The minutes of the meetings of September 12, 23, and 30, 1941, were read and approved.

City Manager Curry reported to the Commission on the damage to trees and shrubs by the hurricane of October 6, estimating a cost of from \$9,000 to \$10,000 to remove the trees and shrubs which had been blown down, and the miscellaneous minor debris, and also to remove those trees and shrubs which had been so loosened by the storm to make advisable their complete removal.

RESOLUTION NO. 2219

A RESOLUTION APPROPRIATING THE SUM OF TEN THOUSAND DOLLARS FROM THE CONTINGENT FUND FOR THE CLEARING OF HURRICANE DEBRIS.

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

That the sum of Ten Thousand Dollars (\$10,000.00) be and the same is hereby appropriated from the Contingent Fund to Code No. 1790-9.33 for the purpose of clearing the streets, parkways and other public places of debris resulting from the hurricane of October 6; and the City Manager be and he hereby is authorized to proceed with such clearing and to incur costs therefor not in excess of this appropriation.

was introduced and read.

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

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

RESOLUTION NO. 2220

A RESOLUTION APPROPRIATING THE SUM OF \$495.25 FOR THE PURCHASE OF POLICE MOTOR EQUIPMENT.

WHEREAS, A police squad car was wrecked to an extent making it inadvisable to repair the car; and,

WHEREAS, It is possible to purchase a new car for \$495.25 plus the trade-in value of the old car as is, and plus the amount recovered by the City in an insurance settlement of the accident;

AAJ299

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

That the sum of \$495.25 be and the same is hereby appropriated from the Contingent Fund to Appropriation Code No. 1750-4.11 for the replacement of said damaged police vehicle.

was introduced and read.

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

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

The City Manager reported to the Commission that the American Red Cross had stated to the Works Progress Administration that there was no damage as a result of the storm, and that such statement was depriving the City of W. P. A. assistance in the clearing of debris. The Mayor appointed a committee to consist of Commissioner Bell as Chairman, and Commissioners Mayes and Phillips, to contact Red Cross officials and endeavor to clarify and rectify this situation.

Mr. Victor Levine appeared on behalf of Mr. & Mrs. H. A. Heckman in connection with a group of duplex buildings proposed to be erected on the block between 13th street and 13th Terrace, on the west side of Red Road. The Commission had previously filed a resolution with the Dade County Zoning Board requesting that that Board not permit zoning exceptions in that area, and particularly where tourists camps are involved. Mr. Levine reported that the County Zoning Board considered that resolution as blocking his proposed project. The Commission was unanimously of the opinion that the project, as depicted by plans submitted by Mr. Levine, could not be construed as being a tourist camp, and authorized the City Attorney to advise the Dade County Zoning Board of that view.

Mr. Frank Holley appeared to request additional appropriation for the Coral Gables Chamber of Commerce. Upon being advised that the Commission had previously appropriated an additional sum so as to permit the payment of \$200 per month to the Chamber of Commerce, for the period from September, 1941, through June, 1942, Mr. Holley stated that the Chamber would attempt to cover its program from that higher amount and would make no additional request at this time.

7:30 o'clock p.m. on Wednesday, October 8, was set for a hearing in the case of the suspension of Police Officer A. E. Tipton.

A request by certain owners of property on the Coral Gables Waterway to be permitted to place billboards at or near the Cocoplum Plaza Bridge and the Hardee Road Bridge was tabled.

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1941, AND ENDING JULY 1, 1942; 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 30, was read again in full.

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

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

Thereupon, Mayor Whitley declared the ordinance adopted and approved, and ordered its publication as No. 404.

AN ORDINANCE REPEALING ORDINANCE NO. 384 ADOPTED NOVEMBER 7, 1940, AND RESTORING TO ACTIVITY AND EFFECT PARAGRAPH (f) OF SECTION 12 OF ORDINANCE NO. 271, AS ORIGINALLY ADOPTED AND EFFECTIVE PRIOR TO THE ADOPTION OF SAID ORDINANCE NO. 384; AND AMENDING SECTION 26 OF SAID ORDINANCE NO. 271 AS TO PENALTIES FOR VIOLATIONS THEREOF.

was read by title on first reading.

Motion by Commissioner Mayes 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 Bell.

The motion was carried by the following roll call:

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

Thereupon, the Ordinance was read again in full.

Motion for adoption of the Ordinance by Commissioner Mayes; seconded by Commissioner Bell. The ordinance was adopted by the following roll call:

"Yes" - Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

AAJ299

Mayor Whitley then declared the Ordinance adopted and approved, and ordered its publication as No. 405.

The City Manager and the City Attorney were requested to study and report upon a model fire prevention ordinance which had been suggested to the Commission.

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

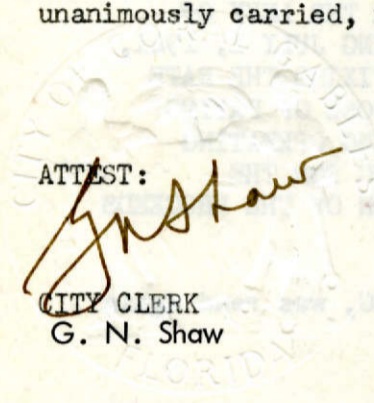
APPROVED:

MAYOR

ATTEST:

G. N. Shaw

CITY CLERK
G. N. Shaw



MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 21, 1941.

The Commission of The City of Coral Gables convened in regular session at five O'Clock P. M. on Tuesday, October 21, 1941, in the City Hall.

Mayor Whitley in the Chair; Commissioners Bell, Healy and Mayes present. Commissioner Phillips absent on account of illness.

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

The Clerk then stated that the meeting had been designated and advertised for a public hearing upon the preliminary assessment roll for Improved District W-1, the widening, deepening and extension of the eastern end and the entrance to the Coral Gables Waterway, and on Improvement District H-30, the repaving of streets in Coconut Grove Warehouse Center, Golden Gate and McFarland Homestead Subdivisions, and described those improvements and the assessments for their cost.

Mayor Whitley asked whether any were present to comment upon the assessments for Improvement District W-1. Thereupon, R. D. Maxwell, Jr., stating that he appeared for himself and also on behalf of Inman Padgett, Attorney for the Estate of E. F. Raynor, made an oral statement to the Commission, attacking the validity of the assessments and protesting their imposition, and filed with the Clerk a communication reiterating his objections. The communication was ordered filed with the records of the improvement district.

Others present who were in favor of the improvement and of the establishment of liens therefor were: Charles H. Baker,, Jr., W. T. Cox, Roy Page, S. S. Pederson, H. F. Doughty, Karl Schmitz, John Ravlin, and Horace Cartee.

The Clerk described to the Commission the special method of establishing the assessment to be made against the two tracts of land owned by Horace Cartee at the intersection of the Mahi Waterway with the Coral Gables Yacht Basin, consisting of a full assessment for the frontage of those tracts upon the Yacht Basin, and a reduced assessment for the side abutment of those tracts upon the Mahi Waterway, stating that this special treatment was justified and made necessary by the ruling of the Zoning Board and the Commission that the abutment of the tracts upon the Mahi Waterway may not be considered in dividing the tracts or buildings, or in planning buildings thereon. The Commission approved the special method of assessment as described.

The Clerk was then instructed to prepare a final assessment roll for submission to the next meeting of the City Commission for adoption.

Upon a call for comments upon the preliminary assessment roll for Improvement District H-30, it developed that there was no one present in connection with this matter, and that no communications had been filed with the Clerk. Thereupon, the Clerk was instructed to prepare a final assessment roll, to be submitted to the next meeting of the City Commission for adoption.

The Commission requested that an ordinance be drafted to provide that the front set-backs for any individual blocks shall be determined by the set-backs of existing buildings where such buildings are placed at a distance greater than the set-back required by the Zoning Ordinance for such blocks. The City Manager was instructed to study this situation and have prepared an ordinance which would effectively and justly control it.

The City Manager was requested to have the Planning Board study the possibility of re-zoning some areas for use for fraternity and sorority houses, and to report back to the Commission with suggestions.

The City Attorney was instructed to draw an ordinance providing for a limitation of the height of walls and hedges.

RESOLUTION NO.2221

A RESOLUTION INSTRUCTING THE CITY ATTORNEY TO PREPARE AND FILE A SUIT TO RECOVER TITLE TO THE CORAL GABLES COLISEUM PROPERTY.

WHEREAS, the mortgage notes on the Coliseum property are in default as to both principal and interest, and the makers of said notes have advised that they are unable to meet the obligation and are willing to return the title to said property to the City, but,

WHEREAS, the City Attorney is of the opinion that there may be liens against the property for which the City might be liable in the case of a simple re-deeding and returning to the City,

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

That the City Attorney be and he hereby is instructed to prepare and file a suit for foreclosure under the mortgage and mortgage notes, and to conclude the repossession of the property thereby at the earliest possible date; was introduced and read.

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

"yes" - Commissioners Bell
Healy
Mayes
Mayor Whitley

AN ORDINANCE DECLARING THE MAKING OF UNNECESSARY NOISES UPON, NEAR OR ADJACENT TO THE STREETS, HIGHWAYS AND OTHER PUBLIC PLACES IN THE CITY OF CORAL GABLES, FLORIDA, TO BE A PUBLIC NUISANCE, PROVIDING PENALTIES FOR ITS VIOLATION, REPEALING ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THERETO AND DECLARING THE SAME TO BE AN EMERGENCY MEASURE ON THE GROUND OF THE URGENT PUBLIC NEED FOR THE PRESERVATION OF PEACE, HEALTH, SAFETY AND PROPERTY.

was introduced and read by title on first reading.

AAJ299

Motion by Commissioner Healy 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 Mayes. The motion was adopted by the following roll call:

"Yes"- Commissioners Bell
Healy
Mayes
Mayor Whitley

Thereupon, the Ordinance was read again in full.

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

"Yes"- Commissioners Bell
Healy
Mayes
Mayor Whitley

Mayor Whitley then declared the Ordinance adopted and approved, and ordered its publication as No.406.

The Clerk reported to the Commission the hearings by the Zoning Board upon the proposal to erect a separate garage and swimming pool on Lots 23 and 24, Block 40, Country Club #3, for use in conjunction with the house on Lot 25 of that block. The Zoning Board had recommended the permit, provided no plumbing fixtures were included in the proposed garage studio. The Commission was of the opinion that if the proposed construction were sold separately from the existing house, it would constitute a serious violation of the Zoning Ordinance, and unanimously stated that it would approve the request, provided a deed covenant be recorded that there would be no future sale of the proposed garage and studio combination separately from the main dwelling. Because of the indeterminate status of the matter, no formal action was taken.

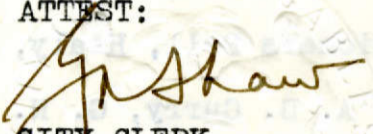
A request by the Coral Gables Post #98, The American Legion, for an appropriation of \$150.00 as a contribution to

its proposed 1942 directory was not granted, because of lack of funds resulting from the hurricane clean-up expense.

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

ATTEST:

CITY CLERK
G. N. Shaw



APPROVED:

MAYOR

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 27, 1941.

Pursuant to call of special meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of the City of Coral Gables convened in special session at the City Hall at 5:00 O'Clock P. M. on Monday, October 27th 1941.

Mayor Whitley in the chair; Commissioners Bell, Healy, Mayes and Phillips present. Also present A. B. Curry, G. N. Shaw, B. M. Smethurst, E. L. Semple, and, representing the Woman's Club, Mrs. Susong, Mrs. Roser, Mrs. Lanford, Mrs. Morrison, Mrs. Mizer and the attorney for the Club, C. D. Benson.

The Commission and the Club's representatives discussed possible terms of solution of the question of title to the Community House and Library property. On behalf of the Club, Mr. Benson requested that the City join him in a request to Works Progress Administration for a further study of the facts and law in the matter, explaining that he had already addressed such a request to W. P. A. authorities. Thereupon

Commissioner Healy moved that the City Commission instruct the City Attorney to correspond with the head of the Works Progress Administration and request that that agency seek an opinion from the Department of Justice concerning the legal aspects of the Community House and Library title question, provided that in so doing the City is not precluded from disposing of the matter by securing a return of the title, and provided further that if an extension can not be secured beyond November 15th, the City will be free to proceed as if no request had been made.

Mr. Benson requested an amendment to authorize the City Attorney to request an extension of time until such an opinion can be secured. Commissioner Healy accepted the amendment and added it to his motion.

Motion seconded by Commissioner Bell, and adopted by unanimous vote on roll call.

There followed a discussion of the amount spent by the Woman's Club in the construction of the buildings, and it was agreed that there should be added to the amount of \$9,539.01 determined by City Auditor B. M. Smethurst, working in conjunction with Clarence R. Ayers, auditor for the Club, an additional amount of \$97.05 from Schedule 2 of the Ayers Audit, so as to take into account all items in that Schedule through February, 1938; the amount of cost, not exactly determined, of the terrazo floor; and one-half of the payments made by the Club subsequent to June, 1941, upon the F. H. A. loan.

The entire discussion was reported by a member of the office of J. E. Kelly, Court Reporter, who was instructed to hold his notes for future instructions as to transcribing

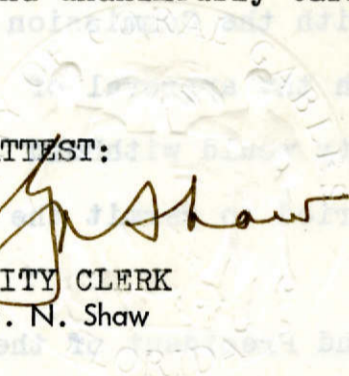
There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned.

ATTEST:

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

APPROVED:

MAYOR



AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 28, 1941.

Pursuant to call of special meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 5:00 O'Clock P. M. on Tuesday, October 28, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

The Commission conferred with Dr. J. F. Pearson and Mrs. Wittichen of the University of Miami, Mr. Paul D. McGarry and Mr. George E. Merrick on the possibility of the acquisition and use of the Coliseum by the University or by the Volpe Memorial Association. It was suggested that the University investigate the present accoustics of the building, and the possibility of successfully improving them if necessary for the intended uses, and then again confer with the Commission on a more definite basis. The Mayor, with the approval of the Commission, gave assurance that the City would withhold the property from sale for a reasonable period to permit the necessary investigation.

Mr. John A. Bouvier, attorney for and President of the Sunset Rock and Sand Company appeared in connection with the suspension of operation by that company because of the closing of the Cocoplum Plaza Bridge and the waterway. On motion by Commissioner Phillips, seconded by Commissioner Healy, the matter was referred to the City Manager with full power and authority to take such action as he might deem proper.

The City attorney was instructed to furnish the County Commission and the County Zoning Board with certified copies of excerpts from the minutes of the meeting of October 7, 1941, having to do with the proposed construction by Mr. & Mrs. H. A. Heckman, on the west side of Red Road between Thirteenth Street and Thirteenth Terrace.

After a discussion of the matter of the suspension of Police Officer Tipton, Commissioner Phillips moved that the

suspension be confirmed; motion seconded by Commissioner Bell, and adopted by unanimous vote on roll call.

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

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 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, November 4, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Mayes and Phillips present. Commissioner Healy absent account of illness.

The reading of the minutes of previous meetings was deferred.

A communication was received from S. S. Pederson, requesting some modification or exception to the City's ordinances so as to permit the operation of a package liquor store on S. W. 8th Street. The unanimous opinion of the Commission was that any exception would nullify the existing ordinances, and the request was denied.

A communication was received from Irving J. Thomas, complaining about the operation of the waterway information office near Cocoplum Plaza Bridge. The matter was referred to the City Manager.

A communication was received from John Ellmore complaining about the condition of certain lots in the vicinity of his property at 816 Granada Grove Court. The matter was referred to the City Manager for investigation.

RESOLUTION NO. 2222

A RESOLUTION APPROPRIATING THE SUM OF
THIRTY-FIVE DOLLARS FROM THE CONTINGENT
FUND FOR CERTAIN ADVERTISING.

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

That the sum of Thirty-five Dollars (\$35.00) be and the same is hereby appropriated from the Contingent Fund to appropriation code 1790-9.29, for the purpose of placing a one-page advertisement in the 1941 Homecoming Edition of the University of Miami publication.

was introduced and read.

Motion for adoption by Commissioner Phillips; seconded

by Commissioner Mayes. The resolution was adopted by the following roll call:

"Yes"- Commissioners Bell
 Mayes
 Phillips
 Mayor Whitley

RESOLUTION NO. 2223

A RESOLUTION ACCEPTING HIGHWAY
 IMPROVEMENT H-30

WHEREAS, The Commission of The City of Coral Gables met on Tuesday, August 12, 1941 in accordance with legal notice given in the Miami Herald, the Miami Daily News, and Coral Gables Riviera, to hear any objections to the creation of Highway Improvement District H-30 for the repair and improvement of certain streets in Coconut Grove Warehouse Center, Golden Gate, and McFarland Homestead Subdivisions, and there were no objections at said meeting nor objections previously filed in writing; and,

WHEREAS, After similar notice, the Commission again met on Tuesday, September 30, 1941, to hear objections to the preliminary assessment roll for said district, and again there were no appearances or objections; and,

WHEREAS, It is shown by the report of the City Manager, duly filed with the Commission, that the said improvement, in accordance with Resolution No. 2202 ordering Improvement District H-30, has been properly and completely done by City forces, and has been approved and accepted by him on behalf of the City of Coral Gables;

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

That the improvements and repairs described above be and they hereby are accepted by the Commission of The City of Coral Gables, Florida, as being in conformity to and in complete performance of the said Resolution No. 2202.

RESOLUTION NO. 2223-A

A RESOLUTION CONFIRMING THE PRE-
 LIMINARY ASSESSMENT ROLL FOR HIGH-
 WAY IMPROVEMENT DISTRICT H-30.

WHEREAS, The Commission of The City of Coral Gables met on October 21, 1941, after due legal notice in the Miami Herald, the Miami Daily News, and the Coral Gables Riviera, for the purpose of hearing objections to the confirmation of the preliminary assessment roll for the costs of work done in Highway District H-30; and,

WHEREAS, No objection thereto was sustained, and the said assessment roll appearing in all respects regular and in accordance with the requirements and provisions of the City Charter;

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

1. That the assessments as imposed and indicated in said preliminary assessment roll, a copy of which is hereby ordered to be made a part of the files of this meeting, be and the same are hereby confirmed and sustained against any and all lots or parcels of ground described therein.

2. It is hereby found that the sums and amounts assessed against each of the lots or parcels of ground in said preliminary assessment roll are less than the amount that each of the lots or parcels of ground are specially benefitted by said improvement, and that such amounts are in proportion to the special benefits that the property received and that the proportion of said work to be paid by the City of Coral Gables on account of highway intersections has been duly taken into account and eliminated from the total cost of said work before the apportionment of the assessments.

3. That the total amount of said assessments, namely \$ 3,582.45 be and the same is hereby confirmed and approved, as is also the apportionment at the rate of 25.9¢ per front foot.

RESOLUTION NO. 2224

A RESOLUTION ACCEPTING WATERWAY
IMPROVEMENT W-1

WHEREAS, The Commission of The City of Coral Gables met on Tuesday, August 12, 1941, in accordance with legal notice given in the Miami Herald, the Miami Daily News and the Coral Gables Riviera, to hear any objections to the creation of Waterway District W-1 for the improvement and extension of the Coral Gables Waterway system, and there were no objections at said meeting nor objections previously filed in writing; and,

WHEREAS, After similar notice, the Commission again met on Tuesday, September 30, 1941, to hear objections to the preliminary assessment roll for said District, and at that time one objection was filed and numerous appearances were made by affected property owners favoring the acceptance of the improvement by the City and the establishment of special assessment liens for the cost thereof; and,

WHEREAS, It is shown by the report of the City Manager, duly filed with the Commission, that the said improvement, in accordance with Resolution No. 2203 ordering Improvement District W-1, has been properly and completely done and has been accepted and approved by him on behalf of the City of Coral Gables;

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

That the improvements and extensions of the Coral Gables Waterway System described above, be and the same are hereby accepted by the Commission of The City of Coral Gables as being in conformity to and in complete performance of said Resolution No. 2203.

RESOLUTION NO. 2224-A

A RESOLUTION CONFIRMING A PRELIMINARY
ASSESSMENT ROLL FOR WATERWAY IMPROVE-
MENT DISTRICT W-1.

WHEREAS, The Commission of The City of Coral Gables met on October 21, 1941, after due legal notice in the Miami Herald, the Miami Daily News, and the Coral Gables Riviera, for the purpose of hearing objections to the confirmation of the preliminary assessment roll for the costs of work done in Waterway Improvement District W-1, as described in Resolution No. 2203; and,

WHEREAS, No objection thereto was sustained, and said assessment roll appearing in all respects regular and in accordance with the requirements and provisions of the City Charter;

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

1. That the assessments as imposed and indicated in said preliminary assessment roll, a copy of which is hereby ordered to be made a part of the files of this meeting, be and the same are hereby confirmed and sustained against any lots or parcels of ground described therein.

2. It is hereby found that the sums and amounts assessed against each of the lots or parcels of ground in said preliminary assessment roll are less than the amount that each of the lots or parcels of ground are specially benefited by said improvement, and that such amounts are in proportion to the special benefits that the property received.

3. That the total amount of said assessment, namely \$ 20,110.15 be and the same is hereby confirmed and approved, as is also the apportionment at the rate of 64.55¢ per front foot.

were introduced and read.

Motion for adoption by Commissioner Mayes; seconded by Commissioner Phillips. The resolutions were adopted by the following roll call:

"Yes"-Commissioners Bell
Mayes
Phillips
Mayor Whitley

Messrs. Starr and Copeland then discussed with the Commission the question of a proposed gas franchise for the Consumers Gas & Fuel Company. The Commission felt that it was unwise to proceed without further assurances as to its ability to complete the plant if commenced; and, thereupon:

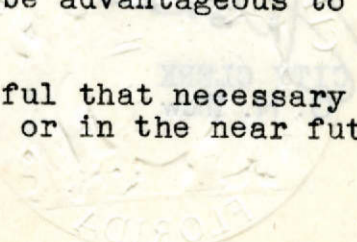
RESOLUTION NO. 2225

A RESOLUTION EXPRESSING THE POLICY OF THE COMMISSION ON THE PROPOSED GAS FRANCHISE.

WHEREAS, The Consumers Gas and Fuel Company has proposed to the City that an election be held on the question of granting to that company a franchise for the construction and operation of a gas supply and distribution system for the City of Coral Gables; and,

WHEREAS, the Commission is of the opinion that gas facilities should be made available to the residents of the City as soon as the City can be assured of proper completion and operation of a plant and system under franchise terms which will be advantageous to the City and its consumers; but,

WHEREAS, The Commission is very doubtful that necessary materials may be secured at the present time or in the near future,



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because of defense requirements for metals, and the extreme difficulty of securing priorities permitting deliveries, or even of securing deliveries after the granting of priorities, and the Commission deems it unwise to proceed with and grant a franchise which may remain dormant until the expiration of the defense emergency;

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

That further action upon the franchise proposed by the Consumers Gas and Fuel Company be deferred until the applicant and the City can be satisfactorily assured that necessary materials can be secured, and positive assurance can be given to the City that the proposed system can be completed and put in operation within a reasonable time.

was introduced and read.

Motion for adoption by Commissioner Bell; seconded by Commissioner Mayes. The resolution was adopted by unanimous vote.

The Clerk reported that the Zoning Board recommended an exception to the Zoning requirements so as to permit the construction of a duplex dwelling with 1,980 square feet floor area on Lots 25 and 26, Block 9, Section "K", for which the existing requirements are 2,127 square feet. The Commission unanimously approved the exception and ordered the exception to be incorporated in a later ordinance.

In connection with application for permit to operate a sorority house at 320 Sarto, which operation had been commenced without the securing of the necessary permit, the Commission instructed the City Clerk to advise the occupants that their present operations would not be officially sanctioned, but objection by the City would be withheld until objections might be filed by the neighbors, and to advise the sorority that it would be necessary for them to apply for a permit before renewing their lease upon the property.

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

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 14, 1941.

Pursuant to call of special meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 5:30 O'Clock P. M. on Friday, November 14, 1941.

Mayor Whitley in the chair; Commissioners Bell, Healy, Mayes and Phillips present.

Also present: Mrs. Morrison; Mrs. Mizer, Mrs. Tylee; Mrs. Roser, and Mrs. Lee, representing the Woman's Club, and Mr. Clifton D. Benson, attorney for the Club.

Mr. Benson asked whether the City would request from W. P. A. an extension of time until December 1, 1941, and withhold for that period the filing of suit to recapture title to the Community House property. City Attorney Semple stated that he would advise the Commission not to delay the matter further. Mayor Whitley stated that the Commission would not grant the fifteen day delay.

Mr. Benson then advised the Commission that, if unable to secure the delay, he had been authorized to submit a proposition to the Commission for the return of the title, and proceeded to read to the Commission a statement of the terms and conditions of the offer.

City Attorney Semple read to the Woman's Club representatives and to Mr. Benson an agreement drawn by him, at the instruction of the Commission, being the City's offer of terms of settlement.

Mayor Whitley appointed a Committee to consist of the City Manager and City Auditor, to meet with the Woman's Club Committee and endeavor to agree upon terms.

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

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 18, 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, November 18, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes, and Phillips present.

The reading of the minutes of previous meetings was waived by unanimous consent, but the Commission appointed four O'Clock P. M. on Friday, November 21, for an adjourned session to dispose of the reading of minutes.

RESOLUTION NO. 2226

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

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

That the sum of One Hundred Fifty (\$150.00) Dollars be and the same is hereby appropriated from the Contingent Fund to Code No.1790-9.29 for the purpose of procuring a half-page advertisement in the Miami Daily News Mail-Away edition of December 7, 1941.

was introduced and read.

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

"Yes" -Commissioners	Bell
	Healy
	Mayes
	Phillips
Mayor	Whitley

The Clerk read the report from the committee consisting of the City Manager and the City Auditor, made following the meeting of that committee with the committee of the Woman's Club, and making certain recommendations in connection with the proposed settlement of the Community House title case. The report proposed: (1) That the amount to be considered the Woman's Club contribution to the cost of the construction be \$10,430.46: (2) That the Woman's Club be paid \$500.00 in cash in further consideration of the return of title; (3) that the agreement to be entered by the City and the Club contain

the provision that should the agreement be cancelled by either party, the furniture and fixtures then located in the premises shall be purchased by the City at the value then placed upon it by independent appraisers. Following a discussion of the matter, the Commission accepted the first and third recommendations, but declined the second recommendation covering the payment of \$500.00 in cash. The Commission unanimously approved the agreement drawn by Mr. Semple, City Attorney, incorporating the two recommendations of the special committee.

The City Attorney reported that the Rellim suit to enjoin the assessment and collection of taxes on a portion of the Riviera Section had been dismissed, and that the Petitioners had been given fifteen (15) days in which to revise their bill of injunction.

RESOLUTION NO. 2227

A RESOLUTION APPROPRIATING THE SUM OF FOUR THOUSAND FIVE HUNDRED DOLLARS FROM THE RESERVE FOR ROAD AND BRIDGE REPAIRS FOR CERTAIN NEW CONSTRUCTION IN BISCAZYNE BAY SECTION PART ONE.

WHEREAS, The Commission has heretofore agreed, in connection with the recent canal improvement, to construct a new road from a point slightly eastward of the Granada Bridge in Biscayne Bay Section #1 to Tahiti Beach, over a route approximately parallelling the Coral Gables Waterway; and,

WHEREAS, no general funds are available for this purpose, and it is necessary to comply with the City's previous agreement and promptly commence the construction:

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

That the sum of Four Thousand, Five Hundred Dollars (\$4,500.00) be and the same is hereby appropriated from the reserve for road and bridge repairs, established from the City's share of County Road and Bridge millage, to provide the cost of the construction described above; and the City Manager be and he hereby is authorized and instructed to proceed with the construction as rapidly as is practical.

was introduced and read.

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

"Yes"-Commissioners	Bell
	Healy
	Mayes
	Phillips
Mayor	Whitley

A request from the Dade County Council of Parent Teachers Associations for a contribution toward the work of repairing toys to be given poor children of the County on Christmas was denied, in view of the fact that the City contributions to the repair of toys by its own Fire and Police Departments for the children of the Coral Gables area.

A Communication from Mr. John H. Metcalf to the City Manager, complaining of the noise from the Coral Gables Country Club, was read and referred back to the City Manager.

RESOLUTION NO.2228

A RESOLUTION REQUESTING THE FEDERAL AUTHORITIES, AND PARTICULARLY THE OFFICE OF PRODUCTION MANAGER, TO PLACE THE MIAMI AREA ON A PARITY WITH OTHER FLORIDA CITIES HAVING SIMILAR DEFENSE ACTIVITIES.

WHEREAS, The Miami Area is the scene of very important present defense activities, notably the United States Naval Training Station at Opa Locka, and the Flying Officers Training School at the University of Miami in Coral Gables, the construction of aircraft and aircraft engines, and the construction and repair of vessels; and,

WHEREAS, No recognition has yet been made of this fact by the Office of the Production Manager in the rating of priority orders for this area, or by other Federal agencies in their control of the availability and movement of material and supplies; and,

WHEREAS, Other Florida areas having no more important defense units have been designated as "Defense Areas", and by reason thereof are enabled to secure preference in the securing of priorities or permits for materials and supplies necessary to enable the communities to assist in housing and supplying the additional population brought in by said defense activities;

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

1. That this Commission hereby urges and requests that the Miami area be placed on a parity, as to material and supply priorities and all other necessary preferences, with other Florida Cities and communities which have heretofore been designated to receive such preferences by reason of defense activities.

2. That the City Clerk be and he is hereby instructed to cause certified copies of this resolution to be sent to the Honorable Claude Pepper, United States Senator, and the Honorable Pat Cannon, member of Congress, with the request that the resolution be brought by them to the attention of the proper authorities of the Federal Government and its agencies.

was introduced by Commissioner Bell and read.

Motion for adoption by Commissioner Bell; seconded by Commissioner Phillips; the resolution was adopted by unanimous vote.

There being no further business, on motion duly seconded and unanimously carried, the meeting was adjourned, until four O'Clock P. M. on Friday, November 21, 1941.

ATTEST:

G. N. Shaw
CITY CLERK

G. N. Shaw

APPROVED:

MAYOR

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MINUTES OF ADJOURNED MEETING OF THE CITY COMMISSION
ON NOVEMBER 21, 1941.

Pursuant to adjournment at the meeting of November 18, 1941, the Commission of The City of Coral Gables convened in adjourned session at the City Hall at four O'Clock on Friday, November 21, 1941.

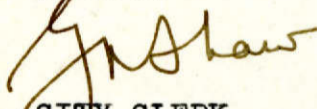
Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

The minutes of the meetings of September 23, October 7, 21, 27, 28, November 4 and 14, were read and approved.

A communication from Mr. Clifton D. Benson, on behalf of the Woman's Club, advised that the Club had declined the City's proffered agreement, and had reaffirmed and reoffered to the City the agreement previously tendered by the Club on November 14. By unanimous action, the Commission declined the proffered agreement and instructed the City Attorney to file, not later than November 24, 1941, suit to recapture title to the Community House property, unless, in the interim: (1) The Woman's Club shall have surrendered title to the property in return for the cash payment by the City of the amount of \$10,430.46; or (2) the Woman's Club shall have surrendered title to the property and executed the agreement proposed and submitted to it by the City to cover the continued occupancy and management of the premises.

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

ATTEST:


CITY CLERK
G. N. Shaw

APPROVED:

MAYOR:

MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 2, 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, December 2, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

MINUTES:

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

OUSTER CASES:

A communication from City Attorney E. L. Semple, advised the Commission of the receipt of a telegram from the Clerk of the Supreme Court, advising that the Court had reversed the decision and judgment of the Circuit Court in the Ouster Cases brought by Bechard and by Drawdy.

ZONING-THIEL CHEVROLET SPECIAL PERMIT:

Mr. R. E. Thiel appeared to request the Commission to reconsider and broaden if possible, the limitations placed upon the operation of his automobile sales and service business at 2105 Ponce de Leon Boulevard. Attorney Geo. J. Baya, representing Mr. Daniels, at 2109 Ponce de Leon Boulevard, addressed the Commission in opposition to any broadening of the Thiel permit. Upon motion by Commissioner Bell, duly seconded and unanimously carried, the matter was referred to the Zoning Board of Appeals for a hearing.

APPROPRIATION-CONVENTION EXPENSES:

RESOLUTION NO. 2229

A RESOLUTION APPROPRIATING FOR THE EXPENSES OF THE DELEGATES TO THE CONVENTION OF THE FLORIDA LEAGUE OF MUNICIPALITIES.

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

That the sum of \$350.00 be and the same is hereby appropriated from the Contingent Fund to appropriation code 1790-9.5 for the purpose of providing the expenses of delegates to attend the meeting of the Florida League of Municipalities in Tampa on December 9th and 10th, 1941.

was introduced and read.

Motion for adoption by Commissioner Healy, seconded by Commissioner Mays; the resolution was adopted by the following roll call.

"Yes" -Commissioners Bell
 Healy
 Mayes
 Phillips
 Mayor Whitley

WATERWAY SIGNS:

Mr. H. F. Doughty appeared to request permission to place signs at strategic points calling attention to the real estate lying on the Coral Gables waterways. By unanimous consent of the Commission, the City Manager was authorized to issue one year permits for such signs, at points to be designated by him and in designs to be approved by him.

INFORMATION BOOTH:

A communication from Irving G. Thomas protested against the operation of the Waterway Information Booth by Mr. John Ravlin on Le Jeune Road near the Cocoplum Plaza Bridge, stating that this so-called information booth is being operated as a real estate sales office, and for the sale of real estate outside of the City of Coral Gables. The City Manager was requested to ask Mr. Thomas to attend the next meeting and to furnish further evidence of the misuse of the Information Booth.

APPROPRIATION-PUBLICITY:

RESOLUTION NO. 2230

A RESOLUTION APPROPRIATING THE SUM
 OF \$950.00 FOR CERTAIN PUBLICITY
 PURPOSES.

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

That the sum of \$950.00 be and the same is hereby appropriated from the Contingent Fund for the following purposes:

1. To provide for issuing City
 Publicity Booklets, Appropriation
 Code 1790-9.23 \$750.00
2. To provide one half the cost
 of a Coral Gables Float in
 the Orange Bowl parade, ap-
 propriation Code 1790-9.5 \$200.00

was introduced and read.

Motion for adoption by Commissioner Healy; seconded by Commissioner Bell; the resolution was adopted by the following roll call:

MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 8, 1941

"Yes" Commissioner Bell
Healy
Phillips
Mayes
Mayor Whitley

Mr. George Dietz addressed the Commission, complimenting it upon the administration of the City's affairs, and wishing the City Commission and its officials a Merry Christmas and a Happy New Year.

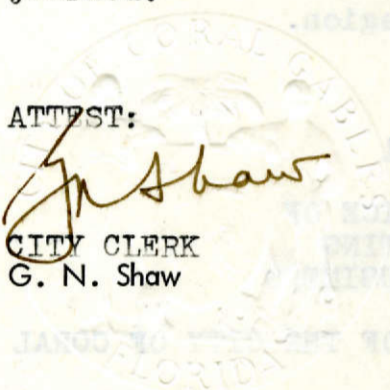
There being no further business, the meeting was adjourned.

ATTEST:

APPROVED:

CITY CLERK
G. N. Shaw

MAYOR



WAIVER OF NOTICE

That the requirement for written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and dispatch of any special business.

was introduced and read.

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

"Yes" Commissioner Bell
Healy
Mayes
Phillips
Mayor Whitley

RESERVE POLICE FORCE

The City Manager discussed with the City Commission the necessity of establishing a guard at the University of Miami on the night of December 7, 1941, and explained to the Commission the difficulty of securing an adequate turnout for that guard duty, until the furnishing of a force from the Coral Gables Post #98 of The American Legion. Following a full discussion of the matter, the Commission by unanimous action instructed the City Clerk to write Commander Winagar of the Coral Gables Post #98 The American Legion, requesting him to organize a reserve police force to be subject to call by and direction of the City Manager and the Captain of Police in times of local emergency.

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MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 8, 1941.

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commissioners, the Commission of the City of Coral Gables, Florida convened in special session at the City Hall at five O'Clock P. M. on Monday, December 8, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present. Also present Mr. A. W. Barrett, Mr. N. R. Farwell, and Commander William Edgar Winegar, of the Coral Gables Post #98 The American Legion.

WAIVER OF NOTICE:

RESOLUTION NO.2231

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 the requirement for written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and despatch of any special business.

was introduced and read.

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

"Yes" Commissioners	Bell
	Healy
	Mayes
	Phillips
Mayor	Whitley

RESERVE POLICE FORCE:

The City Manager discussed with the City Commission the necessity of establishing a guard at the University of Miami on the night of December 7, 1941, and explained to the Commission the difficulty of securing an adequate turn-out for that guard duty, until the furnishing of a force from The Coral Gables Post #98 of The American Legion. Following a full discussion of the matter, the Commission by unanimous action instructed the City Clerk to write Commander Winegar of the Coral Gables Post #98 The American Legion, requesting him to organize a reserve police force to be subject to call by and direction of the City Manager and the Captain of Police in times of local emergency.

APPROPRIATION-EXTRA POLICEMEN:

RESOLUTION NO. 2232

A RESOLUTION APPROPRIATING THE SUM OF \$1,600.00 FOR TEMPORARY EXTRA POLICEMEN AND FOR ADDITIONAL FIRE DEPARTMENT MOTOR EQUIPMENT.

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

That the sum of \$1,600.00 be and the same is hereby appropriated from the Contingent Fund for the following purposes:

- 1. To provide for four extra policemen for a period of 60 days, appropriation Code 1750-1.1 \$800.00
- 2. To provide for the purchase of a light truck to be used by the Fire Department, appropriation Code 1750-4.11 \$800.00

was introduced and read.

Motion for adoption by Commissioner Mayes; seconded by Commissioner Healy; resolution was adopted by the following roll call:

"Yes"-Commissioners Bell
 Healy
 Mayes
 Phillips
 Mayor Whitley

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK
G. N. Shaw

APPROVED:

MAYOR



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MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 16, 1941

The Commission of the City of Coral Gables, Florida, Convened in regular session at the City Hall at 5:35 O'Clock P. M. on Tuesday, December 16, 1941.

Mayor Whitley in the Chair; Commissioner's Bell, Healy, Mayes, Phillips present.

MINUTES:

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

ACTING CITY CLERK:

City Clerk Shaw, being absent in Court, Frank J. Kelly, City Clerk of the City of Miami, who was present at the meeting, was asked and designated by the Commission, to serve as acting City Clerk for this meeting.

PROPOSED MIAMI AIRPORT #2:

Mayor Whitley advised the Commission that Mayor Glass of South Miami had requested that Coral Gables join him in a protest against the proposed establishment of a class two (2) airport at Miller and Galloway Roads. Mr. Kelly, on behalf of the City of Miami, read to the Commission a copy of the Miami resolution setting forth the circumstances leading to the selection of this site by the City of Miami and the civilian aircraft authorities. Thereupon it was moved by Commissioner Healy; seconded by Commissioner Phillips, and unanimously carried, that the Commission table the request of Mayor Glass that the City of Coral Gables oppose this project.

AMERICAN LEGION DEFENSE CONFERENCE:

Mayor Whitley advised the Commission that Coral Gables Post #98 The American Legion had invited the Commission to meet with the Post Commander at 8:15 O'Clock P. M. this date to discuss defense work. He also reminded the Commission of the invitation by the Post to the Commissioners to attend the Installation Ceremonies of January 7th.

VANDALISM:

A complaint by Coral Gables residents of acts of vandalism, consisting of the cutting of coconut palms, was referred to the City Manager.

ORDINANCE LIMITING HEIGHT OF SHRUBBERY AND WALLS:

The Commission discussed with City Attorney Semple the proposed Ordinance to limit the height of shrubbery within a determined distance of property lines. Mr. Semple explained that if the Ordinance is to be at all effective, it must necessarily be retroactive and applied to conditions now existing. He explained, however, that the rights of all citizens would be protected by provisions for hearing of cases complained against, at which the circumstances pertaining both to the complainant and the property owner could be fully brought out.

ORDINANCE

AN ORDINANCE TO REGULATE THE HEIGHT OF TREES, SHRUBBERY AND OTHER FLORA WHERE SUCH TREES, SHRUBBERY OR FLORA ARE GROWN WITHIN TEN (10) FEET OF THE LOT LINE OF ADJOINING OCCUPIED PREMISES IN THE RESIDENTIAL AREA; DEFINING RESIDENTIAL AREAS; PROVIDING FOR THE SERVICE OF NOTICE AND OF A HEARING BEFORE THE CITY COMMISSION AND FOR FINDINGS OF THE CITY COMMISSION AFTER THE PRODUCTION OF EVIDENCE; PROVIDING FOR CUMMULATIVE OFFENSES FOR EACH TWENTY FOUR (24) HOURS THIS ORDINANCE MAY BE VIOLATED; AND PRESCRIBING MEASURES FOR ENFORCEMENT FOR THE ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

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

FIREMEN'S PETITION FOR SALARY INCREASE:

The City Manager submitted a petition signed by 16 members of the Fire Division, requesting a 10% increase in salary to offset the increased cost of living. Mr. Curry commented that if such an increase is granted, it should be applied to all employees, rather than to those of one division. He further advised the Commission that most cities are meeting the temporary emergency by giving bonuses, rather than continuing salary advances. The Commission requested the City Manager to study the situation and report further.

In connection with the petition, the City Attorney reminded the Commission that they should discourage any practice on the part of City Employee's in addressing their requests to individual Commissioners, and that such matters should be

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taken through the City Manager, and from him to the Commission.

APPROPRIATION-CHRISTMAS GREETING ADVERTISEMENT:

RESOLUTION NO. 2233

A RESOLUTION APPROPRIATING THE SUM OF \$50.00 FOR A CHRISTMAS GREETING ADVERTISEMENT.

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

THAT, the sum of \$50.00 be and it is hereby appropriated from the Contingent Fund for the purpose of placing in the Coral Gables Riviera, edition immediately preceding Christmas, an advertisement extending Christmas Greetings to the citizens of Coral Gables.

Motion for adoption by Commissioner Mayes; seconded by Commissioner Bell; the resolution was adopted by the following roll call:

"Yes" Commissioners	Bell
	Healy
	Mayes
	Phillips
Mayor	Whitley

There being no further business the meeting was adjourned.

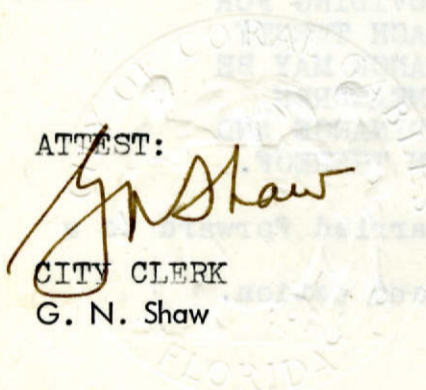
ATTEST:

G. N. Shaw

CITY CLERK
G. N. Shaw

APPROVED:

MAYOR



MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 23, 1941.

Pursuant to call of Special Meeting by Mayor Whitley, 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, December 23, 1941.

Mayor Whitley in the Chair; Commissioners Bell, Healy and Phillips present; Commissioner Mayes absent account business engagement.

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

WAIVER OF NOTICE:

RESOLUTION NO 2234

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 the requirement for written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and despatch of any special business.

was introduced and read.

Motion for adoption by Commissioner Healy; seconded by Commissioner Bell; the resolution was adopted by the following roll call:

"Yes"- Commissioners	Bell
	Healy
	Phillips
Mayor	Whitley

LIMITATION OF HEIGHT OF TREES AND SHRUBBERY:

AN ORDINANCE TO REGULATE THE HEIGHT OF TREES, SHRUBBERY AND OTHER FLORA WHERE SUCH TREES, SHRUBBERY OR FLORA ARE GROWN WITHIN TEN (10) FEET OF THE LOT LINE OF ADJOINING OCCUPIED PREMISES IN THE RESIDENTIAL AREA; DEFINING RESIDENTIAL AREAS; PROVIDING FOR THE SERVICE OF NOTICE AND OF A HEARING BEFORE THE CITY COMMISSION AND FOR FINDINGS OF THE CITY COMMISSION AFTER THE PRODUCTION OF EVIDENCE; PROVIDING FOR CUMMULATIVE OFFENCES FOR EACH TWENTY-FOUR (24) HOURS THIS ORDINANCE MAY BE VIOLATED; AND PRESCRIBING MEASURES FOR ENFORCEMENT FOR THE ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

which had been first read at the meeting of December 16, 1941, was read again in full.

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Motion for adoption of the Ordinance by Commissioner Healy; seconded by Commissioner Bell; the ordinance was adopted by the following roll call:

"Yes" Commissioners Bell
Healy
Phillips
Mayor Whitley

Thereupon the ordinance was given number 407 and publication was ordered.

EMPLOYEE'S SALARY ADJUSTMENTS:

RESOLUTION NO. 2235

A RESOLUTION APPROPRIATING THE SUM OF \$7,435.38 FROM THE CONTINGENT FUND FOR THE PURPOSE OF MAKING CERTAIN GENERAL SALARY ADJUSTMENTS.

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

That, the sum of \$7,435.38 be and the same is hereby appropriated from the Contingent Fund, to be distributed to the salary accounts of the several departments as is consistent with the purpose of this resolution, for the purpose of paying to employee's on the semi-monthly roll 1/24 and employee's on the weekly 1/52 of their annual salary rate, excepting such employee's and classes of employee's whose salaries have been increased earlier in this fiscal year, as an adjustment of the salaries to meet the rising costs of living.

was introduced and read.

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

"Yes" Commissioners Bell
Healy
Phillips
Mayor Whitley

Commissioner Mayes, necessarily absent from the meeting, had previously expressed his approval of the above resolution.

NEW YEAR'S GREETINGS:

RESOLUTION NO. 2236

A RESOLUTION TENDERING NEW YEAR'S GREETING TO THE DUKE AND DUCHESS OF WINDSOR.

WHEREAS, the Duke and Duchess of Windsor have thoughtfully and graciously expressed through Mayor Whitley to the people of the City of Coral Gables their Christmas Greetings, and

WHEREAS, through the several pleasant visits of the Duke and Duchess to this City its people have acquired a feeling of more than ordinary acquaintanceship and interest, and

deeply concerned with the well-being of the royal couple and the Empire they represent,

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 extend to the Duke and Duchess of Windsor, best wishes for a New Year heavily laden with successes for themselves and victories for the British Empire.

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

RESOLUTION NO.2237

A RESOLUTION INSTRUCTING THE CITY CLERK TO ACCEPT REGISTRATION OF ELECTORS AT ALL TIMES DURING REGULAR BUSINESS HOURS OF HIS OFFICE, EXCEPT AS HEREAFTER PROVIDED.

WHEREAS, The Commission is desirous of adopting new Ordinances providing for the election routines of the City, but such Ordinances are not complete and available for adoption at this time, and,

WHEREAS, it now appears that for the convenience and necessity of the Citizens who have not previously had an opportunity to register under existing registration rules, and who should be registered before January 1, 1942, the registration books of the City should be opened at this time, and continued open until definite registration periods can be established,

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

1. That the City Clerk, as ex-officio Supervisor of Registration, be and he hereby is authorized and instructed to open the registration books of the City at 9:00 A. M. on Friday, December 26, 1941, and thereafter to keep said books open for the registration of electors of the City during regular business hours each day, i.e. : from 9:00 O'Clock A. M. until 5:00 O'Clock P. M. each week day except Saturday, and from 9:00 O'Clock A. M. until 12:00 O'Clock Noon, each Saturday, excepting holidays, until further regulation of registration shall be adopted by this Commission.

2. That the Supervisor of Registration be and he hereby is authorized and empowered to appoint as deputies such employees of the Finance or other offices of the City as he may deem necessary to provide for the registration of electors at any and all times during the hours the books are required to be open.

was introduced and read.

Motion for adoption by Commissioner Bell; seconded by Commissioner Mayes, the Resolution was adopted by unanimous vote.

There being no further business, the meeting was adjourned.

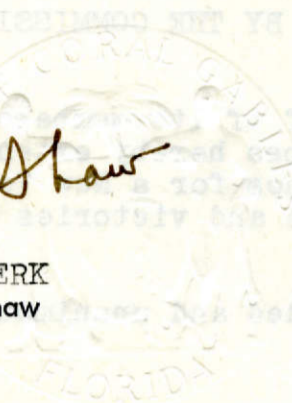
ATTEST:

G. N. Shaw

CITY CLERK
G. N. Shaw

APPROVED:

MAYOR



RESOLUTION NO. 2277

A RESOLUTION INSTRUCTING THE CITY CLERK TO ACCEPT REGISTRATION OF ELECTIONS AT ALL TIMES DURING REGULAR BUSINESS HOURS OF HIS OFFICE, EXCEPT AS HEREINAFTER PROVIDED.

WHEREAS, The Commission is desirous of adopting new Ordinances providing for the election regulations of the City, but such Ordinances are not complete and available for adoption at this time, and

WHEREAS, It now appears that for the convenience and necessity of the Citizens who have not previously had an opportunity to register under existing registration rules, and who should be registered before January 1, 1942, the registration books of the City should be opened at this time, and continued open until definite registration periods can be established.

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

1. That the City Clerk, as ex-officio Supervisor of Registration, be and he hereby is authorized and instructed to open the registration books of the City at 9:00 A. M. on Friday, December 25, 1941, and thereafter to keep said books open for the registration of electors of the City during regular business hours each day, i. e. : from 9:00 O'clock A. M. until 5:00 O'clock P. M. each week except Saturday, and from 9:00 O'clock A. M. until 12:00 O'clock Noon, each Saturday, excepting holidays, until further regulation of registration shall be adopted by this Commission.
2. That the Supervisor of Registration be and he hereby is authorized and empowered to appoint as deputies such employees of the Finance or other offices of the City as he may deem necessary to provide for the registration of electors at any and all times during the hours the books are required to be open.

was introduced and read.

Motion for adoption by Commissioner Bell; seconded by Commissioner Maves, the Resolution was adopted by unanimous vote.

MINUTES OF MEETING OF THE CITY COMMISSION
ON JANUARY 6, 1942.

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 January 6, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Healy and Phillips present. Also present City Manager Curry, City Attorney Semple, City Clerk Shaw and Messrs. Adams, Haycock and Redfern, the City's special counsel in the Municipal Bankruptcy Case.

The Mayor asked for a report from the three special Counsel as to the progress and expected outcome of the Municipal Bankruptcy action. Messrs. Adams, Haycock and Redfern explained the developments in the case, and each of the three assured the Commission of his confidence in a favorable outcome for the City.

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

WATERWAY INFORMATION BOOTH:

The Commission took under consideration an affidavit by Carlton W. Pierce, setting forth that he had visited the "Information" office at Le Jeune Road and Cocoplum Plaza Bridge, and had been offered property in High Pine Subdivision, outside of the City of Coral Gables. By unanimous consent, the City Manager was instructed to notify the operator of the "Information Booth" that his permit would be cancelled, and that he might appear before the Commission at its next regular meeting.

HOMESTEAD EXEMPTIONS:

Mr. Dobisch, whose 1941 Homestead application had been disapproved by action of the Commission because of questions concerning his legal residence in the City, appeared before the Commission to explain his eligibility for the exemption. City Attorney Semple questioned Mr. Dobisch as to his qualifications, and advised the Commission that if the statements were

correct he was entitled to the exemption. City Attorney Semple was delegated by the Commission to further investigate the matter.

PUBLICITY BOOKLET:

Communication was received from Alvie S. Lindborg, Secretary of the Coral Gables Chamber of Commerce, complimenting Mrs. Moore the Publicity Director, on the new publicity booklet.

WHOLESALE LICENSES:

The Commission considered a request by R. O. Turner, of Homestead, Florida, that the City require licenses of West Coast florists now selling cut flowers to Coral Gables stores. After discussion the Commission decided to continue the City's policy of not requiring licenses of wholesalers and firms and persons selling only to the City's licensed merchants, as to require licenses of such persons supplying our licensed merchants would unduly restrict their source of supply.

Commissioner Mayes joined the meeting at 5:22 O'Clock P. M.

REAL ESTATE AUCTION:

The City Attorney was instructed to draw an Ordinance forbidding real estate auctions except on special permits to be issued by the City Commission.

PINBALL AND OTHER SLOT MACHINES:

On motion by Commissioner Philips, seconded and unanimously carried the City Attorney was instructed to study the City's ordinances governing and licensing pinball and other slot machines, for the purpose of regulating and zoning such machines to the best interest of the City and its citizens, and to study and if necessary prepare amendments to the zoning ordinance to provide against the storage and repair of such machines, including music machines, in residential districts.

DEFENSE ORDINANCE:

The City Manager advised the Commission that a uniform defense ordinance, providing penalties for the violation of blackout regulations, was being prepared in Tallahassee, and was expected to be received shortly. The Commission asked that a special meeting be called when the draft of the Ordinance is received, in order that it may be promptly adopted and put into effect.

TRAFFIC SPEED REGULATIONS:

The City Manager reported that the City has been enforcing a 30 mile speed limit, with a 5 mile leeway, in conformity with the regulations now in force in the City of Miami, but suggested that traffic be allowed to move faster on Bird Road in order to expedite the movement of race track traffic. It was the concensus of the Commission that on Bird Road during the racing season and on other through roads during similar occasions traffic should be moved as rapidly as possible without recklessness. On motion by Commissioner Healy; seconded by Commissioner Phillips and unanimously adopted the Commission expressed confidence in the City Manager's ability to cope wisely with such situations, and assured him of the Commissions support on any policies he might establish in this connection.

BELLING CATS:

A communication from Mrs. Dorothy O. Morrison reminded the City Commission of the existence of an ordinance requiring the belling of cats, and urged the enforcement of the ordinance in order to preserve the bird life in the City. The matter was referred to the City Manager for study and report.

NATIONAL COLORS:

A communication by William Edward Winegar, Commander of Coral Gables Post #98 of The American Legion, asked that the City urge the Citizens and business people of Coral Gables to display the National Flag each day during the period of the war, and asked that the Mayor issue a proclamation on the subject. Mayor Whitley stated that the proclamation would be prepared and issued.

CONFERENCE OF MAYORS:

A communication from E. P. Owens, Jr. Secretary of the Florida League of Municipalities reminded the City Commission of the meeting of the United States conference of Mayors to be held in Washington D. C. on January 12th to 14th, and urged attendance by the Mayor and others. No actions were taken.

LEGION COOPERATION:

RESOLUTION NO.2238

A RESOLUTION EXPRESSING THE APPRECIATION OF THE COMMISSION FOR THE DEFENSE ACTIVITIES OF CORAL GABLES POST #98 THE AMERICAN LEGION.

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

That this Commission hereby expresses to Coral Gables Post #98, The American Legion and to William Winegar, its Commander, sincere appreciation for the prompt, untiring and constructive cooperation which has been and is now being given by that organization in local safety and defense measures, and

BE IT FURTHER RESOLVED:

That it is a source of both pride and comfort to the Commission to have within the City an organization which has so outstandingly demonstrated its willingness and its ability to serve the community.

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

There being no further business, the meeting was adjourned.

ATTEST:

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

APPROVED:

MAYOR



MINUTES OF MEETING OF THE CITY COMMISSION
ON JANUARY 20, 1942.

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 20, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Healy and Phillips present; Commissioner Mayes absent.

The reading of minutes of previous meetings was waived by unanimous consent, but the Commission agreed to hold a special meeting at 5:15 O'Clock P. M. on Wednesday, January 21, 1942, for the purpose of reading and disposing of such minutes.

WATERWAY INFORMATION BOOTH: File #1

Mr. J. E. Ravlin appeared to answer the protest made at the last regular meeting by Irving J. Thomas against his operation of the Waterway Information Booth on Le Jeune Road, near the Cocoplum Plaza Bridge, and tendered an affidavit by Miss Lucia Trombetta, his clerk, covering the incident reported to the Commission on the affidavit of Carleton W. Pierce. After discussing the matter with Mr. Ravlin, and learning that there had been no protest by Coral Gables residents or Realtors, the Commission unanimously agreed that the operation of the Information Booth should be permitted to continue unless or until some better established complaint is made.

DEFENSE MEASURES, "BLACK-OUT" ORDINANCE: File #2.

AN ORDINANCE AUTHORIZING BLACKOUTS AND AIR RAID PROTECTION AND ESTABLISHED ORDERS, RULES AND REGULATIONS PERTAINING THERETO; PRESCRIBED PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; REPEALING ALL LAWS IN CONFLICT; DECLARING AN EMERGENCY TO EXIST AND DISPENSING WITH THE REQUIREMENT OF READING THE ORDINANCE ON TWO SEPARATE DAYS BY A FOUR-FIFTHS VOTE OF THE MEMBERS OF THE COMMISSION.

was introduced and read.

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

AAJ299

"Yes" Commissioners Bell
 Healy
 Mayes
 Phillips
 Mayor Whitley

Commissioner Mayes had joined the meeting at 5:20 O'Clock P. M. during the reading of the ordinance.

Thereupon the Ordinance was given No. 408 and publication ordered.

COMMUNITY HOUSE TITLE: File #3.

A men's committee appointed by the Woman's Club, consisting of Messrs. Lyle Holcomb, Frank Holley, Jack Hoover and Carl Warth, addressed the Commission in connection with the Commissions proposed contract for the return to the City of the title to the Community House, asking that the proposed agreement be amended in several respects and particularly, so as to provide for a remainder deed. The Committee also asked that the progress of the present litigation be delayed to permit negotiations. The Commission explained to the committee that the Federal Government will not accept a remainder deed, and also explained the City's moral obligation to the Government to prosecute the suit without unnecessary delay.

VENETIAN POOL CHLORINATION: File #4.

The City Manager explained to the Commission that he had been advised by the Chief sanitary officer for this County, that the permit for operation of the Venetian Pool will not be renewed on June 1st of this year unless the chlorination equipment is replaced with more modern and effective equipment, roughly estimating the cost at some \$2000. to \$3,000. He advised that he would later bring in a detailed estimate of cost and a request for appropriations.

HEALTH AND SANITATION UNDER COOPERATIVE COUNTY CONTROL: File #5

The City Manager discussed with the Commission the survey he had received which proposes the concentration of all health and sanitary work in the Metropolitan Miami area under a County Department, to be supported cooperatively by the County and the

and the several Cities. He advised the Commission that the cost to the smaller cities, such as Coral Gables, would be excessive and out of line with their present costs, and further that such centralization would destroy the right and privilege of Coral Gables to set its own standards in health and sanitary matters as in the past. The Commission concurred with the City Manager's views, but asked to be kept further advised on the development in the matter.

SLOT AND PINBALL MACHINES, CONTROLLED BY ZONING, LICENSING AND REGULATION: File #6

The City Attorney reported inability to complete the ordinances regulating and zoning slot and pin ball machines, and asked that the matter be deferred until the next regular meeting.

LICENSES, REAL ESTATE AUCTION: File #7

AN ORDINANCE TO REGULATE AND GOVERN THE SALE OF REAL ESTATE BY AUCTION IN THE CITY OF CORAL GABLES; REQUIRING SPECIAL PERMIT TO BE ISSUED BY THE CITY COMMISSION AS A PREREQUISITE TO HOLDING SUCH AUCTIONS; SPECIFYING QUALIFICATIONS NECESSARY TO GRANTING OF SUCH PERMIT; REQUIRING MAKING OF APPLICATION FOR THE ISSURANCE OF SUCH SPECIAL PERMIT; PRESCRIBING METHODS OF ENDORCEMENT OF THIS ORDINANCE AND 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.

COOPERATIVE ACTIVITIES, OPERA GUILD OF GREATER MIAMI: File #8

A Committee from the Opera Guild of Greater Miami requested the donation by the City of a banner to be hung across some prominent intersection. The Commission explained the policy of the City in these respects and the difficulty of arranging such banners in view of the interference with traffic lights and with power lines. The Commission suggested instead, cards to be placed in the City's buses, which was agreeable to the committee, the committee stating that it would furnish the cards.

DEFENSE-BLACK-OUT ALARM: File #9

A communication from Fred R. Clark proposed that the City install sirens on its fire alarm boxes to be operated by relays for which the current would be furnished over the fire alarm system. The City Manager explained to the Commission that the Southeastern Underwriters Association would not permit the use of fire alarm wires for any purpose not approved by it, and further that the idea had been investigated and found to be impractical because of the danger of the relays freezing if not operated frequently.

COLISEUM: File #10.

A communication from Mrs. Wittichen of the Arnold Volpe Memorial Auditorium and Orchestra Fund requested that the City grant a further option to that organization for the purchase of the Coliseum, to permit the organization to conclude its plans for the acquisition and remodeling of the building. The Commission thought that the matter had already been held open beyond the period originally contemplated by it, and that to indefinitely continue the hold order would be unwise and unfair to the taxpayers. The City Manager was authorized to notify Mrs. Wittichen that they would be given until February 5th, with the proviso that any request by the Federal Government or its Agencies for use of the building would be given priority over other contemplated uses at any time.

HOMESTEAD EXEMPTION: Lot 11 Block 65 GRANADA SECTION: File #11.

The City Attorney reported that he had investigated the Homestead Exemption qualifications of Mr. Dobisch, the owner of Lot 11 Block 65 Granada Section, whose application for exemption for 1941 had been disapproved by the Commission by Resolution No. 2209. Thereupon,

RESOLUTION NO. 2239

A RESOLUTION AUTHORIZING THE TAX
ASSESSOR TO GRANT HOMESTEAD EXEMPTION
FOR 1941 ON LOT 11 BLOCK 65 GRANADA
SECTION.

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 the Homestead Exemption application made by Mr. Dobisch for the year 1941 affecting Lot 11 Block 65 Granada Section, and to correct his assessments and tax rolls so as to make the exemption effective for that year.

was introduced and read.

Motion for adoption by Commissioner Bell: seconded by Commissioner Mayes. The resolution was adopted by the following roll call:

"Yes" Commissioners Bell
Healy
Mayes
Phillips
Whitley
Mayor

LICENSES: File #16

Acting upon a request by the Theatre of the Fifteen and certain citizens interested in that project, the Commission authorized the acceptance of \$15.00 in settlement of the 1941-42 license for that organization, there being no specific classification in the license ordinances covering the activities proposed.

There being no further business the meeting was adjourned.

ATTEST:

CITY CLERK
G. N. Shaw

APPROVED:

MAYOR

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON JANUARY 21, 1942.

The Commission of the City of Coral Gables convened in Special Session at the City Hall, at five O'Clock P. M. on Wednesday, January 21, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Healy and Phillips present. Commissioner Mayes absent.

The minutes of the meetings of November 18, and 21; December 2, 8, 16 and 23, 1941 and of January 6, 20 and 21, 1942, were read, corrected and approved.

There being no further business the meeting was adjourned.

ATTEST:

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

APPROVED:

MAYOR



MINUTES OF MEETING OF THE CITY COMMISSION
ON FEBRUARY 4TH, 1942

The Commission of the City of Coral Gables convened in regular session at the City Hall at 4:30 O'Clock on Tuesday, February 4th, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Phillips and Mayes present.

LICENSES REAL ESTATE AUCTION-File #7

AN ORDINANCE TO REGULATE AND GOVERN THE SALE OF REAL ESTATE BY AUCTION IN THE CITY OF CORAL GABLES; REQUIRING SPECIAL PERMIT TO BE ISSUED BY THE CITY COMMISSION AS A PREREQUISITE TO HOLDING SUCH AUCTIONS; SPECIFYING QUALIFICATIONS NECESSARY TO GRANTING OF SUCH PERMIT; REQUIRING MAKING OF APPLICATION FOR THE ISSUANCE OF SUCH SPECIAL PERMIT; PRESCRIBING METHODS OF ENFORCEMENT OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF,

which had first been read at the meeting of January 20, 1942, was read again in full. Motion for adoption of the Ordinance by Commissioner Healy, seconded by Commissioner Phillips, the Ordinance was adopted by the following roll call.

"Yes" Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

Thereupon the Ordinance was given No. 409 and publication ordered.

COLISEUM-File #10

A Committee from the Volpe Memorial Association addressed the Commission upon the question of purchasing the Coliseum for the purposes of that association and the University, offering to pay \$25,000.00 for the building, at the rate of \$1,000.00 per year for 25 years. The Commission explained to the Committee that rather definite plans were in the making for the use of the building by Defense organizations at a considerably higher rental. The Committee asked that the sale to them

be confirmed, stating that they would in turn deal with the Defense organizations, and pay over to the City all money received from the sub-leasing of building. The matter was referred to City Attorney Semple and to Attorney Paul D. McGarry, for study and report.

MAYOR'S OFFICE RENTAL -File No. 10

City Manager Curry explained to the Commission, that the City had rented an office in the Renuart Arcade to be used by the Mayor, in view of the fact that the Mayor's office in the City Hall has been loaned to the Dental Clinic of the Coral Gables Junior Woman's Club. The rental of this Mayor's office is \$30.00 per month and Mr. Curry had suggested to Mayor Whitley that he discontinue his Real Estate office, and use the Mayor's office entirely and pay one-half of the rental of \$15.00 per month.

Mayor Whitley stated that he would not make such an arrangement without the full knowledge and consent of the Commission and thereupon it was moved by Commissioner Phillips, seconded by Commissioner Healy, and unanimously carried that the arrangement of the matter outlined by the City Manager be approved by the City Commission.

WATERWAY INFORMATION BOOTH-File #1

Irving J. Thomas appeared before the Commission, protesting against the continued operation of the Waterway Information Booth near the Cocoplum Plaza Bridge, stating that the Booth was being used for a real estate office for the sale of real estate belonging to John Ravlin, or real estate in which he is interested, and that it constituted an unfair advantage over the other realtors of the area. He recalled to the memory of the Commission the affidavit which had been filed by Carleton W. Pierce, and stated that a Mr. White had discussed the matter with the City Manager, describing his own contact with the Waterway Information office, and stating that he had been sold a house outside of the

City of Coral Gables during and as a result of that contact. The Commission took the matter under advisement.

SECURITY INVESTMENTS-File #18

The Commission expressed a desire to assist Dade County in going over the top in the purchase of Defense Bonds during the week of February 16th and 21st, and asked the City Clerk to investigate the Bonds and the condition of the City's reserve, to determine whether it would be possible and practical for the City to invest any of its reserves in such bonds.

RESOLUTION NO. 2239-A

A RESOLUTION DESIGNATING THE CORAL GABLES RIVIERA TO PUBLISH THE ADVERTISEMENT OF 1941 DELINQUENT TAXES.

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

That the Coral Gables Riviera be and it hereby is designated to carry the advertisement of sale of delinquent 1941 City taxes,

was introduced and read.

Motion for adoption by Commissioner Healy, seconded by Commissioner Mayes, the resolution was adopted by unanimous vote.

There being no further business, the meeting was adjourned.

ATTEST:

G. N. Shaw

CITY CLERK:
G. N. Shaw

APPROVED:

MAYOR:

Note: Subsequent to the above action, and prior to the writing and approval of these minutes, Mayor Whitley advised that he would not consider moving his private business into the Mayor's office.

G. N. Shaw

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON FEBRUARY 17, 1942.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5 O'Clock P. M. on Tuesday, February 17, 1942.

Mayor Whitley in the Chair, Commissioners Bell, Healy, Mayes and Phillips present.

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

RESIGNATION A. B. CURRY-File #19

The Clerk read the following letter of resignation from A. B. Curry, City Manager, who by previous informal consent of the Commission had been relieved of his duties on February 14th 1942, in order to accept the appointment as City Manager of the City of Miami, Florida, commencing February 16th 1942.

Coral Gables, Florida.
February 14, 1942.

Honorable Mayor and
City Commissioners of the
City of Coral Gables, Florida.

Gentlemen:-

In line with my conversations with you during the past few days, it is with deep regret that I must submit my resignation as City Manager of the City of Coral Gables, Florida, in order to accept the appointment as the City Manager of the City of Miami, Florida, which has just been tendered me by the Miami City Commission.

I shall always be very proud of my years of association with the City of Coral Gables, and shall always remember the many considerations which have been shown me, and hope that I may continue to enjoy the friendships I have formed with you, and with the others of the City organization.

Very sincerely yours,

A. B. Curry.

Thereupon:

RESOLUTION NO.2240

A RESOLUTION REGRETFULLY ACCEPT-
ING THE RESIGNATION OF CITY MANA-
GER A. B. CURRY.

WHEREAS, A. B. Curry has tendered his resignation as City Manager, and

WHEREAS, the City Commission has accepted that resignation, reluctantly and with deep regret, and solely because A. B. Curry has requested such action, and the Commission feels that it cannot and should not stand in his way of material advancement and greater opportunity, and

WHEREAS, it is the feeling and sense of the Commission that the best interest of the City would be served by retaining or resecuring the services of A. B. Curry as City Manager,

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

That the resignation of A. B. Curry as City Manager is hereby formally accepted, at his request as stated, but with the understanding and condition that should Mr. Curry within the next ensuing twelve (12) months indicate his desire to resume his former position as City Manager of the City of Coral Gables, that then the Commission of the City of Coral Gables will welcome him back home, and

BE IT FURTHER RESOLVED, that the City Clerk be and he hereby is instructed to have framed a certified copy of this resolution and to deliver it to Mr. Curry,

was introduced and read. Motion for adoption by Commissioner Phillips, seconded by Commissioner Mayes, the resolution was adopted by unanimous vote on roll call.

Mr. George Dietz, who was present at the meeting and who had been invited to sit at the Commission table, stated to the Commission that he was thoroughly in accord with the action taken by the Commission, and that he felt that no one without selfish interests of his own would object to the position taken in the matter by the Commission.

APPOINTMENT G. N. SHAW, CITY MANAGER-File #20

RESOLUTION NO.2241

A RESOLUTION APPOINTING G. N. SHAW
CITY MANAGER OF THE CITY OF CORAL
GABLES; FIXING HIS COMPENSATION
THEREFOR.

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

That, G. N. Shaw, be and he hereby is appointed City Manager of the City of Coral Gables, Florida, to serve as such according to the Charter, the duties of the office of the City Manager to be undertaken in connection with his present duties as City Clerk and Director of Finance, his compensation for the combined offices to be at the rate of \$6,000.00 per year, and

BE IT FURTHER RESOLVED, that he be and hereby is authorized to appoint an Assistant Director of Finance and to delegate to him any or all of the duties of that office.

was introduced and read. Motion for adoption by Commissioner Healy, seconded by Commissioner Bell, the resolution was adopted by unanimous vote on roll call.

SIGNATURES TO CHECKS AND DRAFTS-File #21

RESOLUTION #2242

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 & 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 or his duly appointed assistant, 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 or his assistant, 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 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 amounts of moneys of The City of Coral Gables on deposit in any such depository; and the Director of Finance or his assistant 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 secured thereby.

2. That the appointment of H. B. Jackson, as Assistant Director of Finance be and be and it is hereby approved and confirmed.

3. 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 H. B. Jackson, as Assistant Director of Finance or as Treasurer; and countersigned by G. N. Shaw, as City Manager; and the said H. B. Jackson and G. N. Shaw, 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.

4. That the provisions and authorizations herein contained shall become effective immediately upon the passage and adoption of this resolution and shall replace and nullify all previous authorizations for the signing and countersigning of the City's checks and other cash instruments dated subsequent hereto and shall remain in effect until it shall be otherwise ordered by the Commission of The City of Coral Gables.

5. 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 City 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 Healy, seconded by Commissioner Mayes, the resolution was adopted by the following roll call.

"Yes" Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

APPROPRIATION, EXTRA POLICEMEN File #22

RESOLUTION NO. 2243

A RESOLUTION APPROPRIATING THE
SUM OF SIX HUNDRED (\$600.00)
DOLLARS FROM THE CONTINGENT FUND
FOR THE PURPOSE OF EMPLOYING ADDI-
TIONAL POLICEMEN THROUGH TROPICAL
PARK RACING SEASON.

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

That the sum of Six Hundred (\$600.00) Dollars be and the same is hereby appropriated from the contingent fund for the purpose of continuing the employment of the four extra Policemen through the month of March 1942, in order to provide for the handling of Race Track traffic during the remainder of the Tropical Park race track season.

was introduced and read. Motion for adoption by Commissioner Healy, seconded by Commissioner Bell, the resolution was adopted by the following roll call.

"Yes" Commissioners Bell
Healy
Mayes
Phillips
Mayor Whitley

ZONING-UNIVERSITY TENNIS STADIUM-File No. 23

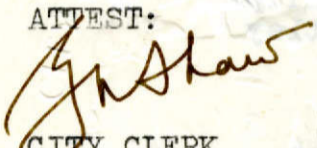
The Clerk reported to the Commission that the University of Miami had requested the Zoning Board not to require masonry enclosure around the new tennis Grand Stand, but to permit the screening of the Stand by planning landscaping and vine covering, and that the Zoning Board had recommended this method of

handling the matter. The Commission unanimously approved the recommendation of the Zoning Board, but stated that the permit for the operation of the tennis Grand Stand and the other recreational facilities should be a temporary matter to be extended from year to year if circumstances make it advisable.

There being no further business the meeting was adjourned.

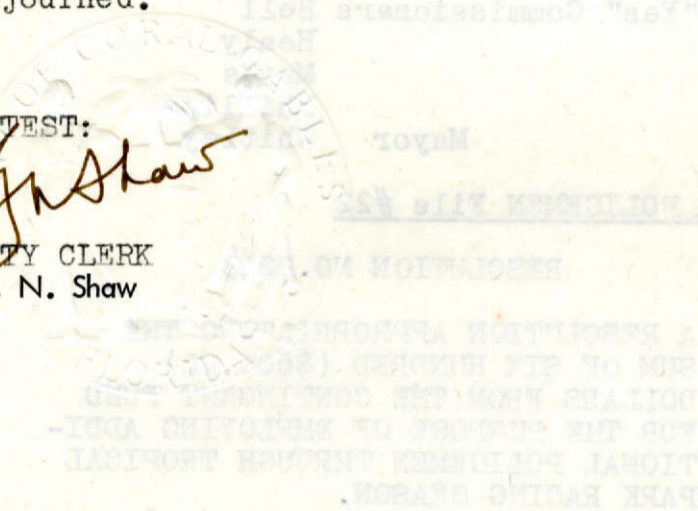
ATTEST:

CITY CLERK
G. N. Shaw



APPROVED:

MAYOR



RESOLUTION NO. 103
CITY OF CORAL GABLES, FLORIDA
That the sum of Six Hundred (\$600.00) Dollars be and the same is hereby appropriated from the contingent fund for the purpose of continuing the equipment of the four extra policemen through the month of March 1942, in order to provide for the handling of heavy traffic during the remainder of the Tropical Park race track season. This resolution was introduced and read. Motion for adoption by Commissioner Healy, seconded by Commissioner Bell, the resolution was adopted by the following roll call:
"Yes" Commissioners Bell, Healy, Mays, Phillips, Whitley
Mayor

MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 3, 1942.

The Commission of The City of Coral Gables, convened in regular session at the City Hall at 5 O'Clock P. M. on Tuesday, March 3, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

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

RESERVE POLICE FIREARMS- File #24

The Clerk reported to the Commission a request by Commander Edgar Winegar of the Coral Gables Reserve Police, that the Commission assist in securing the loan of firearms to be carried by the members of that organization. Mayor Whitley stated that he would issue a proclamation requesting citizens of Coral Gables to lend their unused firearms to the Coral Gables police, and ask the publicity director, Mrs. Moore, to procure all possible publicity on the request.

CODIFICATION OF ORDINANCES-File #25

RESOLUTION NO.2244

A RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL AGREEMENT WITH THE MICHIE COMPANY, CONCERNING THE CODIFICATION OF THE CITY'S ORDINANCES.

WHEREAS, the City has heretofore entered into an agreement with the Michie Company of Charlottesville, Va. under which that Company was to codify the City's ordinances and to furnish a number of printed copies of the Code, for a total consideration of not to exceed \$3,000.00, and,

WHEREAS, because of anticipated necessary changes in the City's ordinances, not possible of accomplishment before the completion of this code it is deemed unwise to print copies of the Code at this time, and the Michie Company recognizing this situation, has agreed to eliminate from the previous agreement the printing and delivery of copies of the Code, and to substitute therefor two loose-leaf copies of the Code, with a reduction of consideration of \$1200.00, to a total consideration not to exceed \$1800.00,

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

AAJ299

That the Mayor and City Clerk be and they hereby are authorized and directed to execute a supplemental agreement with the Michie Company, modifying the previous agreement to the extent herein before described, and providing that the consideration to be paid to the Michie Company for this codification work shall not exceed the sum of \$1800.00,

was introduced and read. Motion for adoption by Commissioner Phillips, seconded by Commissioner Healy, resolution was adopted by the following roll call.

"Yes" Commissioners-	Bell
	Healy
	Mayes
	Phillips
Mayor	Whitley

INFORMATION BOOTH COCO PLUM PLAZA - File #1

The Commission again discussed the controversy between Mr. John Ravlin and Irving J. Thomas in regard to the Information Booth near the Coco Plum Plaza Bridge, and decided not to revoke Mr. Ravlin's permits for the Information Booth until and unless further complaints are received and supported as to his alleged real estate activities, conducted at that booth. Mayor Whitley stated to the Commission that he would discuss the question with the Coral Gables Real Estate Board, and endeavor to discover what is the attitude of that Board toward the further continuance of this Information Booth.

ZONING, BUSINESS BUILDING REQUIREMENTS-File #26

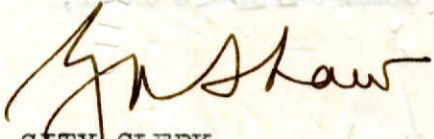
Report that at a Zoning Board meeting held on March 2nd, an application had been made for permit to erect a store building on Lot 28 Block 29 Section "L", with a depth of only 45 ft. The report further showed that the estimated cost of the building would be \$140.00 per front foot, which exceeds the Zoning Ordinance requirement of \$100.00 per front foot, but that the cubic content of the building would be less than the requirement of 750 cubic feet per front foot of building. The Zoning Board recommended that the permit be granted, and the Commission upheld the recommendation of the Zoning Board, and instructed the Clerk to incorporate the matter in

MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 10, 1942.

a later ordinance granting exceptions, if it is found necessary
to do so.

There being no further business the meeting was
adjourned.

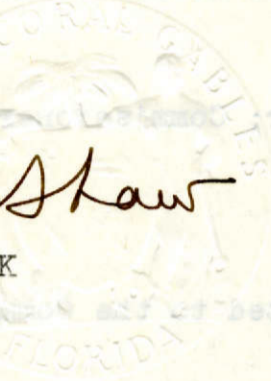
ATTEST:



CITY CLERK
G. N. Shaw

APPROVED:

MAYOR



AAJ299

I have enjoyed working with you and deeply regret
that I cannot continue to do so for my short period of time on
the Commission was a distinct pleasure.

It is with regret that I am forced to take this
step and would not do so if there was any way to avoid it. I
have accepted a position as Assistant to the County Collector
of the City of Coral Gables, to take effect at once.
Please accept my resignation as a Commissioner
of the City of Coral Gables.

Gentlemen:-
Coral Gables, Florida.
of the City of Coral Gables,
To the Mayor and Commissioners

Sincerely,

Andrew T. Healy.

Thereupon the following resolution:

RESOLUTION NO. 2245

A RESOLUTION REGRETFULLY ACCEPT-
ING THE RESIGNATION OF ANDREW T.
HEALY AS COMMISSIONER.

WHEREAS, Andrew T. Healy, Commissioner of the
City of Coral Gables, having been appointed Assistant County
Collector for Dade County, has tendered his resignation as
Commissioner,

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

MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 10, 1942.

Pursuant to call of Special Meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables, convened in special session at the City Hall at 5 O'Clock P. M. on Tuesday, March 10, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Healy, Mayes and Phillips present.

RESIGNATION-ANDREW T. HEALY-File #27

Commissioner Healy presented to the Commission a letter of resignation, as follows:

March 9, 1942.

To the Mayor and Commissioners
of the City of Coral Gables,
Coral Gables, Florida.

Gentlemen:-

Please accept my resignation as a Commissioner of the City of Coral Gables, to take effect at once.

It is with regret that I am forced to take this step and would not do so if there was any way to avoid it. I have accepted a position as Assistant to the County Solicitor which, I believe, is inconsistent under our Charter with my continuing as a City Commissioner.

I have enjoyed working with you and deeply regret that I cannot continue to do so for my short period of time on the Commission was a distinct pleasure.

Sincerely,

Andrew T. Healy.

Thereupon the following resolution:

RESOLUTION No.2245

A RESOLUTION REGRETFULLY ACCEPT-
ING THE RESIGNATION OF ANDREW T.
HEALY AS COMMISSIONER.

WHEREAS, Andrew T. Healy, Commissioner of the City of Coral Gables, having been appointed Assistant County Solicitor for Dade County, has tendered his resignation as Commissioner,

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

That, the resignation be and the same is hereby accepted with expressions of gratitude for good and loyal services well performed by Commissioner Healy, and best wishes for congenial work and success, and,

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby, instructed to cause a certified copy of this resolution be framed and presented to the former Commissioner Healy,

was introduced and read. Upon motion being put and seconded, and in connection with his vote, each of the Commissioners expressed his personal regret at the termination of a pleasant and enjoyable association with Commissioner Healy. The resolution was adopted unanimously.

Commissioner Phillips asked whether Mr. Healy would like to suggest to the Commission a successor for his post, and Mr. Healy replied that he would like to submit for the Commission's consideration Mr. John Hardeman, stating that Mr. Hardeman is well known in the City, that he considers him well adapted by experience and temperament to occupy one of the Commission chairs, and that he feels that Mr. Hardeman would best carry on his, Mr. Healy's, own aims and policies.

After discussion the Commission decided that no action would be taken upon the vacancy until full opportunity had been had for consideration and discussion among the remaining Commissioners.

"YOU CAN DEFEND AMERICA" REVUE- File #28

The City Manager discussed with the Commission a proposal by the cast of the Revue "You Can Defend America", playing in Orlando on Thursday, March 12th, and having played in many cities throughout the Country, to put on one or more performances in Coral Gables. Mr. Frank Race, Col. P. J. O'Shaughnessy, and the City Manager had estimated the local expenses of the performance to be not more than \$300.00, of which the Century Club had agreed to put up \$150.00, if the City would furnish a like sum. No formal action was taken, but the Commission unanimously agreed

that if the arrangements could be made, it would appropriate the requested sum of \$150.00.

There being no further business the meeting was adjourned.

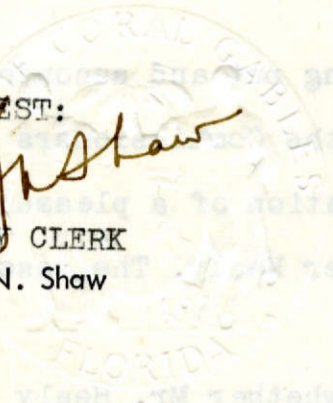
ATTEST:

G. N. Shaw

CITY CLERK
G. N. Shaw

APPROVED:

MAYOR



WV15.48

MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 17, 1942.

The Commission of the City of Coral Gables, convened in regular session at the City Hall at 5 O'Clock P. M. on Tuesday, March 17, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Mayes and Phillips present.

MINUTES

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

ELECTION AS COMMISSIONER, DENNIS A. CRAY-File #29

Mayor Whitley surrendered the gavel and chair to Commissioner Bell and read and introduced the following resolution:

RESOLUTION NO.2246

A RESOLUTION APPOINTING DENNIS A. CRAY TO FILL THE UNEXPIRED TERM OF FORMER COMMISSIONER ANDREW T. HEALY, RESIGNED.

WHEREAS, Andrew T. Healy, former Commissioner elected for a two year term at the regular election held in June of 1941, to serve for a period of two years, has resigned, and

WHEREAS, his resignation has been duly accepted, leaving a vacancy in said office,

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

That Dennis A. Cray be, and he is hereby appointed to the City Commission of the City of Coral Gables to fill the vacancy therein, occasioned by the resignation of former Commissioner Healy.

Mayor Whitley moved the adoption of the resolution, the motion was seconded by Commissioner Bell, who had surrendered the chair and gavel to Commissioner Phillips. Commissioner Phillips then surrendered the chair and gavel to Commissioner Mayes and made the following statement:

"There is nothing personal in the remarks I am about to make.

Last year three Commissioners were elected to this body- two of them were selected and supported by a certain organization in the City- the other ran independent. Now the independent has resigned to accept an important

assignment in the County Solicitor's office and we are to fill the vacancy on the City Commission created by his resignation.

I think it but fair that the voters wishes, as indicated by their votes, should be respected and that an independent man, be named to fill the Commission seat formerly held by Andy Healy, an independent.

Should Wallace Bell or Tom Mayes resign for similar reasons- there would then appear some justification for the organized group who supported them to make a recommendation as to a successor.

I nominate and move for the election of John V. Hardeman, Mr. Hardeman, has lived in Coral Gables a number of years, is well liked, capable, conscientious and strongly recommended by the man whose seat has been vacated."

Commissioner Mayes asked if there was any second to the nomination made by Mr. Phillips and there was not.

Commissioner Phillips then moved that the election of Dennis A. Cray be declared unanimously, which motion was seconded by Commissioner Bell. Commissioner Mayes then called for a roll call upon the motion which was as follows:

"Yes" Commissioners-	Bell
	Mayes
	Phillips
Mayor	Whitley

Commissioner Mayes, acting as Chairman, then declared the unanimous vote upon Mr. Phillips motion for a unanimous election, constituted a unanimous vote for the adoption of the foregoing resolution.

The Clerk was instructed to give Mr. Cray his oath of office at the earliest convenient moment.

There being unfinished business before the Commission but insufficient time to attend to it at this meeting, it was unanimously agreed that a meeting would be held later in the same week for the purpose of considering any matters before the Commission.

MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 20, 1942.

Thereupon the meeting was adjourned.

ATTEST:

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

APPROVED:

MAYOR

AAJ299

The Commission discussed a proposal for group life insurance for the City employees, but decided that the terms proposed were not sufficiently in accordance with the Special Act of 1939, providing for the carrying of such insurance by the employees and the City jointly, and decided further that no such steps would be undertaken until and unless the Act could be amended so as to permit the undertaking of reasonable amounts of such insurance without the necessity for a referendum upon the question.

There being no further business, the meeting was adjourned.

APPROVED

MAYOR

ATTEST

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

MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 20, 1942.

Pursuant to call of Special Meeting by Mayor Whitley, the Commission of the City of Coral Gables, convened in Special Session at the City Hall at 5 O'Clock P. M. on Friday, March 20, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

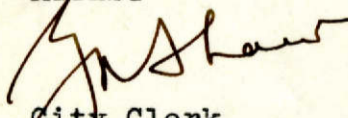
The Minutes of the meetings of February 4, February 17, March 3, 10 and 17, were read and approved.

Commissioner Mayes called attention to the fact that the City's Ordinances do not specifically make an offense of resisting arrest or resisting an officer in the performance of his duty, and the City Attorney was requested to prepare such an Ordinance and submit it to the Commission for consideration.

The Commission discussed a proposal for group life insurance for the City employees, but decided that the terms proposed were not sufficiently in accordance with the Special Act of 1939, providing for the carrying of such insurance by the employees and the City jointly, and decided further that no such steps would be undertaken until and unless the Act could be amended so as to permit the undertaking of reasonable amounts of such insurance without the necessity for a referendum upon the question.

There being no further business, the meeting was adjourned.

ATTEST


City Clerk
G. N. Shaw

APPROVED

Mayor

MINUTES OF MEETING OF THE CITY COMMISSION
ON APRIL 7, 1942.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5 O'Clock P. M. on Tuesday, April 7, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, and Mayes present. Commissioner Phillips absent.

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

The Clerk reported to the Commission an inquiry as to whether the owner of Block 33 Riviera Section would be permitted to dredge the center of the Block, so as to create a lake with lots approximately 130' in depth surrounding it. The Commission saw no objection to the proposal, but referred the matter to the Zoning and Planning Board for recommendation.

BEING AN ORDINANCE MAKING IT UNLAWFUL TO RESIST ANY OFFICER OF THE CITY OF CORAL GABLES OR ANY OTHER PERSON LEGALLY AUTHORIZED TO EXECUTE PROCESS OR ANY LEGAL DUTY OR WHO REFUSES OR NEGLECTS TO RENDER TO POLICE OFFICER OF THE CITY OF CORAL GABLES IN THE LAWFUL EXECUTION OF ANY LEGAL DUTY AND PROVIDING PENALTY FOR VIOLATION THEREOF; DECLARING IT TO BE AN EMERGENCY MEASURE:

was read by title on first reading. Motion by Commissioner Mayes that the requirement for reading on two separate days be dispensed with and that the Ordinance be placed on second reading at once. Motion was seconded by Commissioner Cray and carried by the following roll call.

"YES"-Commissioners-Bell
Cray
Mayes
Mayor Whitley

Absent Commissioner Phillips.

Thereupon the Ordinance was read again in full. Motion for adoption of the Ordinance by Commissioner Mayes, seconded by Commissioner Bell, the Ordinance was adopted by the following roll call.

AAJ299

"YES" Commissioners-Bell
 Cray
 Mayes
 Mayor Whitley

Absent Commissioner Phillips.

Thereupon the Ordinance was given No. 410 and publication ordered.

City Attorney Semple reported to the Commission the adverse decision of the Circuit Court in the Ouster cases brought by Mr. Brechard and Mr. Drawdy and advised the Commission that he had secured an appointment to argue the Ousters before the Supreme Court in the middle of May. He requested whether he should perfect and carry through the appeal. It was thereupon moved by Commissioner Mayes, seconded by Commissioner Cray, and carried by unanimous vote of the Commissioners present, that the City Attorney take every possible step to secure a reversal of the Circuit Court decision.

RESOLUTION NO.2247

A RESOLUTION EXPRESSING THE SORROW
 OF THE COMMISSION AT THE PASSING
 OF GEORGE E. MERRICK.

WHEREAS, it is to the creative genius of George E. Merrick, that Coral Gables owes its existence, its beauty, and its renown; and

WHEREAS, God Almighty in his infinite wisdom has seen fit to take this City's creator unto himself, the Creator of all things;

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

That this Commission, on its own behalf and on behalf of all the people of Coral Gables, does hereby express the deepest sorrow and regret at the untimely passing of George E. Merrick, and offers to his bereaved widow sincere expressions of deepest and most understanding sympathy.

BE IT FURTHER RESOLVED, that the City Clerk be and he hereby is directed to send to Mrs. George E. Merrick a certified copy of this resolution.

was introduced and read. Upon motion duly seconded the resolution was unanimously adopted.

A Communication from Mr. Luther Chandler, of the Dade County Defense Counsel, requesting exceptions to the Zoning Ordinance for the duration of the War to permit raising chickens in residential neighborhoods was referred to the Zoning Board for discussion and recommendation.

Commissioner Mayes stated to the Commission that he had heard numerous compliments upon the flowers in the Parks and Plazas, and suggested that the Commission commend Mr. Harley Pittman, Supt. of Parks, upon the fine work he has done this year. The Commission unanimously joined in the commendation.

City Attorney Semple was instructed to appear before the meeting of the Dade County Board of County Instruction to be held on Wednesday, April 8th, and to advise the Board that the Commission hopes and desires that Coral Gables will be placed in one School Board Election District.

There being no further business, the meeting was adjourned.

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

APPROVED:

Mayor.

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON APRIL 21, 1942.

The Commission of the City of Coral Gables, convened in regular session at the City Hall, at 5 O'Clock P. M. on Tuesday, April 21, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

The Minutes of the meeting of March 20th and April 7th 1942 were read and approved.

The City Manager reported to the Commission a request by the Woman's Club of Coral Gables, that the City furnish the funds for a "tea" to be given on Sunday, May 10th, Mother's Day. The Commission asked the City Manager to express to the Woman's Club it's approval of the purpose of the party, but it's inability to continue to contribute to parties and other affairs, due to declining incomes because of war time conditions. It called attention to the fact, that this year, for the first time in several years, the City has not contributed to the Birthday Party, and that it would be inconsistent for it to attempt to support some parties and not others.

The City Manager reported to the Commission that, attorneys Lyle Holcomb and E. L. Semple, had conferred upon the Woman's Club matter, discussing certain minor changes which according to Mr. Holcomb would be satisfactory to the Woman's Club, and which the City Attorney advised would not prejudice the City's interest.

The City Manager reported a recommendation by the Zoning Board of Appeals, that the building on Lots 47 and 48 Block 16, Crafts Section be permitted to be used for the manufacture of fruit juices, under a cold process from which there would be no odors or other objectionable results. In view of the location of the building, the Commission saw no objection to

MINUTES OF MEETING OF THE CITY COMMISSION
ON APRIL 22, 1942

the use, and on motion by Commissioner Cray, seconded by Commissioner Phillips, carried by unanimous vote, the recommendation of the Zoning Board was accepted and approved.

Mr. Charles Laydon and Mr. James Moore of the Riviera appeared before the Commission requesting that a \$150.00 full page advertisement be placed to assist the Merchants during their Birthday Week sale and celebration. The Commission stated that the advertisement should be directed toward bringing into the Gables, customers from the area surrounding the City, and upon motion by Commissioner Phillips, seconded by Commissioner Cray, and unanimous vote, the matter was referred to the City Manager with power to act.

Action upon a suggestion by the City Manager, that the Automobile Inspection Fee be increased to 75¢ to conform with the fee being charged in Miami, was deferred until the consideration of the coming budget, by unanimous consent.

There being no further business, the meeting was adjourned.

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

APPROVED:

Mayor

(Faint, mirrored text bleed-through from the reverse side of the page, including names like 'Gruba Brothers', 'Deigard & Preston', and 'Concrete Paving Co.')

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON APRIL 22, 1942.

Pursuant to call of Special Meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of the City of Coral Gables, convened in Special Session at the City Hall, at 5 O'Clock P. M. on Wednesday, April 22, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

RESOLUTION NO.2248

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 the requirement for written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and despatch of any special business.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Mayes, the resolution was adopted by the following roll call.

"YES" Commissioners-	Bell
	Cray
	Mayes
	Phillips
Mayor	Whitley

The Commission discussed the terms of the proposed lease of the Coliseum to the Embry-Riddle Company and suggested several changes to be made by the City Attorney.

The City Manager reported that he had received bids for the concrete slab floor in the Coliseum, showing the following costs, including the cost of the wire mesh to be furnished by the City, and the following estimates of time required:

Grubbs Brothers	\$3,822.42	14 days
Deigaard & Preston	3,884.36	10 days
Concrete Placing Co	4,449.00	7 days
W. T. Price Co.	4,309.98	16 days

whereupon,

RESOLUTION NO. 2249

A RESOLUTION AWARDDING TO DEIGAARD & PRESTON BUILDERS THE CONTRACT FOR CONSTRUCTING THE CONCRETE SLAB FLOOR AT THE COLISEUM.

WHEREAS, the City Manager has secured four bids for the construction of the concrete slab floor at the Coliseum, and the bid of Deigaard & Preston Builders Inc. of \$3,884.36, including the cost of the wire mesh to be furnished by the City, exceeds the low bid by \$61.94, but

WHEREAS, Deigaard & Preston undertake to construct the slab in 10 days, whereas the low bidder estimates 14 days, and time is a serious factor in the undertaking, and

WHEREAS, Deigaard & Preston Builders Inc. is a local concern, and as it has been the policy of the City to favor such local concerns where slight differences exist in costs,

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 award to Deigaard & Preston Builders Inc. of Coral Gables, Florida, the contract for the construction of the concrete slab floor in the Coliseum, to be completed within 10 days from commencement of the undertaking, at a cost of 14 1/4¢ per Sq.ft., with the necessary wire mesh to be furnished by the City of Coral Gables, making a total cost of \$3,473.86 for the slab, plus \$409.50 for the mesh and an overall cost of \$3,882.36.

was introduced and read.

Motion for adoption by Commissioner Mayes, seconded by Commissioner Phillips, the resolution was adopted by the following roll call:

"YES"-Commissioners-Bell
Cray
Mayes
Phillips
Mayor Whitley

There being no further business the meeting was adjourned.

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

APPROVED:

Mayor

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON APRIL 28, 1942.

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commissioners, the Commission of the City of Coral Gables convened in Special Session at the City Hall at 5 O'Clock P. M. on Monday, April 28, 1942.

Mayor Whitley in the Chair, Commissioners Bell, Cray, Mayes and Phillips present.

RESOLUTION NO. 2250

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 the requirement of written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and despatch of any special business.

was introduced and read.

Motion for adoption by Commissioner Mayes, seconded by Commissioner Cray. The resolution was adopted by the following roll call:

"YES" Commissioners-Bell,

Cray

Mayes

Phillips

Mayor

Whitley

The Clerk read the proposed agreement and lease between the City and the Embry-Riddle School of Aviation, and after discussion it was decided that the City Attorney should insert a clause or paragraph referring to the Board of Arbitration provided therein, the question of what would constitute the termination of the "War" and consequently a termination of the lease.

RESOLUTION NO. 2251

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A LEASE WITH OPTION TO PURCHASE, BETWEEN THE CITY OF CORAL GABLES AND THE EMBRY-RIDDLE COMPANY, COVERING THE PROPERTY KNOWN AS THE CORAL GABLES COLISEUM AND CITY PARK.

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

That the Mayor and City Clerk are hereby authorized and directed to execute and deliver the following lease, containing option to purchase, between the City of Coral Gables and the Embry-Riddle Company:

THIS AGREEMENT, Made and entered into by and between the CITY OF CORAL GABLES, a municipal corporation of Florida, hereinafter called CITY, and EMBRY-RIDDLE CO., a Florida corporation, hereinafter called COMPANY.

W I T N E S S E T H:

That for and in consideration of the covenants herein contained on the part of the said Company to be kept and performed, the City does hereby lease to the said Company the following described property, being in the City of Coral Gables, Dade County, Florida, to-wit:

All of Block forty-four (44) and all of Block thirty-seven (37) and the east half, measured along the north line thereof, of Lots eleven (11) and twelve (12) of Block thirty-eight (38). All of the property herein described being in the Douglas Section of Coral Gables, according to a plat thereof recorded in Book 8 of plats at page 87, of the Public Records of Dade County, Florida; including therewith the improvements known as the Coral Gables Coliseum.

It is understood between the parties that the City has granted permission to the Merrick Demonstration School to use the southerly portion of the west three hundred and ten feet (310') of said property, known as "City Park", to be used as a playground during recess and physical education periods, and it is agreed that such use of said school shall be continued undisturbed during any occupation of the premises under this lease.

TO HAVE AND TO HOLD the same for a period commencing on the 28th day of April, A. D. 1942, and extending for the period in which the United States of American is engaged in the present War with the so-called Axis Powers, and for three (3) months thereafter; but in no event for a period less than two (2) years from the date hereof, the said Lessee paying therefor and agreeing to pay therefor the total sum of TEN THOUSAND DOLLARS (\$10,000.00), as follows:

ONE THOUSAND DOLLARS (\$1,000.00) in cash at the time of the execution of this agreement, the receipt of which is hereby acknowledged, and FIVE HUNDRED DOLLARS (\$500.00) on the first day of each month, commencing June 1, 1942, until the entire sum of Ten thousand dollars (\$10,000.00) has been paid.

The parties hereto specifically agree that no matter how long the said War shall last, that the sum of \$10,000.00 is to cover the full rental of the property for that period.

The City agrees, at its own expense, to put in the building known as the "Coliseum" a concrete slab floor; to repair roof and to put existing plumbing and electrical equipment in usable condition; to repair floor of the stage and to replace the broken glazing in the windows and to put the doors and windows of said building in good condition.

The parties hereto agree that during the first two years of the term of this lease the City shall be responsible for making any and all outside structural repairs; that the tenant, during that period, shall be responsible for and shall make all inside repairs. After two years, if the term hereof extends that long, the tenant agrees to be responsible for and to make all repairs of any and every nature whatsoever to the building. It being further understood and agreed that should the party upon whom the obligation of making outside structural repairs as set forth herein decide not to make such, this lease shall terminate immediately upon the notification, in writing, to the other party, of its refusal; and in that event the City agrees to return to the Company any rentals paid but not earned as of the date of the termination; the parties hereto agreeing that the method of calculation to be used with reference to such rentals shall be to figure the term from the date of the commencement of this lease to the date of termination at the rate of Four hundred sixteen Dollars and sixty-six cents (\$416.66) per month; and thus to prorate the amount to be returned.

It is further specifically agreed by the parties that in the event of termination of this lease and agreement, as set forth above, the rights of the parties, except for proration of rental under the option clause hereinafter contained shall also terminate, unless the Company shall immediately exercise its option and so notify the City of its intention so to do and make the payment for the purchase of the property herein described within the time set forth in said option as hereinafter stated.

The Company agrees that during the term of its occupancy under this agreement it will maintain adequate public liability and property damage insurance to hold the City harmless for any loss thereunder, and to carry insurance in favor of the City against any extra risks involved in the use and occupancy, such as the use and storage of explosive or inflammable materials; the premiums to be paid by the Company, in addition to the rent.

The parties further agree that any remodeling or alteration of the building on the premises desired by the tenant shall be done at the expense of the tenant and that no remodeling or alterations shall be made except upon the written approval and consent thereto, first had and obtained, from and by the City.

The Company agrees to make no unlawful, improper, or offensive use of the premises; that it will not assign this agreement or sublet any part of said premises without the written consent of the City, and that it will quit and deliver up said premises at the end of said term in as good condition as they will be after the City has made the improvements on its part hereinabove agreed to be made, ordinary wear and decay and damage by the elements alone excepted. The Company further agrees that it will be responsible for and will promptly and completely repair any damages to the building or premises resulting from its occupancy and use thereof.

The Company further agrees that if default shall be made in the payment of the rent as aforesaid, or if the Company shall violate any of the covenants of this agreement, then said Company shall become a tenant at sufferance, hereby waiving all right of notice, and the City shall be entitled immediately to re-enter and re-take possession of the premises, but such action shall not deprive the City of any or all legal rights to proceed in the collection of sums due it hereunder, which indebtedness shall be in lien upon any of the property or equipment of the Company located in the premises. And further, in such event, the Company shall forfeit any and all rights under the option clause hereinafter contained.

Provided that the Company be not in default in any of the covenants herein contained on its part to be kept and performed, the City agrees to give to the Company, during the term of this lease, the option to buy the described property and agrees to convey it by good and sufficient warranty deed, and to furnish therefor an abstract of title showing the said title to be marketable or insurable, the purchase price to be Fifty Thousand Dollars (\$50,000.00), against which shall be credited as already paid such amount as the Company may have paid to the City as rent. The terms of payment to be mutually agreed upon by and between the parties hereto at the time of execution of this option to purchase, with this exception, that in no event shall the amount of cash to be paid, exclusive of rentals to be credited, be less than Five Thousand Dollars (\$5,000.00), and with the balance remaining unpaid to be secured by a purchase money mortgage on the property securing the payment of a note in like amount and providing that the total shall be paid in equal annual amounts during a period to be not more than four (4) years from its date; with interest at the rate of four percent (4%) per annum, payable semi-annually; with interest after default at the rate of 8% per annum, said note and mortgage to be in the usual form employed in this vicinity and containing a clause authorizing the appointment of a receiver, in case of default; the Company to pay for the mortgage or intangible tax under the laws of the State of Florida as they now exist or shall exist at the time of said transaction. From the date of exercise of the above option until the completion of payment of the consideration, the Company agrees to carry fire and windstorm insurance sufficient to pay the amounts which may be due to the City at any time and to pay the premiums therefor.

It is further agreed by and between the parties hereto, and this shall apply only to the period of time herein covered during which the property is under lease, that the Company is to pay all state, county and drainage district taxes; the City will stand its own taxes and the Company shall not be required to pay them. This, by specific agreement, shall not apply in case of the exercise of the option and the conveyance of the property as hereinabove provided for; in that case the Company shall pay all lawfully levied taxes from the date of purchase.

It is specifically agreed by and between the parties hereto that any differences which may arise between them, and which they can not and do not mutually settle, shall be referred to and settled by a board of arbitration, consisting of three persons, one to be appointed by each party to the reference, they to appoint the third; if either party shall refuse or neglect to appoint an arbitrator within five days after the other party shall have appointed an arbitrator and shall have given notice naming him to the other, then the arbitrator appointed shall at the request of the appointing party, proceed to hear and determine the matters in dispute as if he were an arbitrator appointed by both

parties. The award or determination which shall be made by the arbitrators or arbitrator shall be binding upon the parties hereto respectively to the fullest extent and shall have the force and effect of a final decree of any Court of competent jurisdiction and as if affirmed by the highest appellate court.

The parties hereto are in doubt as to how to word the clause which shall indicate and designate the termination of the lease herein contained; the property is being leased to the Company for its use in training men for service with or incident to the armed forces of the United States of America in the emergency created by the present War; each of the parties is desirous of being perfectly fair with the other and therefore it is specifically agreed that the question of what constitutes the termination of this lease under the clause "and extending for the period in which the United States of America is engaged in the present War with the so-called Axis Powers, and for three months thereafter;" shall be, in case the parties themselves can not agree to it, determined under the arbitration clause herein.

IN WITNESS WHEREOF the CITY OF CORAL GABLES has caused these presents to be executed by its Mayor, attested by its City Clerk, and the Seal of said City hereto affixed, and EMBRY-RIDDLE CO. has caused these presents to be executed by its President, attested by its Secretary and its Corporate Seal affixed; all executions being lawfully authorized; all as of this 18th day of April, A. D. 1942.

ATTEST:

G. N. Shaw
City Clerk

CITY OF CORAL GABLES

BY Joe Whitley
Mayor

ATTEST:

Grace C. Riddle
Asst. Secretary.

EMBRY-RIDDLE CO.

BY John Paul Riddle
President

was introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Cray, the resolution was adopted by the following roll call:

"YES"-Commissioners-Bell

Cray
Mayes
Phillips
Mayor Whitley

Upon a question put by Commissioner Bell, the City Attorney stated that in view of the abandonment of the use as a Coliseum by the City, the City has the legal right to lease or sell the property.

The City Attorney and the City Manager discussed with the Commission the foreclosure suit covering the "Oberchain tract", (being that property being platted as Riviera Section Part #1) by General Properties Inc.

The foreclosure is based upon City and County tax sale certificates owned by that company, upon which they have proven up the approximate amount of cost of such certificates, plus interest. The subsequent taxes held by the City of Coral Gables have been proven up at full face plus interest. General Properties, Inc. has proposed to the City that it accept title to certain of the properties in the suit in lieu of cash in settlement of approximately \$17,000. of City owned taxes, which are a part of the claim.

The City Manager explained that at this time the City is not in position to protect this claim, or to force full settlement of the claim in cash, by means of bidding the property in in the foreclosure sale, and that unless the General Properties Inc. proposal is accepted, the City may suffer a serious discounting of its liens.

The Commission was of the unanimous opinion that the greatest amount of recovery to the taxpayers of the City and the City's creditors would be assured by accepting a portion of the property foreclosed, the proportion to be secured by the City to be determined by the percentage of the City's liens to the total liens in the suit.

The City Manager and the City Attorney were instructed to investigate the property in the foreclosure, and to endeavor to keep the City's holdings resulting from the foreclosure in the form of concentrated property, full blocks if possible. The Commission unanimously approved such a course of action.

There being no further business the meeting was adjourned.

ATTEST:


City Clerk
G. N. Shaw

APPROVED:

Mayor

MINUTES OF MEETING OF THE CITY COMMISSION
ON MAY 6th 1942.

Tuesday, May 5th 1942 having been Election Day and the regular meeting on that day having been postponed for that reason, the Commission of the City of Coral Gables, convened in regular session at the City Hall on Wednesday, May 6th, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

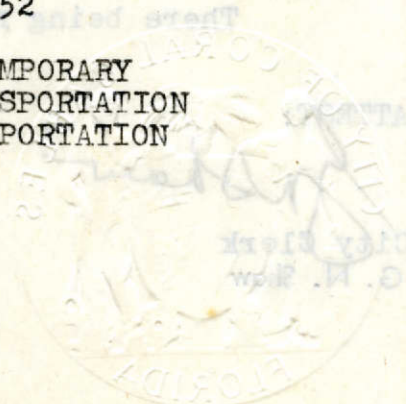
The reading of minutes of previous meeting was waived by unanimous consent.

Messrs. O'Brien and Crocker appeared before the Commission in connection with their proposal to write group life insurance for the employees, to be paid for in part by the City. After discussion of the circumstances, it was moved by Commissioner Bell, seconded by Commissioner Cray and unanimously carried that the matter be deferred for further discussion during the Commission's examination of the 1942-43 budget.

R. J. Walters, President of the Florida Transportation Co. Inc. appeared before the Commission requesting a temporary permit to operate a bus line from Coral Gables to the Blimp Base near Perrine. His request for the permit included the classifications of: transportation to the Blimp Base; Sight-seeing; for hire service; and charter parties. It was explained to him that the permit could be given to cover only the transportation to the Blimp Base, and that the other three classifications would have to be covered by regular City license. Thereupon,

RESOLUTION NO. 2252

A RESOLUTION GRANTING A TEMPORARY
PERMIT TO THE FLORIDA TRANSPORTATION
CO. INC. FOR CERTAIN TRANSPORTATION
SERVICE.



WHEREAS, the Florida Transportation Company, Inc. of Miami, Florida is planning to run regularly scheduled bus service from Coral Gables to the Blimp Base near Perrine, and the Commission deems it highly desirable to secure such transportation to make possible the residence in the City of Coral Gables of persons of the staff of, or connected with the construction of, said Blimp Base,

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 grant to Florida Transportation Company, Inc. a temporary permit to operate a bus line from Coral Gables to the Blimp Base near Perrine, making stops in Coral Gables at Douglas Road and S. W. 8th Street, The Graham Building at 2128 Ponce de Leon Blvd., (the headquarters of the construction force of said base,) and the City bus terminal at Ponce de Leon Blvd. and Coral Way, said temporary permit to extend for a period of one year and to be renewable only with the consent of the City Commission.

PROVIDED, HOWEVER, that the permit shall specify that it does not grant any right for the furnishing of any intra-City transportation between any two points in the City of Coral Gables, and that such permit shall not be transferrable without the consent of the City Commission, and that such permit shall be revocable at any time for cause.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Phillips, the resolution was adopted by the following roll call.

"YES" Commissioners-Cray
 Mayes
 Phillips
 Mayor Whitley

Commissioner Bell not voting.

Mr. Morton B. Adams and Mr. Benj. Carey, appeared before the Commission to request an exchange of deeds to clarify the title situation in the Mahi Waterway. Following a discussion of the matter, it was decided that the City Attorney and the City Manager should confer with Mrs. Geo. E. Merrick, her attorney, Mr. Leslie Combs, Mr. Adams and Mr. Carey to reach a full understanding as to the waterway title situation, and then to report to the Commission with full advice and recommendations.

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Upon motion by Commissioner Mayes, seconded by Commissioner Cray and unanimously carried, it was so ordered.

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION IN THIS CITY TO SET UP, PROMOTE OR CONDUCT ANY LOTTERY FOR MONEY OR FOR ANYTHING OF VALUE; OR TO CONDUCT ANY LOTTERY DRAWING FOR THE DISTRIBUTION OF PRIZES BY LOT OR CHANGE; TO ADVERTISE ANY SUCH LOTTERY SCHEME OR DEVICE IN ANY NEWSPAPER OR BY CIRCULARS, POSTERS, PAMPHLETS, ETC.; OR TO HAVE IN HIS, THEIR OR ITS POSSESSION ANY LOTTERY WHEEL, IMPLEMENT OR DEVICE WHATSOEVER FOR CONDUCTING ANY LOTTERY OR SCHEME FOR THE DISPOSAL BY LOT OR CHANGE OF ANYTHING OF VALUE; PROVIDING THAT IF ANY SECTION, PART OF SECTION, SENTENCE, CLAUSE OR PHRASE OF THIS ORDINANCE SHALL BE HELD TO BE UNCONSTITUTIONAL OR INVALID, THE REMAINING PROVISIONS OF THIS ORDINANCE SHALL NEVERTHELESS REMAIN IN FULL FORCE AND EFFECT; PROVIDING A PENALTY FOR THE VIOLATION OF ANY SECTION OR PARAGRAPH THEREOF; DECLARING SAME TO BE AN EMERGENCY MEASURE; AND DISPENSING WITH THE READING THEREOF ON TWO SEPARATE DAYS BY A FOUR-FIFTHS VOTE OF THE COMMISSION.

was introduced and read in full. Motion for adoption of the ordinance by Commission Bell, seconded by Commissioner Cray, the ordinance was adopted by the following roll call.

"YES" Commissioner-Bell
Cray
Mayes
Mayor Whitley

Commissioner Phillips absent, having left the meeting just prior to the reading of the ordinance.

The ordinance was declared adopted and approved, and its publication ordered as Number 411.

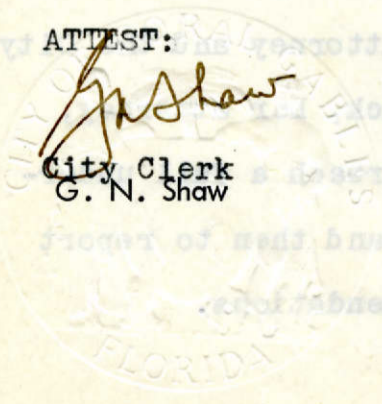
There being insufficient time to complete other business before the Commission, the meeting was adjourned until 5 O'Clock P. M. on Thursday, May 7th 1942.

ATTEST:

APPROVED:

G. N. Shaw
City Clerk
G. N. Shaw

Mayor



MINUTES OF MEETING OF THE CITY COMMISSION
ON MAY 7TH 1942.

Pursuant to adjournment of meeting of May 6th, 1942, the Commission of the City of Coral Gables convened in adjourned session at 5 O'Clock P. M. at the City Hall on Thursday, May 7th 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

The minutes of meetings of April 21, 22 and 28, were read and approved.

The Commission discussed the use by the University of Miami of the Apartment on LeJeune Road, between Avenues Camilo and Aledo, as a Music School, contrary to the provisions of the Zoning Ordinance, and without permit for such use. The City Manager was instructed to advise the University that such use could not be continued during another school year without having carried through the regular processes for securing a permit.

AN ORDINANCE PRESCRIBING EQUIPMENT FOR BICYCLES OPERATED AFTER DARK; PROHIBITING RIDING OR OPERATION OF BICYCLES IN DOWN-TOWN BUSINESS DISTRICT; DEFINING "BUSINESS DISTRICT" FOR THE PURPOSE HEREOF; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

and AN ORDINANCE PROVIDING FOR INSTALLATION OF A REGISTRATION AND IDENTIFICATION SYSTEM FOR BICYCLES; PROVIDING THAT REGISTRATIONS SHALL BE VOLUNTARY AND NOT OBLIGATORY.

and AN ORDINANCE PROHIBITING THE DEPOSITING OF TRASH OR DEBRIS ON OR ABOUT ANY OF THE CENTER PARKWAYS, PARKS OR PLAZAS IN THE CITY OF CORAL GABLES AND FIXING PENALTIES FOR VIOLATION HEREOF.

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

AN ORDINANCE PRESCRIBING REGULATIONS FOR THE VENDING, STORAGE AND USE OF EXPLOSIVES, AND PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF.

was introduced and read. Motion for adoption by Commissioner Bell, seconded by Commissioner Phillips, the ordinance was adopted by the following roll call.

"YES"-Commissioners-Bell
Cray
Mayes
Phillips
Mayor Whitley

Thereupon the ordinance was declared adopted and approved and its publication was ordered as No. 412.

RESOLUTION NO. 2253

A RESOLUTION RATIFYING AND CONFIRMING THE ACTION OF THE CITY MANAGER IN AWARDING CERTAIN CONTRACTS IN CONNECTION WITH THE REPAIR OF THE COLISEUM.

WHEREAS, under the lease agreement between the City and the Embry-Riddle School of Aviation, certain repair work was required to be performed by the City and a limited time existed for the execution of this work, and

WHEREAS, the City Manager gave such publicity as was possible, in view of the limited time, to the desires of the City to receive bids for such work, and secured two or more bids for each class of work, and entered into arrangements with the lowest bidder for immediate commencement and execution of the work;

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

That the actions of the City Manager in entering into contracts with T. F. Lewis, H. C. Lockwood, and Charles A. Lewis for the painting and waterproofing of the building and the replacement of the broken window glass for a total consideration of \$1,052.00, and with the Dade County Roofing Company for the repair of the main roof, the two flat deck roofs in the east of the building and the skylights for a total consideration of \$1,825.00, and with Miller Electric Company for the repair and replacement of the electrical service and replacement for a total consideration of \$600.00 be and the same are hereby ratified and approved.

was introduced and read. Motion for adoption by Commissioner Mayes, seconded by Commissioner Bell, the resolution was adopted by the following roll call:

"YES"Commissioner-Bell
Cray
Mayes
Phillips
Mayor Whitley

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

MINUTES OF MEETING OF THE CITY COMMISSION
ON MAY 19, 1942

The Commission of The City of Coral Gables convened in regular session at the City Hall, at 5 O'Clock P. M. on Tuesday, May 19, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

Minutes of Meetings of May 6 and 7, 1942, were read and approved.

RESOLUTION No.2254

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE A CERTAIN AGREEMENT WITH THE CORAL GABLES WOMAN'S CLUB; AUTHORIZING THE CITY ATTORNEY TO WRITE A CERTAIN LETTER IN CONNECTION THEREWITH; AND AUTHORIZING THE CITY MANAGER TO SET UP AND PROVIDE FOR THE OPERATION OF THE COMMUNITY HOUSE UNDER THE TERMS OF SAID AGREEMENT.

BE IT RESOLVED by the City Commission of The City of Coral Gables, Florida:

That the following proposed agreement between the Coral Gables Woman's Club, a non-profit corporation of Coral Gables, Florida, and the City of Coral Gables, be and the same is hereby ratified, approved and confirmed and the Mayor and City Clerk be and they are hereby authorized and directed to execute and deliver the proposed agreement to the Coral Gables Woman's Club, and to execute and deliver such other instruments or documents as are provided for therein or are necessary to the consummation of that agreement.

THIS AGREEMENT, Made and entered into this 19th day of May, A. D. 1942, by and between THE CORAL GABLES WOMAN'S CLUB, a corporation not for profit, duly organized and existing under and by virtue of the laws of the State of Florida, and having its principal office in the City of Coral Gables, Florida (hereinafter called the Club) as first party, and THE CITY OF CORAL GABLES, a municipal corporation of the State of Florida, as second party.

WHEREAS, the Club now holds title to all of Block Fifteen (15) of the Douglas Section of Coral Gables, Florida, according to a plat thereof recorded in Plat Book 25 at page 69 of the Public Records of Dade County, Florida, together with all the improvements thereon known as Community House and Library, all by virtue of a deed from the City to the Club dated February 13, 1936 and recorded in Deed Book 1829 at page 199 of the Public Records of Dade County, Florida; and

AAJ299

WHEREAS, it has been agreed by the Club and the City to revest title to said premises in the City for the period of time and under the terms, provisions and conditions hereof;

NOW, THEREFORE, THESE PRESENTS WITNESSETH, that in consideration of the sum of One Dollar by each of the parties hereto to the other paid, and in further consideration of the mutual keeping and performance of the covenants, agreements and promises herein contained, it is mutually agreed as follows:

1. That promptly upon the execution and delivery of this agreement the City shall suspend all further action in the litigation now pending between the City and the Club in the Circuit Court of the Eleventh Judicial Circuit of Florida, in and for Dade County, In Chancery case No. 71817A, until the provisions of this agreement can be carried out, and the City shall not resume such action without first giving the Club or its Solicitor sixty days notice in writing of its intention so to do, and upon the completion of the provisions of this agreement the City shall, at its own expense, dismiss said litigation.

2. That promptly following the execution hereof the Club will, by its proper officers, execute and deliver to the City a proper form of Special Warranty Deed conveying to the City title to the above described premises and improvements, subject to conditions, limitations and restrictions of record, provisions of any applicable zoning laws and to the balance remaining due from the Club to the Federal Housing Administration, which balance the City shall assume and agree to pay.

3. That the City, as a part of the consideration hereof and as a part of the consideration for said Special Warranty Deed, will recognize and allow to The Garden Club a credit of Three Hundred Sixty Dollars (\$360.00) for services rendered in connection with landscaping the said premises, and shall permit the same to be applied to rentals accruing to the City from time to time from The Garden Club for rental of said Community House.

4. That the City shall, upon the execution and delivery of said deed to it, either pay to the Club the pro-rata value of the unexpired insurance on policies of fire and windstorm insurance now carried by it on said premises, or it shall notify the Club in writing that it will not carry such insurance and shall permit the Club to surrender such policies and receive any refunds due thereon.

The City shall be at liberty to carry adequate fire and windstorm insurance on said Community House and Library or carry its own risk thereon, and City shall be obligated to promptly maintain, repair and replace any part, portion, or all of such buildings during the entire time it holds title thereto, and if and when the same are redeeded to the Club, to return the same to the Club in the same condition as they now are, reasonable wear and tear alone excepted.

6. That promptly upon the execution and delivery by the Club to the City of said Special Warranty Deed, and the performance of such other portions of this agreement as are then due to be performed, and as a part of the consideration for said deed and this agreement, the City shall appoint the President of the Club as Manager of the Community House and Library as a Department Head under the City Manager, and shall thereafter from time to time appoint the succeeding Presidents of the Club to the same position, each to act without compensation and under such rules and regulations as the City or City Manager may prescribe from time to time, the Club agreeing that it will require its President, from time to time, to operate said property economically and diligently so that the said property will best serve the purposes for which it was brought into being, and that it will leave in the building all of the books constituting the library as now existing and those which may subsequently be acquired, together with the furniture, furnishings and equipment now therein, subject, however, to the other provisions of this agreement.

7. That if either the Club or the City shall at any time become dissatisfied with the management plan described in Paragraph 6 hereof, or the same shall become unsatisfactory to either the Club or the City, either may terminate the same by giving thirty days notice in writing to the other of its election so to do, and the City shall then promptly pay over to the Club the sum of Ten Thousand Four Hundred Thirty Dollars and forty-six cents (\$10,430.46) in full of the Club's interest in said premises, and the Club shall promptly upon such payment surrender possession thereof.

8. The City agrees that if at any time this agreement shall be terminated the City will buy all of the Club's furniture, furnishings and equipment which the Club is then willing to sell to the City at a price to be promptly fixed by arbitration at that time, each party appointing one appraiser and they selecting a third, and their report to be in writing and agreed to by a majority of such board of arbitration, paying for the same in cash and taking a Bill of Sale therefor.

9. That as a part of the consideration for said deed and this agreement, the City agrees that it will, at the end of the life of the building as fixed by appropriate Federal authority, or whenever permitted to do so by the Works Progress Administration or other Governmental Agency or Authority having control thereof, deed said premises back to the Club, subject to the same restrictions, conditions and limitations as are contained in the deed from the City to the Club and under which the Club now holds title.

10. That as a part of the consideration for this agreement and said deed and for the rental and use of the Club's equipment and for the services of the Club President in the management and operation of said premises, the City agrees to pay over to the Club, at yearly or such other intervals as may

be agreed upon, the excess of income from said premises over and above the operating expenses, and the Club shall be charged the usual and regular fee for such use of the premises as it may make, but the City agrees on its part that whatever such charges may amount to will be discharged without payment and in part consideration for the supervision and operation of said property by the President of the Club, since the parties agree that neither the President nor the Club itself is to be paid any salary or given any emolument for the operation of the property, other than as herein set forth.

11. The City concedes that the library books belong to the Club and is willing that they be removed by the Club whenever and if this agreement is ever terminated.

12. That all expenses of recording and stamps on any of the instruments mentioned herein shall be borne and paid by the City.

13. Upon the execution of this agreement and the delivery by the Club to the City of the Special Warranty Deed herein provided for, the City shall forthwith dismiss the litigation hereinabove mentioned, and by and through its attorney shall deliver to the Club or its representative a written statement of amicable settlement disavowing any intention of impugning the honest, good faith or integrity of the officers, membership, or anyone connected with the Club in any capacity, which statement shall be available for publication, and all existing controversies, claims or differences of any nature whatsoever between the parties shall thereupon be considered and held to be discharged and settled, subject to the terms of this agreement.

IN WITNESS WHEREOF, first party has caused these presents to be signed in its name by its President and its corporate seal to be affixed, and attested by its Secretary, and second party has caused these presents to be executed in its name by its Mayor and its corporate seal to be affixed, and attested by its City Clerk the day and year first above written.

THE CORAL GABLES WOMAN'S CLUB (SEAL)

Corporate Seal

BY Kathryn H. Roser
President.

ATTEST:

Ruth Olson
Secretary

THE CITY OF CORAL GABLES

Corporate Seal

BY Joe Whitley
Mayor

ATTEST:

G. N. Shaw
City Clerk.

BE IT FURTHER RESOLVED that the City Attorney be and he is hereby authorized and directed to address a letter to said Coral Gables Woman's Club and therein to state that the said Coral Gables Woman's Club and its personnel are now and have always been held in the highest respect and esteem by the Commission of the City of Coral Gables and its officials and that there is not now and never was any intention on the part of the City of Coral Gables, or any of its officials to impugn the honest and integrity of the Coral Gables Woman's Club or any of its members and that in the filing of the bill of complaint in the Eleventh Judicial Circuit in which the City of Coral Gables was plaintiff and the Coral Gables Woman's Club was defendant, that the allegation of fraud, misrepresentation and conspiracy therein contained referred only to legal, technical and not actual fraud, misrepresentation or conspiracy.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to set up the method of operation of said Coral Gables Woman's Club in accordance with the terms and conditions set forth in the said agreement.

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

Cray

Mayes

Phillips

Mayor Whitley

Commissioner Bell then moved that a vote of thanks be extended to the Committee, which had worked out the details of this agreement, which motion was duly seconded and unanimously carried.

The City Manager discussed with the Commission the question of whether any tax adjustment policy should be established at this time, but the unanimous view of the Commission was that no such step should be undertaken until and unless a real need was demonstrated on all property, and then only in a comprehensive plan that would treat all property alike.

RESOLUTION NO.2255

A RESOLUTION APPROPRIATING THE SUM OF \$1,500.00 FOR THE PURCHASE OF A NEW POLICE CAR AND THE INSTALLATION OF A NEW TWO WAY RADIO EQUIPMENT THEREIN.

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

That the sum not to exceed \$1,500.00, be and the same is hereby appropriated from the Contingent Fund and/or previously unanticipated and unappropriated

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revenues, for the purpose of purchasing a new police car and installing therein two way radio equipment, to replace the car and radio equipment recently destroyed by fire.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Mayes. The resolution was adopted by the following roll call.

"Yes" Commissioners-	Bell
	Cray
	Mayes
	Phillips
Mayor	Whitley

AN ORDINANCE PRESCRIBING EQUIPMENT FOR BICYCLES OPERATED AFTER DARK; PROHIBITING RIDING OR OPERATION OF BICYCLES IN DOWNTOWN BUSINESS DISTRICTS; DEFINING "BUSINESS DISTRICTS" FOR THE PURPOSE HEREOF; PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

and

AN ORDINANCE PROVIDING FOR INSTALLATION OF IDENTIFICATION AND REGISTRATION SYSTEM FOR BICYCLES; PROVIDING THAT REGISTRATION SHALL BE VOLUNTARY AND NOT OBLIGATORY.

which had been first read at meeting of May 7, 1942, were read again in full.

Motion for adoption of the ordinances by Commissioner Cray, seconded by Commissioner Mayes, the ordinances were adopted by the following roll call:

"Yes" Commissioners-	Bell
	Cray
	Mayes
	Phillips
Mayor	Whitley

Thereupon the Ordinances were declared adopted and approved and their publication ordered as Numbers 413 and 414 respectively.

AN ORDINANCE PROHIBITING THE DEPOSITING OF TRASH OR DEBRIS ON OR ABOUT ANY OF THE CENTER PARKWAYS, PARKS OR PLAZAS IN THE CITY OF CORAL GABLES AND FIXING PENALTIES FOR THE VIOLATION HEREOF.

was introduced and read.

Motion by Commissioner Cray, that the requirement for reading on two separate days be dispensed with and that the Ordinance be put on second reading at once; seconded by Commissioner Mayes, the motion was adopted by the following roll call.

"Yes"-Commissioners-Bell
 Cray
 Mayes
 Phillips
 Mayor Whitley

Thereupon the Ordinance was read again in full. Motion for adoption of the Ordinance by Commissioner Cray, seconded by Commissioner Mayes, the Ordinance was adopted by the following roll call.

"Yes"-Commissioners-Bell
 Cray
 Mayes
 Phillips
 Mayor Whitley

Thereupon the Ordinance was declared adopted and approved as an emergency measure and its publication ordered as No.415.

AN ORDINANCE FIXING THE HOURS DURING WHICH CERTAIN VENDORS OF ALCOHOLIC BEVERAGES MAY BE OPEN FOR BUSINESS AND TRANSACT SALES OF SUCH BEVERAGES; REPEALING ORDINANCE NO. 310 ADOPTED OCTOBER 18, 1938; DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE, BY FOUR-FIFTHS VOTE OF THE COMMISSION; AND PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF.

was introduced and read.

Motion for adoption of the Ordinance by Commissioner Cray; seconded by Commissioner Phillips, the ordinance was adopted by the following roll call:

"Yes"-Commissioners-Bell
 Cray
 Mayes
 Phillips
 Mayor Whitley

Thereupon the Ordinance was declared adopted and approved and its publication ordered as No. 416.

RESOLUTION No.2256

A RESOLUTION AUTHORIZING THE PAYMENT OF \$10,000.00 TO THE UNIVERSITY OF MIAMI AND APPROPRIATING THEREFOR, AND ORDERING SAID PAYMENT TO BE CHARGED AGAINST THE APPROPRIATION TO SAID UNIVERSITY FOR THE FISCAL YEAR 1943.

WHEREAS, it appears that it is necessary to advance to the University of Miami the sum of \$10,000.00 to enable said University to meet its next to last payroll, and the Commission deems it advisable that such assistance be given the University,

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

That the sum of \$10,000.00 be and the same is hereby appropriated from any unexpended monies in the hands of the City of Coral Gables and the City Manager and the Director of Finance be and they hereby are authorized to pay the said sum to the University of Miami Inc., and are hereby directed to charge such payment against the appropriation to the University of Miami Inc., for the year 1942-1943 when and as made.

was introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Mayes, the resolution was adopted by the following roll call.

"Yes"-Commissioners-Bell

Cray
Mayes
Phillips
Mayor Whitley

There being no further business the meeting was adjourned.

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

APPROVED:

Mayor.

MINUTES OF MEETING OF THE CITY COMMISSION
ON JUNE 2nd, 1942.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5 O'Clock P. M. on Tuesday, June 2, 1942.

Mayor Whitley in the Chair; Commissioners, Bell, Cray, and Phillips present; Commissioner Mayes absent.

The Clerk read to the Commission a communication from J. J. Lamb concerning the City's delay in paying him the balance of the consideration for the incinerator tract, and a communication from the City Manager, explaining the circumstances of this purchase, the fact that title to all of the property has not yet been received from Mr. Lamb, and the further fact that unpaid taxes and minor errors in certain of the titles delivered make it necessary to hold back the remainder of the consideration until the exceptions to the title are overcome. The Commission requested the City Attorney to procure an extension of the abstract to this property, to study it and to report to the Commission on the condition of title.

A resolution granting an easement in connection with the heating plant being constructed on the rear of the Merrick Demonstration School was read, but was deferred to a later date for corrections in the dimensions of the easements stated in said resolution.

A resolution proposed by the Miami Corporation, closing a certain road in Biscayne Bay Section Part #1, was referred to the City Attorney for study and report.

RESOLUTION NO.2257

A RESOLUTION APPROPRIATING FOR THE
EXPENSES OF THE DIRECTOR OF FINANCE
IN ATTENDING THE 1942 CONFERENCE OF
THE MUNICIPAL FINANCE OFFICERS ASSO-
CIATION IN BUFFALO NEW YORK.

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

That the sum of \$250.00 be and the same is hereby appropriated from the Contingent Fund or from previously unanticipated and unappropriated revenues for the purpose of defraying the expenses of the

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Director of Finance in attending the 1942 Conference of Municipal Finance Officers Association at Buffalo, New York.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Phillips, the resolution was adopted by the following roll call.

"Yes" Commissioners-Bell
Cray
Phillips
Mayor Whitley

Absent Commissioners Mayes.

There being no further business the meeting was adjourned.

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

APPROVED:

Mayor.

MINUTES OF MEETING OF THE CITY COMMISSION
On June 10, 1942.

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commissioners, the Commission of the City of Coral Gables convened in Special Session at the City Hall at 5 O'Clock P. M. on Wednesday, June 10th, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

The City Manager discussed with the Commission the situation as to the City's bus maintenance contract, explaining that the period of the contract would expire on June 30th, and that there should be a call for competitive bids before the City should enter into any further contract of this sort. The City Manager read to the Commission a proposed draft of the contract providing for the bids on the basis of cost per mile of operation of the busses, and providing further for a performance bond to be given by the contractor, and requiring the contractor to purchase from the City its stock of repair and replacement parts. It was the unanimous expression of the Commission that the fact of the competition should be advertised, and that all automotive shops in the area should be given an opportunity to bid for the maintenance work.

There being no further business the meeting was adjourned.

ATTEST:

G. N. Shaw
City Clerk
G. N. Shaw

APPROVED:

Mayor

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MINUTES OF MEETING OF THE CITY COMMISSION
ON JUNE 16, 1942.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5 O'Clock P. M. on Tuesday, June 16, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

Mr. Paul Rath appeared before the Commission and suggested that the City purchase a wooden "Honor Roll" upon which to record the names of those from the City's organization in the armed services of the United States. The matter was referred to the City Manager.

Mr. A. O. Renuart appeared before the Commission in connection with the storm water problem in the vicinity of his building at the corner of Ponce de Leon Blvd. and Alhambra Circle. The matter was referred to the City Manager for study and report.

Mr. W. C. Patterson appeared before the Commission in connection with the question of cleaning vacant lots, and also in connection with the purchase of tax sale certificates on vacant land. After a discussion of the problems, he was referred to the City Manager for further information and details upon the subject.

AN ORDINANCE PROVIDING FOR THE
VACATING, ABANDONMENT AND DISCON-
TINUANCE OF THAT PART OF THE OLD
COCOPLUM ROAD LYING BETWEEN IN-
GRAHAM HIGHWAY AND BISCAYNE BAY
AND CERTAIN PORTIONS OF ROADS
CONNECTING THEREWITH.

was read by title on first reading.

Motion by Commissioner Mayes that the requirement for reading on two separate days be dispensed with, and that the ordinance be placed on second reading at once. Motion seconded by Commissioner Phillips. The motion was adopted by the following roll call.

"Yes" Commissioners-Bell

Cray
Mayes
Phillips
Mayor Whitley

Thereupon the ordinance was read again in full.

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

"Yes Commissioners-Bell

Cray
Mayes
Phillips
Mayor Whitley

Thereupon the ordinance was declared adopted and approved and its publication ordered as No. 417.

RESOLUTION NO.2258

A RESOLUTION APPOINTING H. B. JACKSON CITY CLERK OF THE CITY OF CORAL GABLES AND RELIEVING G. N. SHAW OF THE DUTIES OF THAT OFFICE.

WHEREAS, since February 15, 1942 G. N. Shaw has held the combined offices of City Clerk and City Manager of the City of Coral Gables, but the combination of these offices is impractical in the handling of City business, and they should be carried by separate persons, and said G. N. Shaw has been asked to be relieved of the title and duties of City Clerk for that reason,

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

That G. N. Shaw be and he hereby is relieved of the office and duties of City Clerk of the City of Coral Gables, Florida, effective this date, and H. B. Jackson be and he hereby is appointed as City Clerk, also effective this date.

was introduced and read. Motion for adoption by Commissioner Mayes, seconded by Commissioner Bell. The resolution was adopted by unanimous vote.

A communication from Morton B. Adams to the City Manager under date of June 9th on behalf of the South Miami Coach Line Inc. requesting a temporary permit to enable that line to run a bus once each way daily from Kendall through the City of Coral Gables to the Intercontinent Aircraft Corporation was read, as was the following resolution:

RESOLUTION NO.2259

A RESOLUTION GRANTING PERMIT TO SOUTH MIAMI COACH LINE INC. TO OPERATE LIMITED PASSENGER BUS SERVICE OVER HOMESTEAD HIGHWAY AND LE JEUNE ROAD TO INTERCONTINENT AIRCRAFT CORPORATION.

WHEREAS, a number of employees at the Intercontinent Aircraft Corporation reside in and near Kendall, South Miami, and The City of Coral Gables, and need bus transportation direct to the Intercontinent Aircraft Corporation at the corner of Le Jeune Road and 36th Street, N. W.; and

WHEREAS, the passenger bus service rendered by The City of Coral Gables does not afford transportation direct to the Intercontinent Plant,

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

1. For the convenience of employees of the Intercontinent Aircraft Corporation residing on and near the route mentioned below, the South Miami Coach Line, Inc. be, and it hereby is, granted a permit for a period of six (6) months to operate a passenger bus service, through the City of Coral Gables in carrying out the following schedule of service for said employees, to wit: One passenger bus leaving Kendall, Florida, at 7 A. M. each day and leaving Intercontinent Aircraft Corporation at 6 P. M. each day, the route to be from Kendall, North on the Homestead Highway to Le Jeune Road, and then North on Le Jeune Road to the Intercontinent Aircraft Corporation at 36th Street, N. W., and return; fare not to exceed fifteen (15¢) cents one way; and the buses are authorized to pick up and discharge passengers to or from the Intercontinent Plant at any corner on the above route through the City of Coral Gables.

2. That the term of this permit may be extended at its termination for an additional period of six (6) months in the discretion of the City Commission.

was introduced and read. Motion for adoption by Commissioner Phillips, seconded by Commissioner Mayes. The resolution was adopted by the following roll call.

"Yes" Commissioners-	Bell
	Cray
	Mayes
	Phillips
Mayor	Whitley

The City Manager was instructed to determine whether the foregoing resolution would set up detrimental competition to the service to the Intercontinental Aircraft Corporation now being rendered by Sam Weissell, and to withhold the issuance

of the permit provided for therein for further discussion before the Commission if that were found to be the case.

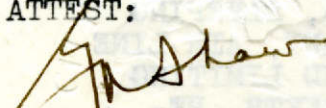
The City Manager reported to the Commission that the Zoning Board had conducted a public hearing upon the proposal of the University of Miami Inc. to use the vacant property in French Village subdivision, and in Blocks 144 and 145 of CC #6 as a drill ground and University recreation field, to be developed simply by clearing, filling and sodding, without the erection of any buildings, and following such public hearing at which there was no adverse representation of any consequence, and in fact considerable agreeable comment by neighboring property owners, recommended that the use be allowed.

Upon motion by Commissioner Mayes, seconded by Commissioner Phillips and unanimously carried, the Commission approved the recommendation of the Zoning Board and instructed the City Clerk to include this amendment in a later ordinance amending the Zoning Ordinance.

Commissioner Bell raised the question of the closing of streets made necessary by this use, and asked the City attorney whether the City would have the right to close those streets. The City Attorney expressed the opinion that the City could by ordinance close the streets but the further opinion that any affected property owner could bring suit to require their reopening or their continuance before closing.

There being no further business the meeting was adjourned.

ATTEST:


City Clerk
G. N. Shaw

APPROVED:

Mayor



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MINUTES OF MEETING OF THE CITY COMMISSION
ON JULY 7, 1942

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, July 7th 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

The Minutes of meetings of May 19, June 2, 10, 16 and 28, 1942 were read and approved.

AN ORDINANCE PROHIBITING THE SALE, SERVICE, DISTRIBUTION, OR CONSUMPTION OF ALCOHOLIC BEVERAGES DURING CERTAIN HOURS OF EACH DAY; SUSPENDING ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING PENALTIES FOR THE VIOLATION OF THE TERMS HEREOF; AND DECLARING THIS TO BE AN EMERGENCY MEASURE.

was introduced and read.

Motion by Commissioner Mayes that the Ordinance be declared to be an emergency measure, that its reading on two separate days be dispensed with, and that it be adopted and put in force at once. Motion seconded by Commissioner Phillips, the Ordinance was adopted by the following roll call.

"Yes" Commissioners -Bell
Cray
Mayes
Phillips
Mayor Whitley

Thereupon the Ordinance was declared adopted and approved and its publication was ordered as No. 418.

AN ORDINANCE TO REGULATE CHARGES FOR SERVICES RENDERED IN THE PROCUREMENT OF TICKETS, RESERVATIONS OR PASSENGER ACCOMMODATIONS ISSUED BY ANY COMMON CARRIER INCLUDING A RAILROAD, SLEEPING CAR COMPANY, STEAMSHIP COMPANY, AIR LINE OR CERTIFICATED BUS LINE, AND LIMITING THE PRICES AT WHICH SUCH TICKETS, RESERVATIONS AND PASSENGER ACCOMMODATIONS MAY BE SOLD; PROVIDING THAT A VIOLATION OF SUCH ORDINANCE SHALL BE UNLAWFUL, IMPOSING A PENALTY FOR VIOLATION THEREOF AND PROVIDING FOR THE POSTING OF A COPY OF SUCH ORDINANCE IN A CONSPICUOUS PLACE ON THE PREMISES OF ALL TRAVEL AGENCIES AND HOTELS.

was introduced and read by title on first reading.

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

"Yes" Commissioners-Bell

Cray

Mayes

Phillips

Mayor Whitley

Thereupon the Ordinance was read again for the second time in full.

Motion for adoption of the Ordinance by Commissioner Mayes, seconded by Commissioner Bell, the Ordinance was adopted by the following roll call.

"Yes" Commissioners-Bell

Cray

Mayes

Phillips

Mayor Whitley

Thereupon the Ordinance was declared adopted and approved and its publication ordered as No. 419.

An Ordinance requiring all operators of motor vehicles in the City of Coral Gables to have a Florida State Drivers License, was considered by the Commission but was referred to the City Attorney to be drafted and referred back to the Commission with his recommendations.

The City Manager discussed with the Commission the City Attorney's report on the condition of title of the Incinerator Tract, which report showed numerous discrepancies in the title, and the fact that the City has not yet received any title to several of the lots involved in the tract.

The City Manager reported to the Commission that the Zoning Board had held a hearing upon the windows recently placed in the "Playdium", the bowling alley on S. W. 8th Street and had recommended that the windows be allowed for a period of 90 days during which the owners and occupants of the building should undertake to procure and install the air conditioning equipment necessary to that particular type of building, and upon which premise the exception to the Zoning Ordinance was made by which the

building was erected. The Commission declined to take action upon the matter, pending further study and investigation.

The City Manager reported to the Commission the terms of a compromise settlement of the fire hydrant rental-tax assessment offset agreement with the Consumers Water Company, under which compromise the company would establish a \$30.00 per hydrant rental for the ensuing two years, and would accept immediate cancellation of the offset agreement, under which the fire hydrant rental is determined by the amount of taxes levied against the properties of the Florida Power & Light Company, Consumers Water Company and the Utilities Land Company. Commissioner Bell stated that he was not yet convinced of the propriety of the compromise, the remaining Commissioners and the Mayor expressed their approval of the transaction. The City Manager reported that papers were being drawn to effectuate the transaction and would be submitted to the Commission for formal action as soon as prepared.

There being no further business, the meeting was adjourned.

Attest
J. M. Jackson
City Clerk
H. B. Jackson

MINUTES OF MEETING OF THE CITY COMMISSION
ON JULY 13, 1942

Pursuant to requirement of Charter, and to published notice, the Commission of the City of Coral Gables, convened in Special Session at the City Hall at 11 A. M. on Monday, July 13, 1942, for the purpose of conducting public hearings upon the proposed appropriation ordinance for the fiscal year beginning July 1, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

Mayor Whitley announced the purpose of the meeting, and upon motion by Commissioner Mayes, seconded by Commissioner Phillips and unanimously carried the Commission resolved itself into a Committee of the whole to conduct the hearing.

There were no appearances in connection with the proposed appropriation ordinance.

On motion duly seconded and carried, the Commission, as a Committee of the whole, adjourned until 11 O'Clock A. M. on Tuesday July 14, 1942, to resume at that time the hearings upon the proposed appropriation ordinance.

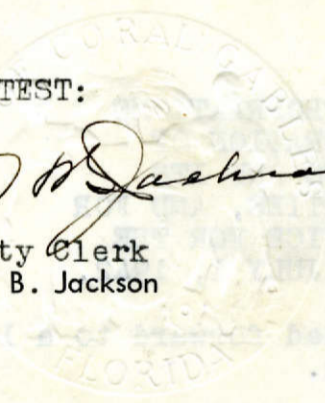
ATTEST:




City Clerk
H. B. Jackson

APPROVED:

Mayor



7/13/42 

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MINUTES OF ADJOURNED MEETING OF THE CITY COMMISSION
ON JULY 14, 1942

Pursuant to adjournment at the meeting of July 13, 1942, and in conformity with Charter and with published notice, the Commission convened in adjourned session at the City Hall at 11 O'Clock A. M. on Tuesday, July 14, 1942, for the purpose of resuming as a Committee of the whole, the hearings upon the proposed appropriation ordinance for the fiscal year commencing July 1, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

The Mayor announced the purpose of the meeting.

Mr. Charles Radway appeared to ask certain questions in connection with the appropriations to Tax Participation Certificates, and the appropriation for the University of Miami. After discussing these matters with the Commission, Mr. Radway declared himself as satisfied with the proposed appropriation ordinance.

There were no other appearances.

On motion duly seconded and carried, the Commission adjourned as a Committee of the whole, and resumed its session as the City Commission sitting as such.

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, 1942.

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

There being no further business the meeting was adjourned.

ATTEST:


City Clerk
H. B. Jackson

APPROVED:

Mayor

MINUTES OF MEETING OF THE CITY COMMISSION
ON JULY 21, 1942.

The Commission of the City of Coral Gables convened in regular session at the City Hall at 5 O'Clock P. M. on Tuesday, July 21, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray and Mayes present. Commissioner Phillips absent.

The minutes of the meeting of July 7, 1942 were read and approved.

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, 1942.

which was first read at the meeting of July 14, 1942, was read again in full.

Motion for adoption of the ordinance by Commissioner Cray, seconded by Commissioner Mayes, the ordinance was adopted by the following roll call.

"Yes" Commissioners-Bell
Cray
Mayes
Mayor Whitley

It was stated that Commissioner Phillips, who was absent, had considered the ordinance at the public hearing and was in favor of its adoption.

Thereupon the ordinance was declared adopted and approved and its publication was ordered as No. 420.

RESOLUTION No. 2260

A RESOLUTION GRANTING AN EASEMENT TO THE BOARD OF PUBLIC INSTRUCTION OF DADE COUNTY ON AND OVER A CERTAIN PORTION OF BLOCK 44 DOUGLAS SECTION.

WHEREAS, The Board of Public Instruction of Dade County, Florida is desirous of installing and constructing additions and improvements as a part of and in connection with the Merrick Demonstration School situate in the City of Coral Gables, Florida, on Lots 1 to 12, both inclusive, Block 38, Douglas Section, Coral Gables, and in order to do so it is necessary that they utilize a portion of the following described property lying immediately north of and adjacent to said Lots 1 to 12, both inclusive, to-wit:

7/21/42

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Commencing at a point in the north wall of the Merrick Demonstration School building 5 feet west of the northwest corner thereof, thence north 12 feet 6 inches, west 12 feet 6 inches, south 12 feet 6 inches and east 12 feet 6 inches to P. O. B., immediately adjoining the said north wall being a portion of Block 44, Douglas Section.

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

Section 1. That the City of Coral Gables, Florida does hereby give and grant unto said The Board of Public Instruction of Dade County, Florida, an easement over, under, across and upon said last hereinabove described twelve foot six inch square portion of Block 44 Douglas Section, to be utilized by said Board of Public Instruction for the construction of a boiler room and for such other proper use and school purposes as may be found desirable and necessary.

Section 2. Said easement shall continue to exist for so long as the same shall be utilized for school purposes, and upon the abandonment of the same for school purposes, such easement shall cease; provided always that the easement herein granted shall not be so used or utilized as to interfere with the rights of public utilities for the installation and operation of lights, telephone and water mains, nor the sewerage system of the City of Coral Gables.

was introduced and read.

Motion for adoption by Commissioner Mayes, seconded by Commissioner Cray, the resolution was adopted by the following roll call.

"Yes" Commissioners-Bell
Cray
Mayes
Mayor Whitley

Absent commissioner Phillips.

The City Clerk reported to the Commission that at a Zoning Board meeting held the previous day, the Zoning Board had recommended the issuance of a permit to Mr. Harry Hector for the construction of a small tool house on his property, lots 69 thru 73 Block 257 Riviera Section. The tool house to be set back from Hardee Road a minimum of 25 feet, and from the Canal a minimum of 15 feet. The Commission unanimously approved the recommendation of the Zoning Board, and instructed that the exception be included in a subsequent ordinance on Zoning Matters.

The City Manager discussed with the Commission the acceptance of the gift of a Cadillac Sedan by H. Harris for use by the Reserve Police. The Commission was un-animously in favor of accepting the car and making it available to the Reserve Police in emergency.

The City Attorney discussed with the Commission the powers and duties of the Commission when sitting as a Board of Tax Equalization, and presented a written opinion to the effect that the Board has the power to increase the valuations of properties as well as reduce them, whichever may be necessary to secure proper equalization.

A communication from Wm. Edw. Winegar, Commander of the 9th Division Civil Protection, called attention to the inadequacy of air raid alarm system in the City, and requested a speedy solution of this problem. As Mr. Winegar did not offer any suggestions as to the means of providing alarms, the matter was referred back to the City Manager for further study and report.

RESOLUTION NO.2261

A RESOLUTION APPROPRIATING FROM THE CONTINGENT FUND THE SUM OF \$100.00 TO PAY CERTAIN EXPENSES IN THE BECHARD AND DRAWDY OUSTER SUITS.

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

That the sum of \$100.00 be and the same is hereby appropriated from the contingent fund to appropriations code 1890-8.5, and authorized to be paid to City Attorney E. L. Semple, for the purpose of reimbursing him for clerical and other expenses incurred in the preparation of the Supreme Court briefs in the Bechard and Drawdy ouster suits.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Mayes, the resolution was adopted by the following roll call.

"Yes" Commissioners Bell
Cray
Mayes
Mayor Whitley

Absent Commissioner Phillips.

AN ORDINANCE SETTING UP A BUREAU FOR THE PURPOSE OF ISSUING IDENTIFICATION CARDS; REQUIRING PERSONS ON THE STREETS AND WAYS DURING CERTAIN HOURS TO IDENTIFY THEMSELVES UPON REQUEST OF POLICE OFFICERS; AND TO STATE THEIR REASONS FOR BEING ABROAD; PROVIDING FOR CERTAIN ACCEPTABLE METHODS OF IDENTIFICATION; PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF; AND DECLARING THIS TO BE AN EMERGENCY MEASURE.

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 the meeting was adjourned.

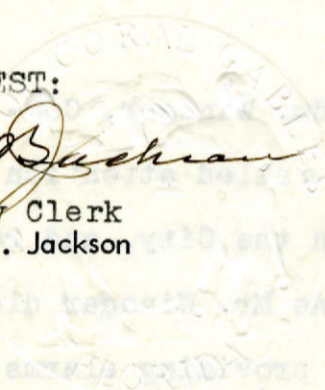
ATTEST:

H. B. Jackson

City Clerk
H. B. Jackson

APPROVED;

Mayor



RESOLUTION NO. 2281

A RESOLUTION APPROPRIATING FROM THE CONTINGENT FUND THE SUM OF \$100.00 TO PAY CERTAIN EXPENSES IN THE BECHARD AND DREWY SUITE.

BE IT RESOLVED BY THE CITY OF MIAMI, FLORIDA:

That the sum of \$100.00 be and the same is hereby appropriated from the contingent fund to appropriations code 1890-8.5, and authorized to be paid to City Attorney E. J. Sample, for the purpose of reimbursing him for clerical and other expenses incurred in the preparation of the Supreme Court briefs in the Bechard and Drewy counter suite.

was introduced and read.

Motion for adoption by Commissioner Gray, seconded by Commissioner Meyer, the resolution was adopted by the following roll call.

Yes: Commissioners Bell, Gray, Meyer, Whitley

Absent: Commissioner Phillips.

MINUTES OF MEETING OF THE CITY COMMISSION
ON JULY 30, 1942.

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commissioners, the Commission of the City of Coral Gables convened in Special Session at the City Hall at 5:15 O'Clock P. M. on Thursday, July 30, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray and Mayes present. Commissioner Phillips absent.

Dr. Selden I. Rainforth appeared by request to discuss with the Commission the matter of air-conditioning the "Playdium", the bowling alley on S. W. 8th Street.

Following a discussion of the situation, the Mayor appointed a Committee to consist of Commissioners Bell, Mayes and City Manager Shaw, to investigate the extent and radius of the noise from the operations. The Committee designated Monday night, August 3rd for the investigation.

There being no further business the meeting was adjourned.

ATTEST:

H. B. Jackson
City Clerk
H. B. Jackson

APPROVED:

Mayor

AN ORDINANCE SETTING UP A FUR...
FOR THE PURPOSE OF ISSUING IDENTI...
IFICATION CARDS; REQUIRING PERSONS...
ON THE STREETS AND WAYS DURING...
CERTAIN HOURS TO IDENTIFY THEM...
STIVES UPON REQUEST OF POLICE...
OFFICERS; AND TO STATE THEIR REASON...
FOR BEING ABROAD; PROVIDING FOR CER...
TAIN ACCEPTABLE METHODS OF IDENTI...
IFICATION; PRESCRIBING PENALTIES FOR...
THE VIOLATION HEREOF; AND DECLARING...
THIS TO BE AN EMERGENCY MEASURE

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 4, 1942

The Commission of the City of Coral Gables, convened in regular session at the City Hall at 5 O'Clock P. M. on Tuesday, August 4, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

Minutes of Meetings of July 13, 14, 21 and 30, 1942 were read and approved.

Mr. Thompson, operator of a Bus line from Miami to the Naval Air Station at Opa-Locka, appeared before the Commission to ask permission to operate a similar line from Coral Gables to the Naval Air Station. The matter was referred to the City Manager for study and to report to the City Commission at a later date.

Mr. Gringler, operator of the Playdium, a bowling alley on S.W. 8th Street, appeared to discuss with the Commission the matter of air-conditioning the Playdium and the noise arising from the operation thereof. The Committee appointed at a special meeting July 30th to investigate the extent of the noise, reported that on the night they made the survey, Monday, August 3, 1942, there was a large crowd present, including some Florida Power & Light teams, who had cheering sections, and the noise radiating therefrom extended some distance. They further stated that, although this would not disturb them it might be objectionable to others. After much discussion the City Manager was instructed to contact Dr. Rainforth, owner of the building in an attempt to determine whether or not a real effort is being made to get air-conditioning installed, so that the building can be made sound-proof as originally agreed.

AN ORDINANCE SETTING UP A BUREAU FOR THE PURPOSE OF ISSUING IDENTIFICATION CARDS; REQUIRING PERSONS ON THE STREETS AND WAYS DURING CERTAIN HOURS TO IDENTIFY THEMSELVES UPON REQUEST OF POLICE OFFICERS; AND TO STATE THEIR REASON FOR BEING ABROAD; PROVIDING FOR CERTAIN ACCEPTABLE METHODS OF IDENTIFICATION; PRESCRIBING PENALTIES FOR THE VIOLATION HEREOF; AND DECLARING THIS TO BE AN EMERGENCY MEASURE

which had been first read at a meeting on July 21, 1942, was read again in full.

Motion for adoption of the Ordinance by Commissioner Phillips, seconded by Commissioner Mayes, the Ordinance was adopted by the following roll-call.

	"Yes Commissioners-	Bell
		Cray
		Mayes
		Phillips
Mayor		Whitley

Thereupon the Ordinance was declared adopted and approved and its publication ordered as No. 421.

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA PROHIBITING THE GOING UPON THE SIDEWALKS, STREETS, HIGHWAYS AND OTHER PUBLIC PLACES OF THE CITY OF CORAL GABLES, FLORIDA, IN A BATHING OR SWIMMING SUIT UNLESS THE WEARER SHALL ALSO WEAR ADDITIONAL CLOTHING, AND PROHIBITING IN THE SAME PLACES THE WEARING OF SHORTS ALONE, WITH THE UPPER PORTION OF THE BODY, EXCLUSIVE OF THE ARMS, EXPOSED; EXEMPTING FROM THE OPERATION OF THIS ORDINANCE SUCH PLACES AS VENETIAN POOL; EXEMPTING FROM THE TERMS OF THE ORDINANCE PERSONS UNDER THE AGE OF 10 YEARS; FIXING A PENALTY FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

was introduced and read on first reading.

There being no further business, the meeting was adjourned.

ATTEST:

H. B. Jackson
 City Clerk
 H. B. Jackson

APPROVED:

Mayor

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 7, 1942.

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commissioners, the Commission of the City of Coral Gables, convened in Special Session at the City Hall at 10 A. M. O'Clock, on Friday, August 7, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

RESOLUTION No.2262

A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE ANY APPLICATIONS AND CERTIFICATES AND TO TAKE SUCH OTHER STEPS AS MAY BE NECESSARY TO THE PURCHASE OF FOUR BUSES FOR THE TRANSPORTATION SYSTEM OF THE CITY.

WHEREAS, on May 16, 1942 the City ordered from Transit Bus Company four-27 passenger busses sorely needed to maintain adequate passenger capacity and service on the City's Transportation lines to Miami, and the manufacturer of said busses has advised that two of them will be ready for delivery on or about August 15, 1942, but

WHEREAS, said manufacturer has advised of the necessity for filing an additional application with the Director of the Division of Local Transport of the Office of Defense Transportation for the permit to complete the purchase and secure delivery of said busses, and

WHEREAS, the Commission considers that the inability of the City to secure this much needed equipment is creating a local emergency in transportation, to the great detriment and inconvenience of the City's residents, many of whom are engaged in war activities, and of the armed forces who are quartered and receiving training in the City;

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 make such applications and certificates to the Office of Defense Transportation and to take such steps as may be necessary and requisite to secure early delivery of the four busses.

was introduced and read.

Motion by Commissioner Mayes, seconded by Commissioner Phillips, the resolution was adopted by the following roll-call.

"Yes" Commissioners-	Bell
	Cray
	Mayes
	Phillips
Mayor	Whitley

MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 14, 1942

There being no further business, the meeting was
adjourned.

Pursuant to call of Special Meeting by Mayor
and unanimous consent of the Commission, the

ATTEST:
H. B. Jackson
City Clerk
H. B. Jackson

APPROVED:
Mayor

Mayor Whitley in the Chair; Commissioners
Mayer and Phillips present.
At the request of Mayor Whitley, Vice Mayor Bell

took the Chair.
Following a discussion the City Manager was instruct-
ed to write Dr. Rainforth, owner of the building, that un-
less he showed evidence of good faith by attempting to live
up to the zoning ordinance requirements by the following
Monday afternoon, steps would be taken to close the building.
There being no further business the meeting was ad-

ourned.

APPROVED:

Mayor

ATTEST:

H. B. Jackson
City Clerk
H. B. Jackson

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 14, 1942

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commission, the Commission of the City of Coral Gables, convened in Special Session at the City Hall at 5:15 O'Clock P. M. on Friday, August 14, 1942.

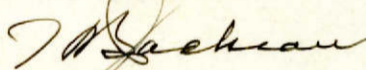
Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

At the request of Mayor Whitley, Vice Mayor Bell took the Chair.

Following a discussion the City Manager was instructed to write Dr. Rainforth, owner of the Playdium, that unless he showed evidence of good faith by attempting to live up to the Zoning Ordinance requirements by the following Monday afternoon, steps would be taken to close the building.

There being no further business the meeting was adjourned.

ATTEST:



City Clerk
H. B. Jackson

APPROVED:

Mayor

MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 18, 1942.

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:15 O'Clock P. M. on August 18, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

A letter addressed to the City Commission from Dr. C.H. Neil, protesting the 1942 assessment on his property located at 2320 Segovia Circle, was read and the matter referred to Tax Assessor G. A. Bowen and City Attorney E. L. Semple.

RESOLUTION NO.2263

A RESOLUTION APPROPRIATING TO THE SUPPORT OF AND APPOINTING A CITY OF CORAL GABLES REPRESENTATIVE UPON THE ADMINISTRATIVE BOARD OF THE PROPOSED DADE COUNTY METROPOLITAN HEALTH DEPARTMENT.

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

WHEREAS, there is in process of formation a consolidated health department to serve all of Dade County, both incorporated and unincorporated area, and this Commission after investigation has concluded that the best interests of the City will be served by assisting and participating in the formation and operation of such a department.

AND, WHEREAS, the Commission has previously agreed to appropriate to the support of such consolidated health department the net unexpended amount, as of the commencement of operation thereof, of the appropriation for the year ending June 30, 1943 made in the budget ordinance for the City's health department.

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

That, on and after the commencement of operation of the Dade County Metropolitan Health Department for the purpose of assisting in the support and operation thereof, the City Manager and Director of Finance be and they hereby are authorized to pay to the proper authorities in equal monthly installments the net unexpended amount remaining, at the time of the commencement of operation thereof, in the appropriation for the year ending June 30, 1943 for the support of the City's health department, said net unexpended amount to be determined by deducting from the total appropriation the amount expended to that date by the City and the amount of anticipated, but as yet unrealized, health permits and other incomes.

Section 2. That the City Manager be and he hereby is appointed as the Coral Gables representative upon the administrative board of said Dade County Metropolitan health department.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Phillips, the resolution was adopted by the following roll-call.

"Yes" Commissioners-Bell
Cray
Mayes
Phillips
Mayor Whitley

RESOLUTION No.2264

A RESOLUTION REQUESTING ALL EMPLOYEES OF THE CITY OF CORAL GABLES TO ENLIST AND TAKE PART IN THE ORGANIZED ACTIVITIES OF DISTRICT NINE OF THE DADE COUNTY DEFENSE COUNCIL.

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

Section 1. That all employees of the City of Coral Gables, be and they hereby are requested and urged to enlist in and take active part in some of the organized defense activities of District Nine of the Dade County Defense Council for the purpose of preparing and equipping themselves to assist in relief work in the event of any local emergency, except that such employees as have been designated by the City Manager or department heads for specific details and responsibilities in times of emergencies shall be considered as being engaged in such defense activities and shall not be expected to take upon themselves any new or added responsibilities.

Section 2. That the members of this Commission hereby offer themselves for service in Defense Council District Nine in such capacity, not inconsistent with their City duties, as the Commander and other leaders of said district may deem best.

Section 3. That the City Manager be and he hereby is instructed during any emergency to cooperate with the Commander and leaders of District Nine to the fullest possible extent and to the full capacity of the City's forces and equipment.

Section 4. That the details of cooperation between the City and the Defense Council District Nine are hereby referred to the City Manager and the Commander of said district for study and development.

was introduced and read.

Wm. Edward Winegar, Commander of the 9th District, explained the workings of the organization and the purpose of this Resolution.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Mayes, the resolution was adopted by the following roll-call:

"Yes"Commissioners-Bell	
	Cray
	Mayes
	Phillips
Mayor	Whitley

The Commission as a whole and separately, assured Mr. Winegar of their cooperation and offered their services in any capacity that they could serve.

AAJ299

AN ORDINANCE AMENDING PARAGRAPH FIVE OF SECTION 14 OF ORDINANCE 271, BEING THE ZONING ORDINANCE OF THE CITY OF CORAL GABLES, AS PREVIOUSLY AMENDED BY ORDINANCE NO. 317 ADOPTED JUNE 6, 1939.

was read by title on first reading.

Motion by Commissioner Phillips that the requirement of reading on two separate days be dispensed with and that the ordinance be placed on second reading at once. Motion seconded by Commissioner Cray and carried by the following roll-call:

"Yes"Commissioners-Bell	
	Cray
	Mayes
	Phillips
Mayor	Whitley

Thereupon the ordinance was read again in full. Motion for adopted by Commissioner Phillips, seconded by Commissioner Cray, the ordinance was adopted by the following roll-call:

"Yes"Commissioners-Bell	
	Cray
	Mayes
	Phillips
Mayor	Whitley

Thereupon the ordinance was declared adopted and approved and its publication ordered as No. 422.

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA PROHIBITING THE GOING UPON THE SIDEWALKS, STREETS, HIGHWAYS AND OTHER PUBLIC PLACES OF THE CITY OF CORAL GABLES, FLORIDA, IN A BATHING OR SWIMMING SUIT UNLESS THE WEARER SHALL ALSO WEAR ADDITIONAL CLOTHING, AND PROHIBITING IN THE SAME PLACES THE WEARING OF SHORTS ALONE, WITH THE UPPER PORTION OF THE BODY, EXCLUSIVE OF THE ARMS, EXPOSED; EXEMPTING FROM THE OPERATION OF THIS ORDINANCE SUCH PLACES AS VENETIAN POOL; EXEMPTING FROM THE TERMS OF THE ORDINANCE PERSONS UNDER THE AGE OF 10 YEARS; FIXING A PENALTY FOR THE VIOLATION THEREOF AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH.

which had been first read at meeting of August 4, 1942, was read again in full.

After a discussion no action was taken and ordered carried forward to some future date.

City Manager Shaw reported that he was advised by Mr. Nickey, owner of the only available air-conditioning equipment in this area, that Dr. Rainforth, owner of the Bowling Alley on 8th Street, had inspected the equipment and asked that he hold it pending the attempt to get priority on the wiring. This he refused to do. The City Manager also reported that the application for the priority was not mailed from the office of the Florida Power & Light until August 6, 1942, and that he had written the War Production Board in Washington, asking speedy action.

There being no further business the meeting was adjourned.

ATTEST:

H. B. Jackson

City Clerk
H. B. Jackson

APPROVED:

Mayor

MINUTES OF MEETING OF THE CITY COMMISSION
ON AUGUST 24, 1942.

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commission, the Commission of the City of Coral Gables, convened in Special Session at the City Hall at 5 O'Clock P. M. On Monday, August 24, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

RESOLUTION NO.2265

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 the requirement of written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and despatch of any special business.

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by Commissioner Cray, the resolution was adopted by the following roll-call:

"Yes"Commissioners-	Bell
	Cray
	Mayes
	Phillips
Mayor	Whitley

Morton B. Adams, Ira C. Haycock and D. H. Redfearn, special attorneys in the Municipal Bankruptcy case, appeared before the Commission to report that the Plan of Composition in this case had been confirmed by United States District Judge J. W. Holland on August 19, 1942, and to discuss with the Commission the matter of attorneys fees.

RESOLUTION NO.2266

A RESOLUTION FIXING TOTAL AMOUNT OF ATTORNEYS FEE FOR SERVICES OF SPECIAL ATTORNEYS IN THE MATTER OF THE CITY OF CORAL GABLES, PETITIONER, FOR CONFIRMATION OF PLAN OF COMPOSITION IN BANKRUPTCY.

WHEREAS, when the City Commission was considering the filing of a petition for the confirmation of the Plan of Composition it employed D. H. Redfearn to advise with the City Commission and the City Attorney on this problem, and as an incident thereof to assist the City Attorney in defending a

mandamus proceeding brought by the American National Bank of Nashville, Tennessee, without fixing any fee to be paid to the said D. H. Redfearn; and

WHEREAS, by Resolution #2071, Ira C. Haycock was employed to assist the City Attorney in consultation work only, for a retainer fee of \$250. and for such other fee as might be agreed upon later, not to exceed in all a total fee of \$500.00 for only consultation work; and

WHEREAS, the opposition by objecting creditors to the confirmation of the Plan of Composition developed to such an extent that it was necessary and advisable for Morton B. Adams and D. H. Redfearn and Ira C. Haycock to devote considerable more time to the preparation and prosecution of the bankruptcy proceedings than had been contemplated in the beginning, and,

WHEREAS, upon the resignation of Morton B. Adams as City Attorney on July 15, 1941, he was retained as Special Attorney for the City to continue with D. H. Redfearn and Ira C. Haycock the prosecution of the Bankruptcy proceedings, and was by resolution adopted July 15, 1941 given a drawing account to be applied on account of fee for past and future services in said proceedings; and

WHEREAS, the United States District Judge, in considering and approving reasonable compensation for attorneys representing the City in the said proceedings, will consider the same on the basis of one fee; and

WHEREAS, the said three attorneys have advised the Commission that they have themselves agreed upon a division of the said fee between them; and

WHEREAS, the said attorneys have been successful in overcoming the vigorous and persistent objections to the confirmation of the Plan of Composition and have procured an order from the United States District Judge, dated August 19, 1942, confirming the plan of composition and directing that an interlocutory decree be entered in the cause; and

WHEREAS, the preparation and trial of this bankruptcy proceedings up to and including the said Order of the United States District Judge have required intensive work on the part of said attorneys for a period of approximately two and one-half years, and the official transcript of testimony comprises 2,127 pages, not including 57 exhibits filed in evidence by the Petitioner and 67 exhibits filed in evidence by the several objecting creditors; and the number and intricacies of the factual and legal problems presented during the course of the hearings before the Master required at the end of the said hearings, which lasted more than a year, three additional days of argument; and the argument on the objections to the Master's Report recommending that the plan of composition be confirmed required four full days; and

MINUTES OF MEETING OF CITY COMMISSION
ON AUGUST 28, 1942

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commission, the Commission of the City of Coral Gables, convened in special session at the City Hall at 6:45 O'Clock P. M. on Friday, August 28, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

RESOLUTION NO.2267

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 the requirement of written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and despatch of any special business.

was introduced and read.

Motion for adoption by Commissioner Mayes, seconded by Commissioner Bell, the resolution was adopted by the following roll-call:

"Yes" Commissioners-Bell
Cray
Mayes
Phillips
Mayor Whitley

RESOLUTION NO.2268

A RESOLUTION AUTHORIZING THE PURCHASE OF FOUR 27-PASSENGER BUSES FOR THE TRANSPORTATION SYSTEM; APPROPRIATING THEREFOR; AND AUTHORIZING THE ISSUANCE AND EXECUTION OF A NOTE FOR THE PURPOSE OF SECURING NECESSARY FUNDS.

WHEREAS, the City Manager has previously been authorized to purchase four 27-passenger buses for the Transportation System to meet the demands arising from additional traffic due to gasoline and rubber rationing and housing and training of defense forces in Coral Gables, and arrangements to secure these buses have been completed and delivery is being effected; and

WHEREAS, it is deemed advisable to spread the cost of this new equipment over a period of three years in order that existing cash reserves may not be depleted, and that the payment for the equipment may be made from the revenues of the Transportation Department,

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

Section 1. The City Manager and Director of Finance be and they hereby are authorized to consummate the purchase of the said four 27-passenger buses at a total cost not to exceed \$22,740.00, and that sum is hereby appropriated from the insurance and depreciation reserves as now existing and as to be augmented by the proceeds of the loan hereinafter provided for.

Section 2. That the City Manager and Director of Finance be and they hereby are authorized and directed to borrow from the Coconut Grove Exchange Bank the sum of \$17,055.00, being 3/4 of the purchase cost of said buses, on a note to be executed by them on behalf of the City, providing for the repayment of said sum at the rate of \$473.75 per month plus interest on unpaid balances at the rate of 4% per annum, with interest after maturity at the rate of 6% per annum. The said note and mortgage hereinafter provided for to be in the usual form, with the usual covenants used in such transactions. The said note is to be secured by a chattel mortgage and evidence a lien upon the four (4) buses hereby authorized to be purchased, and to be payable primarily from the annual provision in the transportation department for equipment depreciation, and, secondarily, in the event the revenues of the transportation department are inadequate, from general taxation to the extent necessary to provide for payment when and as due.

Section 3. Until the note authorized hereby shall have been fully paid the annual provision for equipment depreciation in the budget of the transportation system shall never be less than the amount of principal and interest of said note maturing and payable during the period of each such budget, plus the amount of any arrears of said note or interest thereon not provided for by taxation or from some other source than transportation system revenues or funds. The City Manager and Director of Finance are hereby authorized to make, when and as necessary, such disbursements from the depreciation funds of the transportation department as are necessary to satisfy the maturities and obligations of the note hereby authorized.

was introduced and read.

Motion for its adoption by Commissioner Mayes, seconded by Commissioner Bell, the resolution was adopted by the following roll-call:

- "Yes"-Commissioners-Bell
- Cray
- Mayes
- Phillips
- Whitley
- Mayor

There being no further business the meeting was adjourned.

ATTEST:

H. B. Jackson
City Clerk
H. B. Jackson

APPROVED:

Mayor

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 1, 1942.

The Commission of The City of Coral Gables, convened in regular session at 5 O'Clock P. M. on Tuesday, September 1, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray and Phillips present. Commissioner Mayes absent.

Minutes of Meetings of August 4, 7, 14, 18, 24 and 28, 1942 were read and approved.

Tax Assessor G.A. Bowen reported that he had reviewed the assessment of the property of Dr. C. H. Neil, located at 2320 Segovia Circle, had it appraised by an independent appraiser, and in his opinion the assessment is just. The City Attorney was instructed to write Dr. Neil that his complaint has been rejected and that the assessment of \$20,000.00 will stand.

City Manager Shaw reported that the priority on the wiring of the Playdium had been granted, and that Dr. Rainforth was negotiating for the purchase of the air-conditioning equipment, but that the owner had raised the price.

City Manager reported a pine hedge on the property of C. P. Johnson, lots 5, 6 & 7, Block 15, Section E, has damaged the sidewalk to the extent that rebuilding is necessary, and that he had notified Mr. Johnson that it must be removed within thirty days or the City will do the work and file a lien against the property for the cost.

The City Clerk reported to the Commission that at a Zoning Board meeting held on August 31, 1942 the Zoning Board recommended the rejection of a request to permit the changing of the building located on lots 6 & $\frac{1}{2}$ of 7, Block 16, section E. from a single residence to a duplex. The Commission unanimously approved the recommendation of the Board.

RESOLUTION No. 2269

A RESOLUTION APPOINTING B. M. SMETHURST
CITY AUDITOR.

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

That B. M. Smethurst, be and he hereby
is appointed City Auditor of The City of Coral
Gables, to examine, audit and report upon the
transactions and accounts of The City of Coral
Gables for the fiscal year commencing July 1,
1942.

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
Phillips
Cray
Whitley
Mayor

Commissioner Mayes absent.

RESOLUTION No. 2270

A RESOLUTION AUTHORIZING A LEASE TO
THE WAR DEPARTMENT COVERING BLOCKS
12 and 14, INDUSTRIAL SECTION, THE
GARAGE--CAR BARN PROPERTY.

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

That the City Manager and City Clerk be and
they are hereby authorized and directed to execute
on behalf of the City of Coral Gables a lease to
the United States of America for the period from
September 1, 1942 to June 30, 1943, on the pro-
perty described as Blocks 12 and 14, Coral Gables
Riviera Industrial Section for a consideration
at the rate of Two Thousand (\$2,000.00) Dollars per
annum, said lease to be in the usual form of such
instruments as prepared and used by the United
States of America, and to provide for use of the
building for air intransit depot and other national
defense requirements of the Was Department.

The lease shall provide for an option of
renewal from year to year for the same considera-
tion, not to exceed beyond six months after the
termination of the present emergency.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Bell, the resolution was adopted by the following roll call:

"YES" Commissioners-Bell
Cray
Phillips
Whitley
Mayor

Commissioners Mayes absent.

There being no further business the meeting was adjourned.

ATTEST:

H. B. Jackson

City Clerk
H. B. Jackson

APPROVED:

Mayor.

RESOLUTION No. 2270

A RESOLUTION AUTHORIZING A LEASE TO THE WAR DEPARTMENT COVERING BLOCKS 12 and 14, INDUSTRIAL SECTION, THE GARAGE--CAR PARK PROPERTY.

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

That the City Manager and City Clerk be and they are hereby authorized and directed to execute on behalf of the City of Coral Gables a lease to the United States of America for the period from September 1, 1942 to June 30, 1943, on the property described as Blocks 12 and 14, Coral Gables, Miami Industrial Section for a consideration at the rate of two thousand (\$2,000.00) Dollars per annum, said lease to be in the usual form of such instruments as prepared and used by the United States of America, and to provide for use of the building for air transport depot and other national defense requirements of the War Department.

The lease shall provide for an option of renewal from year to year for the same consideration, not to exceed beyond six months after the termination of the present emergency.

was introduced and read.

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION
ON SEPTEMBER 10, 1942.

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commissioners, the Commission of The City of Coral Gables, convened in Special Session at the City Hall at 10 O'Clock A. M. Thursday, September 10, 1942.

Mayor Whitley in the Chair, Commissioners Bell, Cray, Mayes and Phillips present.

RESOLUTION No. 2271

A RESOLUTION AUTHORIZING L. W. ROBINSON JR. AS ASSISTANT TO THE CITY MANAGER, TO SIGN CHECKS AND DRAFTS OF THE CITY DURING THE ABSENCE FROM THE CITY OR ILLNESS OF 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 and empowered to countersign checks and drafts of The City of Coral Gables, in the place and stead of City Manager, G. N. Shaw, at and during such time as City Manager Shaw may be absent from the City or absent from the office due to illness; and the depositories of the City be and they are hereby authorized to accept the alternate signature in lieu of the signature of City Manager, G. N. Shaw.

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
Cray
Mayes
Phillips
Mayor Whitley

There being no further business the meeting was adjourned.

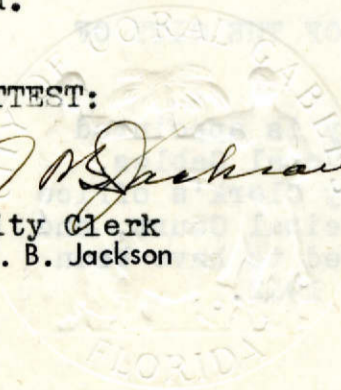
ATTEST:

H. B. Jackson
City Clerk
H. B. Jackson

APPROVED:

Mayor.

AAJ299



MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 16, 1942.

The Commission of The City of Coral Gables, convened in regular session at 5: 0'Clock P. M. on Wednesday, September 16, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

Minutes of meetings of September 1 and 10, 1942 were read and approved.

At the request of Mayor Whitley, Vice Mayor Bell took the Chair.

A motion by Mayor Whitley, seconded by Commissioner Phillips and unanimous vote of the Commission, City Manager G. N. Shaw, and Albert E. Harum were instructed to select a suitable plaque to be placed in the City Hall in memorial to George E. Merrick.

City Manager Shaw reported that Dr. Rainforth, owner of the Playdium building was still negotiating for the purchase of air-conditioning equipment, whereupon upon motion duly seconded and unanimously carried the City Manager was instructed to notify Dr. Rainforth that the building must be made sound-proof not later than September 25, 1942.

The City Manager reported that he had been contacted by a representative of Radio Station WKAT asking for a donation toward the putting on of an Army show, the total cost being approximately \$300.00. No action was taken.

RESOLUTION No. 2272

A RESOLUTION APPOINTING JOHN
ROSASCO DEPUTY CITY CLERK.

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

That John Rosasco be and he hereby is appointed Deputy City Clerk of The City of Coral Gables, to perform such duties of the City Clerk's office which may be required in the Municipal Court, and such appointment is hereby declared to have been effective on and after August 15, 1942.

was introduced and read.

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 18, 1942

Motion by Commissioner Mayes, seconded by Commissioner Bell,
the resolution was passed by the following roll call.

"Yes" Commissioners-Bell
Cray
Mayes
Phillips
Mayor Whitley

There being no further business the meeting was adjourned.

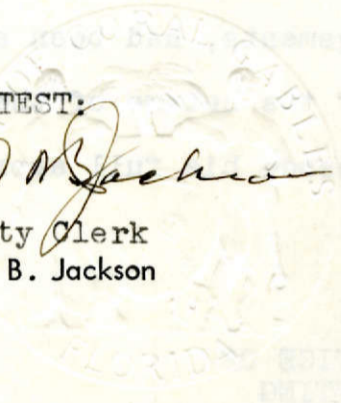
ATTEST:

City Clerk
H. B. Jackson

APPROVED:

Mayor

AAJ299



... was introduced and read.
Motion for adoption by Commissioner Mayes, seconded by
Commissioners Gray, the resolution was adopted by the follow-
ing roll call:
"Yes" Commissioners-Bell
Cray
Mayes
Phillips
City Manager and Director of Finance discussed with the
Commission the somewhat general situation as to City employees
under which the City is having great difficulty in retaining
sufficient labor and other help to maintain its operations,
due to employees leaving the City's service to secure higher
wages at the War projects and progress in this area. It was
also discussed, the necessity for assisting employees generally

MINUTES OF MEETING OF THE CITY COMMISSION
ON SEPTEMBER 18, 1942

Pursuant to call of Special Meeting by Vice Mayor Wallace A. Bell, Mayor Whitley being absent, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in Special Session at the City Hall at 5 O'Clock P. M. September 18, 1942.

Mayor Whitley absent, Vice Mayor Bell in the Chair, Commissioners Cray, Mayes and Phillips present: Mayor Whitley, unable to attend because of previous engagements, had been advised of the purpose of the meeting and of the nature of the salary increases to be made, and had expressed his full approval of the program.

RESOLUTION NO. 2273

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 the requirement of written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and despatch of any special business.

was introduced and read.

Motion for adoption by Commissioner Mayes, seconded by Commissioners Cray, the resolution was adopted by the following roll call:

"Yes" Commissioners-Bell
Cray
Mayes
Phillips

City Manager and Director of Finance discussed with the Commission the somewhat general situation as to City employees under which the City is having great difficulty in retaining sufficient labor and other help to maintain its operations, due to employees leaving the City's service to secure higher wages at the War projects and progress in this area. It was also discussed, the necessity for assisting employees generally

in meeting the sharply increased living costs. A detailed plan was submitted to the Commission for a general advance of salaries and wages to all persons now earning less than \$200.00 per month, which plan was approved. Thereupon

RESOLUTION NO.2274

A RESOLUTION APPROPRIATING CERTAIN AMOUNTS TO VARIOUS CITY DEPARTMENTS AND PROPERTIES TO ENABLE AND SUPPORT SALARY AND WAGE INCREASES.

WHEREAS, living costs have advanced due to war conditions and no compensating advance has thus far been made in the City salary and wage levels, and the Commission deems it necessary to advance the salary and wage levels of the City for all persons now earning less than \$200.00 per month, for the express purpose of assisting them in meeting these additional costs, and

WHEREAS, a schedule of proposed changes has been submitted by the City Manager and Director of Finance to the Commission and has been approved,

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

The following amounts be and they hereby are appropriated from the contingent fund and/or a previously unanticipated and unappropriated incomes and revenues, either of the general fund or of the City's properties, to the salary and wage appropriations of the departments named, and

The City Manager and Director of Finance be and they hereby are authorized to apply such additional appropriations to a general increase in salary and wages for all persons now receiving less than \$200.00 per month.

City Hall	1820-1.1	295.00
Finance	1830-1.1	340.00
Parks & Parkways	1840-1.1	112.75
	1840-1.2	1927.00
Waste	1843-1.1	75.00
	1843-1.2	1480.00
Streets	1845-1.2	140.00
Public Service	1850-1.1	3325.00
	1850-1.2	100.00
Transportation	1880-1.1	142.50
	1880-1.21	2829.00
	1880-1.22	324.00
Golf Course	1881-1.2	287.00
Venetian Pool	1882-1.1	325.00

was introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Cray, the resolution was adopted by the following roll call:

"Yes" Commissioners-Bell, Cray, Mayes, Phillips

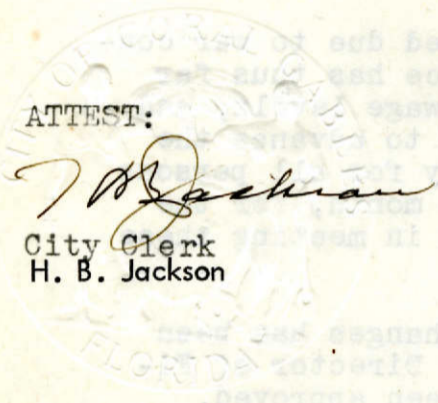
There being no further business the meeting was adjourned.

ATTEST:

City Clerk
H. B. Jackson

APPROVED:

Mayor



The following amounts be and they hereby are appropriated from the contingent fund and/or a previously unappropriated and unapportioned income and revenues, either of the general fund or of the City's properties, to the salary and wage appropriations of the departments named, and

322.00	1882-1.1	Veteran Pool
287.00	1881-1.2	Golf Course
328.00	1880-1.22	
2829.00	1880-1.21	
142.50	1880-1.1	Transportation
100.00	1850-1.2	
3225.00	1850-1.1	Public Services
140.00	1845-1.2	Streets
1480.00	1843-1.2	
75.00	1843-1.1	Waste
1927.00	1840-1.2	
112.75	1840-1.1	Parks & Parkways
340.00	1830-1.1	Finance
297.00	1820-1.1	City Hall

was introduced and read.

MINUTES OF SPECIAL MEETING OF COMMISSION
ON SEPTEMBER 21, 1942

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commission, the Commission of the City of Coral Gables, convened in special session at the City Hall at 11 A. M. on Monday, September 21, 1942.

Mayor Whitley in the Chair, Commissioners Bell, Cray, Mayes and Phillips present.

RESOLUTION NO.2275

A RESOLUTION REQUESTING WAR PRODUCTION BOARD TO GRANT APPLICATION FOR PRIORITIES ASSISTANCE TO COMPLETE THE UNITED SERVICE ORGANIZATION BUILDING IN CORAL GABLES, FLORIDA.

WHEREAS, it has been brought to the attention of this Commission that the plans and location of the USO building in Coral Gables have been submitted and approved but in order to complete the building, furnishings, etc. it is necessary to obtain from the War Production Board approval of application for priorities assistance, and;

WHEREAS, there are now stationed in the City great numbers of service men, without proper facilities for entertainment and recreation, this Commission, the Citizens of Coral Gables and the service men are desirous of completing the USO building as soon as possible, for the benefit of the service men and the betterment of the community.

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

That the Commission hereby requests and urges that the War Production Board grant the application for priorities assistance, so that the recreation center can be completed, as soon as possible.

was introduced and read.

Motion for its adoption by Commissioner Phillips, seconded by Commissioner Mayes, the resolution was adopted by the following roll call:

- "Yes"Commissioners-Bell
- Cray
- Mayes
- Phillips
- Mayor Whitley

There being no further business the meeting was adjourned.

ATTEST:

H. B. Jackson
City Clerk
H. B. Jackson

APPROVED:

Mayor

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 6, 1942.

The Commission of The City of Coral Gables convened in regular session in the City Hall at 5 P. M. Tuesday, October 6, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present. City Clerk H. B. Jackson was absent from the City on vacation and City Manager G. N. Shaw, acting as City Clerk.

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

Mr. Sam. J. Turner, representing the owners of the Douglas Entrance Apartments, appeared before the Commission to reiterate his protest against the operation of the Playdium bowling alley at 3737 S. W. 8th Street in other than a completely enclosed and sound proof building. He stated that the owners of the property were insisting that he secure action to safeguard their interests and that the present operation with windows and doors open, and even with the thin window panes closed, constitutes a serious nuisance at all hours of the day and night and substantially affects the desirability of the Douglas Entrance Apartments and their ability to secure and retain tenants.

Mayor Whitley surrendered the gavel to Commissioner Bell and moved that the City Manager be instructed to take any and all steps necessary and possible under the zoning or other ordinances to force the owners and operators of the building to restore the building to a completely enclosed and sound proof condition. This motion seconded and unanimously carried.

City Attorney, E. L. Semple, advised the Commission and City Manager that under the zoning ordinance the owners operators of the building are liable for fine not to exceed \$500.00 for each separate day's operation under circumstances inconsistent with zoning requirements. The City Manager was instructed to procede under this provision.

Mr. Trippe appeared before the Commission, representing E. F. P. Brigham, attorney for Dr. C. H. Neill, submitting to the Commission a petition for reconsideration of reduction of 1942 assessment on Lots 16, 17 and 57.78' of Lot 18, Block 22, Section B, Dr. Neill's residence, and a copy of an appraisal of that property made and prepared by Adrian McCune. Mr. McCune, who was also present, spoke briefly to the Commission about the appraisal. Tax Assessor G. A. Bowen, being absent from the City on vacation, the Commission took the matter under advisement to be studied and reported upon by Mr. Bowen upon his return.

ORDINANCE NO. 423

AN ORDINANCE PROVIDING FOR THE LEVY OF TAXES FOR THE YEAR BEGINNING JULY 1, 1942, AND ENDING JULY 1, 1943; 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.

was introduced and read.

Motion by Commissioner Mayes that the Ordinance be declared an emergency measure and that reading on two separate days be dispensed with and that the ordinance be adopted and made immediately effective. Motion seconded by Commissioner Cray. Thereupon the ordinance was adopted by the following roll call:

"Yes" Commissioners Bell
Cray
Mayes
Phillips
Whitley
Mayor

Thereupon the ordinance was declared adopted for approval and its publication ordered as No. 423.

There being no further business the meeting was adjourned.

ATTEST:

H. B. Jackson
City Clerk
H. B. Jackson

APPROVED:

Mayor

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON OCTOBER 20, 1942

The Commission of The City of Coral Gables convened in regular session in the City Hall at 5 o'clock P.M. Tuesday, October 20, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

The minutes of the meetings of September 16, 18, 21 and October 6, 1942 were read and approved.

A letter of thanks and goodbye from Wing Commander Charles N. Fleming, Commanding Officer of RAF Cadets at the University of Miami, was read.

Harry Morgenthaler appeared before the Commission to solicit advertising in American Legion Directory. No action was taken pending the return to duty of City Manager G. N. Shaw, who was absent due to illness.

City Attorney Semple reported that he had met with the attorney for the owner and operators of the Playdium and that an agreement has been reached whereby the building will be made sound-proof by either sealing the windows or closing the wall. Because of the advantage in lighting they asked that they be permitted to seal the windows for a trial period, and if this proves unsatisfactory the wall will then be closed. They further agree to keep the vestibule doors closed at all times.

There being no further business the meeting was adjourned.

APPROVED:

ATTEST:

J. W. Jackson
City Clerk

Mayor

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 3, 1942

The Commission of The City of Coral Gables convened in regular session in the City Hall at 5 o'clock P.M. on Tuesday, November 3, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

The minutes of the meeting of October 20, 1942 were read and approved.

Mr. John Gazlay, owner of Coral Gables Riding Academy, appeared before the Commission to register a complaint about the placing of rat poison on his property without his consent. He stated that one horse had died from an unknown cause and that two others had been sick but recovered. Dr. Schofield, the veterinarian who treated these horses diagnosed the cause as due to some kind of poison. No laboratory tests were made. Mr. Gazlay further stated he was in full accord with the movement to exterminate the rats and would not have had any objection to the placing of red squill around his stable if he had been notified so that he could have protected his horses, but inasmuch as it was done without his knowledge he thought the City should pay for the horse, which was valued at \$250.00. The matter was deferred for investigation.

M. B. Garris appeared before the Commission in connection with the Cocoplum bridge. He stated that in his opinion the bridge was unsafe and that it was not practical to try to repair it. He further stated that the type bridge originally planned could not be constructed at this time due to lack of steel but that a monolithic arch could be constructed which would take care of the situation for many years.

A letter from Adam G. Adams requesting bus service by his home at 1213 Blue Road, was read. The City Manager advised that to give service to this area would mean the elimination of service in another area which has many more houses, and that the City did not have sufficient equipment nor was there sufficient business to justify two lines in the southern section. He further stated that the Matheson Hammock line had been discontinued because the loss was too great.

The City Manager reported that Carl M. Apuzzo was out of the City on Government work and for that reason has tendered his resignation as Supervising Architect.

Commissioner Bell reported that he had been approached in connection with the City furnishing bus service for that portion of the county between

LeJeune Road and Cortez Street, south of Tamiami Trail. The City Manager advised that our bus system was overtaxed now and our duty to Coral Gables residents came first.

RESOLUTION NO. 2276

A RESOLUTION ACCEPTING A CERTAIN REPLAT OF BLOCK 11, AND A PORTION OF BLOCK 10, CORAL GABLES INDUSTRIAL SECTION, AND THEREBY CLOSING A CERTAIN ALLEY AND A PORTION OF AURORA STREET LYING THEREIN.

WHEREAS, the Miami Shipbuilding Corporation, the owner of all of Block 11 and Lots 47 to 63, both inclusive, of Block 10, Coral Gables Industrial Section, have submitted a certain plat dated October, 1942, replatting said property so as to accommodate a proposed industrial plant therein, and said replat closes and dispenses with that certain twenty (20') foot alley in Block 11, of the original plat and all of Aurora Street lying southward of the extended south lot line of Lot 46, Block 10, Coral Gables Industrial Section,

AND, WHEREAS, Wilson Toomer Fertilizer Company, the owner of Lots 42 to 46, both inclusive, Block 10, Coral Gables Industrial Section, the only other property owners abutting on Aurora Street, has advised the City of its acquiescence in the closing of this street as above described,

AND, WHEREAS, the Miami Shipbuilding Corporation has requested the City to quitclaim to it the said alley and portion of street to be closed and abandoned and the Commission deems that these actions are necessary and advisable to encourage and secure for the City of Coral Gables a worthwhile industrial establishment,

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

THAT the certain plat entitled "replat of Block 11 and portion of Block 10 of revised plat of Coral Gables Industrial Section", prepared for the Miami Shipbuilding Corporation by M. B. Garris, civil engineer, dated October, 1942, be and the same is hereby accepted and approved, and that the twenty (20') foot alley heretofore existing in Block 11 of said subdivision and that portion of Aurora Street lying southward of the extended south lot line of Lot 46, Block 10 of said subdivision be and the same are hereby closed and abandoned,

AND BE IT FURTHER RESOLVED THAT

The Mayor and City Clerk and they hereby are authorized to execute and issue to the Miami Shipbuilding Corporation a quitclaim deed to the said alley and the said portion of Aurora Street.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Mayes. The resolution was adopted by the following roll call.

"Yes" Commissioners Bell
Cray
Mayes
Phillips
Whitley
Mayor

RESOLUTION NO. 2277

A RESOLUTION AUTHORIZING AN ADJUSTMENT OF THE ASSESSED VALUATION OF LOTS 16, 17 and 57.78 FEET OF 18, BLOCK 22, SECTION "B". CORAL GABLES, FLORIDA.

WHEREAS, the owner of Lots 16, 17 and East 57.78 feet of 18, Block 22, Section "B", Coral Gables, protested to the Board of Equalization during its 1942 sessions against the City's assessed valuation of said property and has continued his protest and has filed with the Commission a petition for re-assessment and appraisal of the property prepared by Mr. Adrian McCune setting forth a value of \$18,000 for the said property, upon which the City Assessor has established a value of \$20,000,

AND, WHEREAS, said Dr. C. H. Neill has announced his intention of bringing litigation to test the City's assessment of his property, but has offered to compromise his claim on the basis of a \$19,000 assessment,

AND, WHEREAS, this Commission feels that the expense and uncertainty of litigation should be avoided and that it would be proper to compromise the matter at a figure half-way between the two appraisals,

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 assessment on Lots 16, 17 and 57.78 feet of 18, Block 22, Section "B", to show a total value of \$19,000.

was introduced and read.

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

"Yes" Commissioners Bell
Cray
Mayes
Phillips

"No" Mayor Whitley

ORDINANCE NO. 424

AN ORDINANCE REQUIRING PERSONS, FIRMS OR CORPORATIONS RECEIVING VEHICLES FOR STORAGE OR REPAIR, TO REPORT THAT FACT TO THE CORAL GABLES POLICE DEPARTMENT IN WRITING, WHERE THE CONDITION OF THE VEHICLE INDICATES THE POSSIBILITY OF ITS HAVING BEEN INVOLVED IN AN ACCIDENT; FIXING A PENALTY FOR VIOLATION; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; DECLARING THIS TO BE AN EMERGENCY ORDINANCE.

was introduced and read.

Motion by Commissioner Mayes that the Ordinance be declared an

AAJ293

emergency measure and that reading on two separate days be dispensed with and that the Ordinance be adopted and made immediately effective. Motion seconded by Commissioner Bell. Thereupon the Ordinance was adopted by

the following roll call:

"Yes"	Commissioners	Bell
		Cray
		Mayes
		Phillips
	Mayor	Whitley

Mayor Whitley then declared the Ordinance adopted and approved, and ordered its publication as No. 424.

There being no further business, the meeting was adjourned.

APPROVED:

ATTEST:



City Clerk
H. B. Jackson

Mayor

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 17, 1942

The Commission of The City of Coral Gables convened in regular session in the City Hall at 5 o'clock, P.M. Tuesday, November 17, 1942.

Vice-Mayor Bell in the Chair; Commissioners Cray, Mayes and Phillips present. Mayor Whitley absent due to illness.

Minutes of the meeting of November 3, 1942 were read and approved.

Mr. John Gazlay appeared before the Commission to continue his complaint against the City in connection with the death of a horse from his stable. City Manager Shaw reported that he had investigated this claim and in his opinion, based on information received from State and Federal authorities, the horse did not die from the red squill placed around the barn. He further pointed out the rat extermination program was put on by the State and that the City's representative was merely cooperating with the State's representatives by going around with them. After some discussion the matter was referred to the City Attorney.

RESOLUTION NO. 2278

APPROVING A PROPOSED FIRE HYDRANT AGREEMENT BETWEEN THE CITY OF CORAL GABLES, FLORIDA, AND CONSUMERS WATER COMPANY, PROVIDING FOR THE RECEIVING OF WATER BY CONSUMERS WATER COMPANY FROM THE CITY AND THE DISTRIBUTION OF SAME THROUGH SAID COMPANY'S WATER MAINS, PIPES AND SYSTEM TO SAID CITY'S EXISTING AND FUTURE FIRE HYDRANTS FOR THE PURPOSE OF EXTINGUISHING FIRES IN THE CITY OF CORAL GABLES, AND PROVIDING THAT NO EXTENSION OF WATER MAINS OR INCREASE IN SIZE OF WATER MAINS FOR THE PURPOSE OF FIRE HYDRANTS SHALL BE MADE AT THE EXPENSE OF SAID COMPANY, AND PROVIDING THAT THE EXPENSE OF FURNISHING AND INSTALLING FIRE HYDRANTS SHALL BE BORNE BY THE CITY, AND FURTHER PROVIDING FOR THE CANCELLATION AND TERMINATION OF THAT CERTAIN FIRE HYDRANT AGREEMENT BETWEEN THE CITY AND SAID COMPANY, DATED THE 20TH DAY OF APRIL, 1926, 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 FIRE HYDRANT AGREEMENT WITH CONSUMERS WATER COMPANY.

AAJ293

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

1. That the proposed fire hydrant agreement with Consumers Water 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 Consumers Water Company the said proposed fire hydrant agreement approved in Section 1 hereof, and hereinafter set forth in form as follows:

THIS AGREEMENT made this 17th day of November, 1942, by and between the CITY OF CORAL GABLES, FLORIDA, a municipal corporation organized and existing under the laws of the State of Florida, and its successors (hereinafter called the "City"), and CONSUMERS WATER COMPANY, a corporation organized and existing under the laws of the State of Florida, and its successors and assigns (hereinafter called the "Company"),

WHEREAS on the 24th day of March, 1926, the City of Coral Gables granted to C. A. Leddy, his heirs, legal representatives and assigns, by Ordinance No. 26, a thirty (30) year water franchise; and

WHEREAS on the first day of April, 1926, the City Commission of the City of Coral Gables passed and adopted Ordinance No. 33, approving the transfer of said water franchise to Utilities Land Company, a corporation organized and existing under the laws of the State of Florida, its successors and assigns; and

WHEREAS on the 29th day of May, 1926, by valid assignment, the said Utilities Land Company assigned to Consumers Water Company the said water franchise;

NOW, THEREFORE,

W I T N E S S E T H:

That for and in consideration of the sum of one dollar (\$1.00) paid each to the other party herein, the receipt of which is hereby acknowledged, and in further consideration of the covenants and agreements hereinafter set forth, the parties hereto covenant and agree as follows:

1. The Company covenants and agrees to receive from the City and distribute water to the City through the Company's water mains, pipes and system to said City's fire hydrants for the purpose of extinguishing fires in Coral Gables whenever the same may occur; provided, however, that the Company's obligations hereunder are specifically limited to the distribution of such water as may be delivered to it by said City for such purpose as set forth in the above mentioned water franchise.

2. The City covenants and agrees to pay to the Company for said fire hydrant service, the sum of thirty dollars (\$30.00) per year per hydrant, payable in equal monthly installments of two and 50/100 dollars (\$2.50) per month per hydrant on all the fire hydrants installed and located within the city limits of City and shown on Exhibit "A" attached hereto and made a part hereof, and on all additional fire hydrants which may be installed and located within the said limits of the City.

3. The City shall furnish, install, flush, maintain, replace and keep in repair said fire hydrants at its cost and expense.

4. No extension of water mains or increase in size of water mains for the express purpose of fire hydrants is to be required of the Company for the purpose of furnishing service to said fire hydrants.

5. It is further covenanted and agreed that that certain fire hydrant agreement, dated the 20th day of April, 1926, and now in effect between the City and the Company, be and the same is hereby cancelled and terminated as of January 1, 1942.

6. The term of this agreement shall be from January 1, 1942 to April 1, 1956.

7. This agreement shall inure to the benefit of and be binding upon the successors of the City and the successors and assigns of the Company.

8. The City shall have the right to relocate at any time, at its cost and expense, on Company's existing mains any of the fire hydrants covered by this Agreement.

9. In view of the fact that the City could now use thirty-two (32) additional fire hydrants in various populated areas of the City in order to give such areas better fire protection and that there now exists twenty-eight (28) fire hydrants which are located in areas within the City which are not populated or inhabited, eighteen (18) of which the City plans to relocate on the Company's now existing mains, leaving ten (10) fire hydrants which cannot now be relocated in such populated areas because there are no large existing mains, it is covenanted and agreed that after this Agreement has been in effect for a period of two (2) years, the City shall have the right to discontinue and remove the said remaining ten (10) fire hydrants, provided that if and when the Company extends or enlarges its mains so that the said remaining ten (10) fire hydrants or any of them may be relocated, then the City shall, at its cost and expense, install or relocate the said ten (10) hydrants and thereafter pay for service to said hydrant or hydrants in accordance with the terms of this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto caused this Agreement to be executed by their duly authorized officers and their official seals to be hereunto affixed, the day and year first above written.

CITY OF CORAL GABLES, FLORIDA

Witnesses:

Arlene M. Day

Jessie B. Lewis

BY G. N. Shaw
City Manager

ATTEST:
H. B. Jackson
City Clerk

CONSUMERS WATER COMPANY

Witnesses:

Wm. D. Fuller

W. L. Gray, Jr.

By McGregor Smith
President

ATTEST:
M. B. McDonald
Secretary

APPROVED as to form and correctness, this 17 day of November, 1942.

E. L. Semple
Attorney for City of Coral Gables,
Florida.

AAJ293

The resolution was approved by the City Attorney, E.L. Semple.

Motion by Commissioner Phillips, seconded by Commissioner Mayes, the resolution was approved by the following roll call.

"Yes"	-	Commissioners Cray
		Mayes
		Phillips
		Vice Mayor Bell

Mayor Whitley absent.

Prior to the roll call it was stated that Mayor Whitley had been advised of this resolution and that he was in favor of the action.

A letter from Communication Co. Inc., 2700 Ponce de Leon Blvd., asking permission to close the streets alongside its building, was read. The request was denied.

City Manager reported that he had sold the Hanson Dragline and shovel for \$5,700.00, which, together with the rentals received this year, is more than the original cost. He asked that an ordinance be drafted setting up a Trust Account for this and all other equipment rentals for the purpose of replacing the equipment after the war, and that \$15,000.00 par value of War Bonds be purchased with the funds now on hand, which was agreed upon.

RESOLUTION NO. 2279

A RESOLUTION APPROPRIATING FOR THE EXPENSES OF THE CITY ATTORNEY AND DIRECTOR OF FINANCE IN ATTENDING THE CONFERENCE OF THE FLORIDA LEAGUE OF MUNICIPALITIES IN JACKSONVILLE.

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

That the sum of \$150.00 be and the same is hereby appropriated from the Contingent Fund or from previously unanticipated and unappropriated reserves for the purpose of defraying the expenses of the City Attorney and Director of Finance in attending the conference of Florida League of Municipalities at Jacksonville, Florida.

was introduced and read.

Motion by Commissioner Phillips, seconded by Commissioner Cray, the resolution was adopted by the following roll call.

"Yes"	-	Commissioners Cray
		Mayes
		Phillips
		Vice Mayor Bell

Mayor Whitley absent.

City Attorney Semple reported that he had received notice of pending suit by Jacob Bob, as the result of a bus accident on September 10, 1942. City Manager reported that the accident was caused by the passenger leaving his seat while the bus was in motion and falling against the window. A medical examination immediately following the accident showed only slight

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 20, 1942

abrasions on his arm and hand. However, several days later the passenger claimed two ribs were broken.

Commissioner Mayes brought up the matter of the City's prosecution of offenders of the Child Labor Act. The matter was referred to the City Attorney.

There being no further business, the meeting was adjourned.

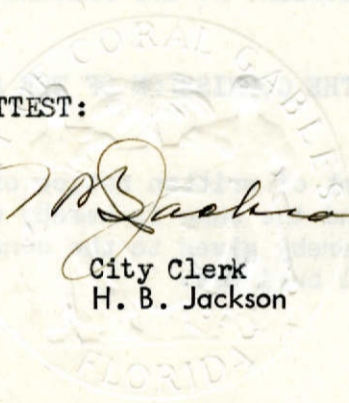
APPROVED:

ATTEST:

Mayor



City Clerk
H. B. Jackson



AAJ293

MINUTES OF MEETING OF THE CITY COMMISSION
ON NOVEMBER 20, 1942

Pursuant to call of Special Meeting by Mayor Whitley and the unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session in the City Hall at 5 o'clock P.M. on Friday, November 20, 1942.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

RESOLUTION NO. 2280

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 the requirement of written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and dispatch of any special business.

was introduced and read.

Motion for adoption by Commissioner Mayes, seconded by Commissioner Bell, the resolution was adopted by the following roll call.

"Yes"	-	Commissioners Bell
		Cray
		Mayes
		Phillips
		Mayor Whitley

Morton B. Adams, Ira C. Haycock and D. H. Redfearn, special attorneys in the Municipal Bankruptcy case, appeared before the Commission to report that the Interlocutory Decree confirming the Plan of Composition was entered on November 20, 1942 in United States District Court in and for the Southern District of Florida.

RESOLUTION NO. 2281

A RESOLUTION APPROPRIATING CERTAIN FUNDS FROM THE "MANDATORY LEVY FUND"; AUTHORIZING THE PAYMENT OF THE SPECIAL MASTER'S FEE AND A PORTION OF THE ATTORNEYS' FEES IN THE CITY'S MUNICIPAL BANKRUPTCY CASE; AND CONDITIONALLY AUTHORIZING CERTAIN FUTURE PAYMENTS.

WHEREAS, By Resolution No. 2266, adopted August 24, 1942, the City Commission fixed the fee of the attorneys in the City's Municipal Bankruptcy Case, namely, Morton B. Adams, Ira C.

Haycock, D. H. Redfearn, at Thirty-two Thousand, Five Hundred Dollars (\$32,500.00), Three Thousand Dollars (\$3,000.00) of which has previously been paid; and,

WHEREAS, The Court has approved said fee and has fixed as the fee of F. M. Hudson, Special Master, the sum of Ten Thousand Dollars (\$10,000.00); and,

WHEREAS, The said attorneys have agreed that said fee of Thirty-two Thousand, Five Hundred Dollars (\$32,500.00) shall be total fees for all work performed, or to be performed in any appeal to the United States Circuit Court of Appeals and/or the United States Supreme Court, and have agreed that the sum of Seven Thousand, Five Hundred Dollars (\$7,500.00) be withheld until the final conclusion of the case;

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

1. That the sum of Thirty-nine Thousand, Five Hundred Dollars (\$39,500.00) be and the same is hereby appropriated from the "Mandatory Levy Fund", being moneys derived from special mandatory levies, which moneys have been released to the City by the decree of the Court in the Municipal Bankruptcy Case.

2. That there is hereby authorized the payment of Ten Thousand Dollars (\$10,000.00) to the Special Master and Twenty-two Thousand Dollars (\$22,000.00) to the said attorneys, and the previous payment of the said \$3,000.00 is hereby ratified.

3. That there is hereby authorized to be paid to said attorneys the sum of Seven Thousand, Five Hundred Dollars (\$7,500.00) upon final conclusion of the litigation, including the performance of all necessary services by them, and the said amount shall be reserved from the balance of said Mandatory Levy Funds for such purposes.

was introduced and read.

The Resolution was approved by City Attorney E. L. Semple.

Motion for its adoption by Commissioner Phillips, seconded by Commissioner Mayes, the resolution was adopted by the following roll call.

"Yes" - Commissioners Bell
Cray
Mayes
Phillips
Mayor Whitley

City Manager Shaw reported that progress was being made toward getting a new bridge at Cocoplum, the only hold up now is getting priorities for the cement, and that it probably will be necessary to go to Jacksonville to contact the proper Army authorities.

A letter from John Rosasco, Clerk of the Police Court, in connection with the prosecution of two offenders of the Child Labor Law, was

read. Both of these arrests, he states, were at the request and insistence of the State authorities.

At the request of the Board of Public Instruction, Dade County, the City Manager was instructed to write a letter to the Draft Boards requesting deferment for specialized school teachers until after the end of present school year.

There being no further business, the meeting was adjourned.

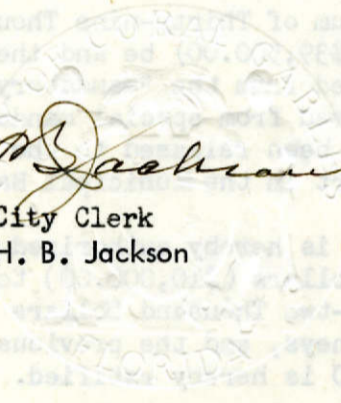
APPROVED:

ATTEST:

H. B. Jackson

Mayor

City Clerk
H. B. Jackson



MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 3, 1942

Pursuant to call of Special Meeting by Mayor Whitley and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 5 o'clock P.M. Thursday, December 3, 1942. The purpose of this meeting was to take up business which would ordinarily have been discussed at regular meeting on Tuesday, December 1, 1942, which meeting was not held because of the lack of a quorum.

Mayor Whitley in the Chair; Commissioners Bell, Cray, Mayes and Phillips present.

The Minutes of the meetings of November 17th and 20th were read and approved.

City Attorney read the following report on his findings in connection with the death of the Gazlay horse.

"December 3, 1942

The Honorables,
The Mayor and City Commission,
Coral Gables, Florida.

Gentlemen:

In re: Gazlay horse

Pursuant to your recent instructions I proceeded to make an investigation of the above captioned matter.

Mr. Gazlay employed Paul C. Taylor, Esq. as an attorney to represent him. Under those circumstances I had no conferences with Mr. Gazlay but did talk to his attorney on two occasions.

I found the following to be the facts:

1. The red squill which was used in the Rodent Control Campaign was prepared by the Rodent Control Division of the Dade County Health Department.
2. The "baits" definitely were impregnated with red squill and no other poison was used.
3. The baits were put out by the Rodent Control Division of the Dade County Health Department which actually placed the baits or directed their placing.
4. No baits were placed inside the enclosures but all were placed outside.

AAJ299

5. The work was handled for the Rodent Control Division by Mr. Jordan; Mr. Brick of the Coral Gables Health Department merely "went along", as much for experience in this line antecedent his expected connection with the Dade County Health Department as for any other reason; any part taken by him in the proceedings was definitely under the direction and supervision of Mr. Jordan.

6. The baits were placed on Sept. 28, 1942; the horse which died, first became ill on Oct. 23, 1942, a period of 25 days; the amount of red squill bait placed outside of the enclosure did not exceed one half pound which leads to the following conclusions incident to this fact:

(a) The baits would not have existed for that period of time due to:

1. Putrefaction.
2. Being consumed or carried away by insect life and the like.
3. There was not sufficient red squill used to have brought about the death of the horse had it been deliberately placed in the manger with the horse's food and consumed by the horse.

I am advised by the Laboratory of the City of Miami that if a general and complete analysis of the contents of a horse's stomach were made the charge would run from \$50.00 to \$100.00; that if an analysis for a specific toxic element such as red squill, the charge would be \$10.00. No analysis of any kind was submitted. I make mention of this purely as an incident which does not in any wise affect the above enumerated findings of fact.

I have, therefore, come to the firm conclusion that the City of Coral Gables is not responsible legally, morally, or otherwise for the death of the horse in question and that the fact that the horse died around or about the time the rat exterminating project was being furthered (if 25 days can be said to be 'around or about') was purely coincidental.

Very truly yours,

(Signed) Edward L. Semple
City Attorney "

City Manager reported that he and the City Attorney went to Jacksonville Monday and as the result received the promise of 2,000 bbls of cement for the Cocoplum Bridge, and that shipments would begin immediately.

City Manager brought up the matter of the issuing of Health cards and Barber and Beauty Culture permits, now that the Health Department

has been discontinued. By unanimous consent of the Commissioners it was decided to discontinue these activities temporarily.

Commissioner Mayes reported that an attempt was being made to get the office of the Ration Board for this area moved to Coral Gables and if it were done office space would have to be provided. City Manager stated that office space for this purpose could be made available on the third floor of the City Hall by reducing the rent to F.H.A. He further stated that the F.H.A. were now using only a small portion of this space and were asking for a reduction of rent.

Commissioner Cray brought up the subject of fire hazards in connection with the permitting of smoking in the local theatres. The City Manager was instructed to take the matter up with the Managers of the theatres.

City Attorney Semple reported that a client of his who lives on Salzedo Street near one of the apartments occupied by Embry-Riddle students, had complained to him about the loud noises and profane language of the men when the shifts were changed late at night. The City Manager was instructed to write the Army authorities requesting that this be prohibited.

RESOLUTION NO. 2282

A RESOLUTION APPOINTING
EDWARD L. SEMPLE ACTING
MUNICIPAL JUDGE.

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

That Edward L. Semple be and he hereby is appointed Acting Municipal Judge during such time or times as Municipal Judge C. S. Robertson may be absent from the City or absent from his office due to illness.

was introduced and read.

Motion for adoption by Commissioner Cray, seconded by Commissioner Bell, the resolution was adopted by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

There being no further business, the meeting was adjourned.

ATTEST:

H. B. Jackson
CITY CLERK, H. B. Jackson

APPROVED:

MAYOR

12/3/42

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON DECEMBER 15, 1942

The Commission of The City of Coral Gables convened in regular session in the City Hall at 5 o'clock P.M. on Tuesday, December 15, 1942.

Mayor Whitley in the chair; Commissioners Bell, Cray, Mayes and Phillips present.

The minutes of the meeting of December 3, 1942 were read and approved.

ORDINANCE NO. 425

AN ORDINANCE REQUIRING CERTAIN MASKING OF MOTOR VEHICLE HEADLIGHTS DURING HOURS OF DARKNESS; DEFINING HOURS OF DARKNESS; PROVIDING FOR MAXIMUM SPEED LIMIT WITHIN THE CITY OF CORAL GABLES DURING SUCH HOURS; FIXING PENALTIES FOR VIOLATION HEREOF; AND DECLARING THIS TO BE AN EMERGENCY MEASURE.

was read by title on first reading. Motion by Commissioner Cray that the requirement for reading on two separate days be dispensed with and that the ordinance be placed on second reading at once. Motion was seconded by Commissioner Mayes and carried by the following roll call.

"Yes" - Commissioners Bell
Cray
Mayes
Phillips
Mayor Whitley

Thereupon the ordinance was read again in full. Motion for adoption of the ordinance by Commissioner Cray, seconded by Commissioner Mayes, the ordinance was adopted by the following roll call.

"Yes" - Commissioners Bell
Cray
Mayes
Phillips
Mayor Whitley

Mayor Whitley then declared the ordinance adopted and approved and ordered its publication as number 425.

City Attorney Semple gave a brief report on the meeting of the Florida League of Municipalities at Jacksonville, December 9th and 10th. He stated that the resolution sponsored by The City of Coral Gables,

requiring the Federal Government to continue to pay taxes on properties purchased for military purposes was passed without opposition and that all legislative recommendations were agreeable to the City's representatives.

The City Manager reported that in order to hide some of the unsightly vacant lots in the business section, he was experimenting, as to cost, on 156 feet on Coral Way, by planting a hedge several feet from the sidewalk and planting grass between. The idea was approved by unanimous consent of the Commission, with instructions, provided the cost is not too great, to beautify such other lots as deemed necessary.

The City Manager advised that the City had been requested by a Mr. Donohue to endorse a style show and material display to be put on by the Intercontinental Textile Clinic at the Coral Gables Country Club, in February. The request was denied.

RESOLUTION NO. 2283

A RESOLUTION APPROPRIATING THE SUM OF \$4,847.70 FOR THE PURPOSE OF ADJUSTING SALARIES AND WAGES OF THE CITY EMPLOYEES FOR THE PERIOD COMMENCING JULY 1 AND ENDING DECEMBER 31, 1942.

WHEREAS, The cost of housing and necessities of life have risen due to conditions of war and resulting scarcity of commodities, and personnel, and it is deemed advisable by this Commission to assist the City's employees in these circumstances, but further continuous advance of salaries at this time is not justified by existing conditions or expectations, and the Commission considers that such assistance can best be given, for the interests of taxpayers and employees alike, by adjustment payments when the making of such payments is found to be possible; and,

WHEREAS, The City Manager and Director of Finance have made certain recommendations to the Commission for such an adjustment payment at this time, stating that in their judgment such action will not materially affect the financial position of the City.

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

That the sum of \$4,847.70 be and the same is hereby appropriated from the contingent fund and/or previously unanticipated and unappropriated revenues to the various salary accounts of the City departments and properties, for the purpose of paying to all regular employees of the City, now on active status, sums equal to 1/48 of their respective present annual salaries or wages, provided, however, that such employees who have not been in the service of the City continuously since July 1, 1942 shall be paid an amount, on the above basis, proportionate to their length of service.

was introduced and read.

Motion for its adoption by Commissioner Bell,
seconded by Commissioner Mayes, the resolution was adopted by the
following roll call.

"Yes" - Commissioners Bell
Cray
Mayes
Phillips
Mayor Whitley

There being no further business the meeting was
adjourned.

APPROVED:

ATTEST:



MAYOR

CITY CLERK
H. B. Jackson

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION
ON DECEMBER 21, 1942

Pursuant to call of the Mayor and with the unanimous consent of the Commissioners, a special meeting of the City Commission was held on December 21, 1942.

Mayor Whitley in the chair; Commissioners Cray, Mayes and Phillips present. Commissioner Bell absent. Also present at the meeting, at the request of the Mayor, were eleven representative citizens and taxpayers of the City.

The Mayor explained to the meeting that the purpose in calling it was to discuss the proposition of the loss of revenue through taxes suffered by the City through the acquisition of the Biltmore Hotel and Golf Course by the United States Army; that because of the fact that the Army owned the land, commencing with the year 1943, would be exempted under existing laws from taxation.

City Manager Shaw explained that prior to this time, Finance Director Jackson and City Attorney Semple had appeared before the War Conference of the Florida League of Municipalities in Jacksonville on December 9 and 10, 1942, at which time they had requested the adoption of a resolution by the League urging the adoption by the Congress of the United States of a bill which generally would provide that properties taken for military purpose be subject to taxation in view of the fact that the benefits to be derived from such use would accrue to the whole nation; that to make one small political unit or subdivision bear the full burden would in most cases work an unbearable hardship; that the League not only adopted the resolution but that it also made the matter a part of its legislative program for suitable action by the Florida Legislature at its coming session.

There was a general discussion in which most of those present took part and the consensus of opinion was that the City should do everything in its power to have proper legislation adopted by the Congress of the United States.

AAJ299

Fund and/or previously unanticipated and unappropriated revenues to Appropriation Code 1890-8.5 and authorized to be paid to E.L. Semple for attorney fees in the successful appeal in the Supreme Court of the Bechard and Drawdy ouster suits.

was introduced and read.

Motion for adoption by Commissioner Phillips, seconded by Commissioner Mayes, the resolution was passed by the following roll call.

"Yes" - Commissioner Cray
 Mayes
 Phillips
"No" - Mayor Whitley
 Commissioner Bell absent.

In casting his vote Mayor Whitley stated that in his opinion the amount was too small for so important a case and that he would not consider an amount less than Twenty-Five Hundred Dollars (\$2,500.00).

RESOLUTION NO. 2286

A RESOLUTION APPROPRIATING ONE HUNDRED EIGHTY FOUR DOLLARS (\$184.00) FOR ADVERTISING IN MIAMI DAILY NEWS.

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

That the sum of \$184.00 be and the same is hereby appropriated from the Contingent Fund and/or unanticipated and unappropriated revenues, for the purpose of procuring an advertisement in the Miami Daily News Mail-Away edition of December 6, 1942.

was introduced and read.

Motion for its adoption by Commissioner Cray, seconded by Commissioner Mayes. The motion was passed by the following roll call.

"Yes" - Commissioner Cray
 Mayes
 Phillips
 Mayor Whitley
 Commissioner Bell absent

There being no further business, the meeting was adjourned.

APPROVED:

ATTEST:

H. B. Jackson
CITY CLERK
H. B. Jackson

MAYOR

AAJ299

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION
ON JANUARY 2, 1943

Pursuant to call of the Mayor, and with the unanimous consent of the Commission, of whom there were present, Mayor Whitley, Commissioners Bell, Cray, Mayes and Phillips, a special meeting was held in the City Hall on January 2, 1943, at which were present all of the members of the committee appointed by the Mayor at the meeting of December 21st, and in addition, some fifteen other responsible taxpayers and citizens. Charles F. Baldwin had arranged to have Senator Pepper present to discuss the various problems confronting the City of Coral Gables.

The situation with regard to the loss of revenue by virtue of the Biltmore properties being taken over by the Army was fully explained to Senator Pepper as was the situation with regard to the desirability of continuing to use the Golf Course, if not during the War, at least after the War. Senator Pepper appeared to be very sympathetic with the City and stated that he believed that the position of the City with regard to the loss of revenue was well taken.

Mr. Emmet Choate, an attorney and a member of the Board of Directors of the Biltmore Country Club, outlined to Senator Pepper the plan which a private group had formed for the purpose of leasing the Golf Course for \$10,000.00 a year in order that the course might be open to civilians as well as to the members of the military. There was some discussion with regard to this and Senator Pepper suggested to Mr. Choate that he and his committee proceed through the military channel as they had started to do, and stated that he would lend them every assistance possible.

Senator Pepper advised the meeting that he would look forward to seeing City Manager Shaw and City Attorney Semple on their contemplated visit to Washington at which time he would put them in touch with the proper parties and not only with reference to the

taxation matter but also with reference to obtaining a permit for the use of the four newly acquired buses for a greater mileage per month than is now allowed.

He asked that statistics on the proposition of the loss of taxation through the loss of the Biltmore be delivered to him in Washington and copy of the resolution adopted by the Florida League of Municipalities at its War Conference, and also any suggestions as to the form of a bill to be adopted by both Houses of Congress for the purpose of relieving the situation caused by the loss of taxes.

The Mayor expressed the appreciation of the City to Senator Pepper for his expressed sympathy and cooperation and to Mr. Baldwin for having arranged to and having produced Senator Pepper at the meeting.

There being no further business the meeting, upon motion, was duly adjourned.

APPROVED:

ATTEST:

Mayor

City Clerk
H. B. Jackson

AAJ299

MINUTES OF MEETING OF THE CITY COMMISSION
ON JANUARY 5, 1943

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock P.M. Tuesday, January 5, 1943.

Mayor Whitley in the chair; Commissioners Bell, Cray and Mayes present. Commissioner Phillips absent.

Minutes of December 15, 1942 were read and adopted.

Captain Walters of the Florida Transportation Co. appeared before the Commission to ask permission to operate three seven passenger automobiles from Coral Gables to Hialeah, stating that he had permits from the Office of Defense Transportation for this operation. The City Manager was instructed to check with the Office of Defense Transportation and if approved, to issue taxi license for these cars.

Captain Walters further requested permission to operate a bus from South Miami through Coral Gables, for the purpose of carrying workers to and from work at Intercontinent Aircraft Corp., Eastern Airline and Pan American Airways. The matter was referred to the City Manager to be reported at a later meeting.

City Manager reported that the cost of hedge screen on the 156 feet on Coral Way was \$1.00 per foot, labor included and \$.20 cents per foot exclusive of labor. He advised that all vacant lots on Ponce de Leon Blvd. from Sidonia Avenue to Sevilla Avenue and on Coral Way from Douglas Road to LeJeune Road could be screened for approximately \$1,000.00 if the work is done during slack periods with the City's regular labor crews. The Mayor advised that in his opinion that would be the best \$1,000.00 the City ever spent. On unanimous consent of the Commission the City Manager was instructed to continue the work and when that was finished to screen some of the unsightly side streets in the business section.

City Manager reported that Mr. Denman Fink had approached him with the idea of painting a portrait of George Merrick to hang in the

City Hall instead of the plaque previously authorized, which he agreed to do for \$500.00. After some discussion it was decided that under present conditions it was more advisable to procure the plaque at a cost of approximately \$50.00

The City Manager discussed with the Commission, the idea of closing the City offices to the public at 2 P.M. instead of 5 P.M., as a war measure, to enable the clerks to keep the book work up to date each day. Permission was granted to try this out and report the results at the next meeting.

City Attorney Semple filed with the Commission a written opinion on:

1. Request of Playdium for a license for beer and light wines.
2. The prospective or possible prohibition of sale of bottled cocktails and highballs by persons operating under a beer and wine license.
3. Question of Sunday merchandising.

which was read and discussed.

ORDINANCE

AN ORDINANCE PROHIBITING THE OBSTRUCTION OF INGRESS AND EGRESS FACILITIES IN BUILDINGS OF PUBLIC ASSEMBLY IN THE CITY OF CORAL GABLES, FLORIDA; PROHIBITING SMOKING IN PUBLIC BUILDINGS EXCEPT AS HEREIN PROVIDED; PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; REPEALING ALL LAWS IN CONFLICT; DECLARING AN EMERGENCY TO EXIST; AND PROVIDING PENALTIES FOR VIOLATION OF THE TERMS HEREOF.

was read on first reading. No action was taken.

ORDINANCE NO. 426

AN ORDINANCE CREATING AN EQUIPMENT REPLACEMENT FUND; DESIGNATING CERTAIN RECEIPTS OF THE CITY FOR ALLOCATION TO SAID FUND AND PRESCRIBING THE PURPOSES FOR WHICH ANY MONIES CONTAINED THEREIN MAY BE EXPENDED; TRANSFERRING TO SAID FUND CERTAIN EXISTING BALANCES IN OTHER FUNDS; AND AUTHORIZING THE INVESTMENT OF SAID MONIES.

was read by title on first reading.

Motion by Commissioner Mayes that the requirement for reading

on two separate days be dispensed with and that the ordinance be placed on second reading at once. Motion was seconded by Commissioner Bell and carried by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Mayor Whitley
Commissioner Phillips absent.

Thereupon the ordinance was read again in full. Motion for adoption by Commissioner Mayes, seconded by Commissioner Bell, the ordinance was passed by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Mayor Whitley
Commissioner Phillips absent.

Mayor Whitley then declared the ordinance adopted and approved and ordered its publication as No. 426.

RESOLUTION NO. 2287

A RESOLUTION APPROPRIATING \$100 FOR THE PAYMENT OF A CERTAIN PERSONAL INJURY CLAIM.

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

That the sum of \$100 be and the same is hereby appropriated from the contingent fund and/or previously unappropriated and unanticipated revenues for the purpose of paying to Miss Patricia Eggers the said amount in full satisfaction of any and all claims of whatsoever nature arising out of injury resulting from stepping into a depression in the parkway on Hardee Road caused by the removal of a parkway tree.

was introduced and read.

Motion for its adoption by Commissioner Mayes, seconded by Commissioner Cray, the resolution was passed by the following roll call.


"Yes" - Commissioner Bell
Cray
Mayes
Mayor Whitley
Commissioner Phillips absent.

There being no further business the meeting was adjourned.

APPROVED:

ATTEST:

Mayor


H. B. Jackson
City Clerk
H. B. Jackson

MINUTES OF MEETING OF THE CITY COMMISSION
ON JANUARY 14, 1943

Pursuant to call of special meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 5:00 o'clock P.M. on January 14, 1943.

Mayor Whitley in the chair; Commissioners Cray, Mayes and Phillips present. Commissioner Bell absent.

Mr. Hunter Lyon appeared before the Commission to ask permission to remove garbage and/or slop suitable for hog feed from the United States Army Hospital (Biltmore Hotel) for a trial period without license. He stated that he had a large number of hogs on his farm which are starving because he is unable to obtain feed, and that he was perfectly willing to purchase the required license if a sufficient quantity of feed could be obtained to justify the cost. He further stated that at the present time all the larger places in the City are contracted for by a City employee, and insinuated that this man was using his position in obtaining these contracts.

RESOLUTION 2288

A RESOLUTION PERMITTING HUNTER LYON
TO REMOVE GARBAGE FROM UNITED STATES
ARMY HOSPITAL FROM DATE TO FEBRUARY
1, 1943 WITHOUT LICENSE.

WHEREAS, Hunter Lyon has a large number of hogs, for which he is unable to obtain feed, and

WHEREAS, he states that he has permission from the proper Army authorities to remove garbage suitable for hog feed from the United States Army Hospital (Biltmore Hotel), and

WHEREAS, he agrees to purchase license as provided in Ordinance No. 263 if sufficient quantity is obtainable to justify the cost

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 issue a temporary permit to Hunter Lyon

MINUTES OF MEETING OF THE CITY COMMISSION
ON JANUARY 19, 1943

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:30 o'clock P.M. Tuesday, January 19, 1943.

Mayor Whitley in the chair; Commissioners Bell, Cray, Mayes and Phillips present.

Due to the lack of time the reading of the minutes was passed until next meeting.

Mayor Whitley surrendered the chair to Vice-Mayor Bell, and thereupon opened a discussion as to special fees for the City Attorney for the handling of certain important cases. Commissioners Mayes and Phillips expressed their disapproval of the practice, stating that in their opinion the City Attorney should be employed on an annual basis at a salary sufficient to cover all the City's litigation, and if the present salary was not sufficient they were willing to its being raised in next year's budget. After much discussion the following was introduced.

RESOLUTION NO. 2289

A RESOLUTION APPROPRIATING THE SUM OF FIFTEEN HUNDRED DOLLARS (\$1,500.00) FOR CERTAIN LEGAL SERVICES UNDER CERTAIN CONDITIONS.

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

WHEREAS, City Attorney E. L. Semple has agreed to handle the case of Rellim Investment Co. vs The City of Coral Gables for a special fee of \$1,500.00 plus travel expenses, and that said special fee shall be the total fee for all work performed, or to be performed in any appeal or appeals in said case, and has agreed that the sum of \$750.00 be withheld until the final conclusion of said case; and

WHEREAS, the said City Attorney agrees that he will not ask for any further special fee in the cases of Bechard and Drawdy vs The City of Coral Gables or any other cases during the fiscal year 1942-1943,

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

That the sum of \$1,500.00 be and the same is hereby appropriated from the contingent fund and/or previously un-anticipated and unappropriated revenues, for the purpose of

providing special legal fees in the case of Rellim Investment Co. vs The City of Coral Gables, said appropriation being subject to the following terms and conditions:

1. The Director of Finance and City Manager be and they are hereby authorized to pay to E. L. Semple the sum of \$750.00 at once; and
2. The Director of Finance and City Manager be and they are hereby authorized to pay E. L. Semple the sum of \$750.00 upon the final conclusion of the litigation, including the performance of all necessary services by him in the said case.

was introduced and read.

Motion for its adoption by Commissioner Mayes, seconded by Commissioner Bell, the motion was adopted by the following roll call.

"Yes" - Commissioner Bell
 Cray
 Mayes
 Phillips
 Mayor Whitley

The Commission, by unanimous vote, agreed that it would recommend to the next commission and succeeding commissions, that in the future the salary or compensation of the City Attorney be fixed at a definite sum which would afford adequate compensation for the amount and the importance of the work of that office; that the compensation be in full for all services performed by the City Attorney of whatsoever nature and that no additional compensation be allowed the City Attorney for special services.

Mayor Whitley advised that a Mrs. Williams had called him about so many birds being killed near Douglas Entrance, and that he believed owls and/or hawks were the cause. The City Manager was requested to have this investigated to see if they were roosting in the tower.

City Manager asked the Commission their wishes as to the enforcement of Ordinance No. 263, with reference to the collection of garbage by private individuals. He was instructed to enforce the ordinance.

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MINUTES OF MEETING OF THE CITY COMMISSIONERS
CITY OF CORAL GABLES
JANUARY 2, 1943

The Director of Finance reported that during the absence of the City Manager the previous week, two Washington representatives of the Federal Housing Administration, together with Mr. Burk, the local manager, called upon him, in regard to the reduction of the rent for the third floor of the City Hall. They stated that at the present time there was very little activity in this department - they had only nine employees - and that they could not justify \$3,000.00 rent for that number. They agreed to allow the City to discontinue the elevator service and to use a part of the floor space if needed, in return for the rent reduction to \$1,600.00 per annum. They further agreed to increase the rent when and if activities justified the increase of personnel. The City Manager was instructed to adjust the rent to that amount and sign a lease from February 1, 1943 to June 30, 1944.

There being no further business, the meeting was adjourned.

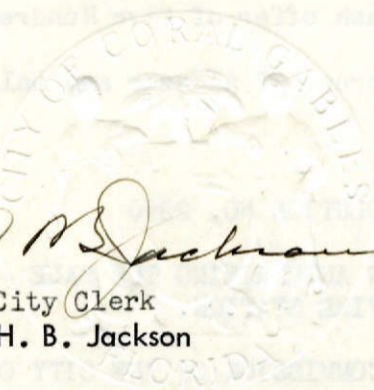
APPROVED:

ATTEST:

Mayor



City Clerk
H. B. Jackson



MINUTES OF MEETING OF THE CITY COMMISSION
ON FEBRUARY 2, 1943

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock P.M. on Tuesday, February 2, 1943.

Mayor Whitley in the chair; Commissioners Bell, Cray, Mayes and Phillips present.

Mr. L. C. Shepard representing Deigaard & Preston, and Mr. W.O. Raymond, appeared before the Commission to protest against the use of the lot at the corner of Giralda Avenue and Salzedo Street, for the collection of scrap by the Block Busters, and, also, to request that Giralda Avenue be beautified.

City Manager advised that he had previously discussed this with Mr. Deigaard and had assured him that another location would be found for the boys.

Mr. Harry Morgenthaler, representing Coral Gables Post #98 of The American Legion, appeared and made a cash offer of Five Hundred Dollars (\$500.00) for the old fire station at the corner of Alcazar and Salzedo.

RESOLUTION NO. 2290

A RESOLUTION AUTHORIZING THE SALE
OF THE OLD FIRE STATION.

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

That the City sell to the Coral Gables Post #98 of The American Legion, the property owned by the City and located on the southwest corner of the intersection of Alcazar Avenue and Salzedo Street, being Lots 23 and 24, Block 26, Section "K", Coral Gables, at and for the sum of \$500.00 in cash, which sum is to be net to the City; the deed to contain the following exceptions:

1. Property is conveyed subject to zoning ordinance of The City of Coral Gables.
2. Property is conveyed subject to restrictions and limitations of record.
3. The deed shall contain a reverter clause similar to that contained in the deed by which the City previously conveyed the present American Legion Home to Post 98.
4. The property is conveyed subject to the occupation of the W. P. A.

- 5. The property is conveyed subject to any encroachments upon adjoining or contiguous property.

That the City is to undergo no expense in connection with this transaction either for stamps, abstract continuation or otherwise.

That the Mayor and the City Clerk are hereby authorized and instructed to execute, on behalf of the City, a Warranty Deed of conveyance containing the above and foregoing exceptions.

was introduced and read.

Motion for its adoption by Commissioner Mayes, seconded by Commissioner Cray, the resolution was passed by the following roll call.

"Yes" - Commissioner Cray
 Bell
 Mayes
 Phillips
 Mayor Whitley

RESOLUTION NO. 2291

A RESOLUTION APPROPRIATING THE SUM OF \$750.00 TO M.B. GARRIS TO COVER THE COST OF MAKING A TOPOGRAPHIC SURVEY OF CERTAIN SECTIONS OF CORAL GABLES

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

That the sum of \$750.00 be and the same is hereby appropriated from the Contingent Fund and/or previously unanticipated and unappropriated revenue, for the purpose of employing M. B. Garris to make a topographic survey of Craft Section, Sections "K" and "L" and the southern portion of Douglas Section, to establish drains for future sanitary sewers and to determine areas needing additional storm drains.

was introduced and read.

Motion for its adoption by Commissioner Mayes, seconded by Commissioner Cray, the resolution was passed by the following roll call.

"Yes" - Commissioner Cray
 Bell
 Mayes
 Phillips
 Mayor Whitley

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RESOLUTION NO. 2292

A RESOLUTION APPROPRIATING \$750.00 TO M. B. GARRIS TO COVER THE COST OF DESIGNING COCOPLUM BRIDGE.

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

That the sum of \$750.00 be and the same is hereby appropriated from the Contingent Fund and/or previously un-anticipated and unappropriated revenue, to be paid to M.B. Garris for designing, making blue prints and other work in connection with the plans for Cocoplum Bridge.

was introduced and read.

Motion for its adoption by Commissioner Bell, seconded by Commissioner Phillips, the resolution was adopted by the following roll call.

"Yes" - Commissioner Cray
Bell
Mayes
Phillips
Mayor Whitley

There being no further business, the meeting was adjourned.

APPROVED:

ATTEST:

H. B. Jackson

City Clerk
H. B. Jackson

Mayor

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION
ON FEBRUARY 10, 1943

Pursuant to call of special meeting by Mayor Whitley, and
unanimous consent of the Commissioners, the Commission of The City of
Coral Gables convened in special session at the City Hall at 5:00 o'clock P.M.
on February 10, 1943.

Mayor Whitley in the chair; Commissioners Bell, Cray and
Mayes present. Commissioner Phillips absent.

Minutes of the meetings of December 21, 1942, January 2,
5, and 14, 1943 were read and approved.

City Manager explained that the purpose of this meeting was
to discuss what newspaper advertising was necessary in connection with the
coming election. After much discussion it was decided to take no action
until next meeting when all commissioners would be present.

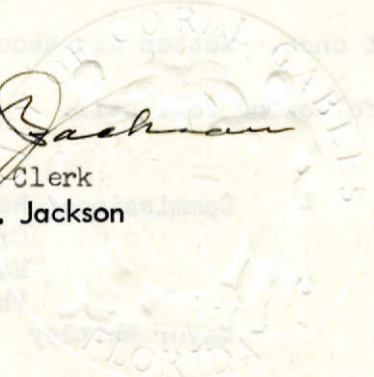
There being no further business, the meeting was
adjourned.

APPROVED:

ATTEST:

Mayor

H. B. Jackson
City Clerk
H. B. Jackson



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[Signature]
2/10/43

MINUTES OF MEETING OF THE CITY COMMISSION
ON FEBRUARY 16, 1943

The Commission of The City of Coral Gables convened in regular session at the City Hall at 5:00 o'clock P.M. on Tuesday, February 16, 1943.

Mayor Whitley in the chair; Commissioners Bell, Cray, Mayes and Phillips present.

ORDINANCE NO. 427

AN ORDINANCE PERTAINING TO SCREENOUT, BLACKOUT AND AIR-RAID REGULATION; DEFINING TERMS; PRESCRIBING REGULATIONS FOR ALL LIGHT IN THE CITY OF CORAL GABLES AND UPON VEHICLES SITUATE THEREIN; PRESCRIBING REGULATIONS FOR OUTDOOR FIRES AND REQUIRING PERMISSION THEREFOR; GIVING THE DIRECTOR OF PUBLIC SAFETY AUTHORITY TO APPOINT SPECIAL POLICEMEN AND ESTABLISH MILITARY AND UNSAFE ZONES; DEFINING THE POWER AND MEANS OF IDENTIFICATION OF SPECIAL POLICEMEN; EXEMPTING THE CITY AND INDIVIDUALS FROM CERTAIN POSSIBLE LIABILITIES; PERMITTING AUTHORIZED PERSONS TO ENTER PREMISES TO EXTINGUISH PROHIBITED LIGHTS; PRESCRIBING MOVEMENTS AND REGULATIONS FOR VEHICLES AND PEDESTRIAN TRAFFIC AND EXCEPTIONS THERETO; REQUIRING ALL PERSONS TO SEEK SHELTER DURING BLACK-OUTS AND AIR-RAID ALARMS; PROHIBITING UNAUTHORIZED USE OF CERTAIN UNIFORMS, INSIGNIA, IDENTIFICATION CARDS, OR MISREPRESENTATION OF AUTHORITY; PRESCRIBING A PENALTY AND PERMISSIVE VOLUNTARY PAYMENTS OF FINES FOR THE VIOLATION OF SAID ORDINANCE; DECLARING THIS TO BE AN EMERGENCY MEASURE; REPEALING ALL ORDINANCES INCONSISTENT HEREWITH; AND DISPENSING WITH THE READING OF THIS ORDINANCE ON TWO SEPARATE DAYS BY A FOUR-FIFTHS VOTE OF THE MEMBERS OF THE COMMISSION.

was read by title on first reading. Motion by Commissioner Cray that the requirement for the reading on two separate days be dispensed with and that the ordinance be placed on second reading at once. Motion was seconded by Commissioner Mayes and was carried by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

Thereupon Mayor Whitley declared the ordinance adopted and approved and ordered its publication as number 427.

ORDINANCE NO. 428

AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. 59 OF THE CITY OF CORAL GABLES ENTITLED: "AN ORDINANCE PROVIDING FOR THE REGISTRATION OF ELECTORS AND THE CONDUCT OF MUNICIPAL ELECTIONS" SO AS TO PROVIDE FOR CONTINUOUS REGISTRATION OF ELECTORS EXCEPT DURING CERTAIN PERIODS BEFORE ELECTIONS; AND REPEALING SECTION ONE OF ORDINANCE NO. 160, PREVIOUSLY AMENDATORY THERETO.

was read by title on first reading.

RESOLUTION NO. 2293

A RESOLUTION APPROPRIATING THE SUM OF \$300 FOR CERTAIN ELECTION ADVERTISING

WHEREAS, the date of the general City election has been changed to the second Tuesday in April, and citizens are accustomed to election processes in connection with a June election, and it is deemed advisable to fully acquaint citizens with this new situation,

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

That the sum of \$300 be and the same is hereby appropriated from the contingent fund and/or previously unappropriated and unanticipated revenues for the purpose of placing in the Coral Gables Riviera three (3) one-half page advertisements announcing new registration and election dates and other changes of election routine, two of such advertisements to be devoted to registration to appear on February 26th and March 5th, and the third such advertisement to be an announcement of the election to appear on April 9, the Coral Gables Riviera to assure complete coverage of all citizens by delivering extra copies of these issues to homes and buildings not on its regular circulation list.

was introduced and read.

Motion for its adoption by Commissioner Mayes, seconded by Commissioner Bell, the resolution was adopted by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

RESOLUTION NO. 2294

A RESOLUTION COMMENDING THE CONDUCT AND ACHIEVEMENTS OF THE AERIAL NAVIGATION SCHOOL AT THE UNIVERSITY OF MIAMI, AND EXPRESSING THE PLEASURE OF THE COMMISSION AT THE PRESENCE IN CORAL GABLES OF THE OFFICERS AND MEN OF SAID SCHOOL.

WHEREAS, during the some thirty months of existence of the

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Army Air Forces Navigation School at the University of Miami, Captain Frederick R. Merritt, and the officers and men of the many classes of our own and R.A.F. cadets, have conducted themselves in such exemplary manner as to merit and receive the respect and affection of the community, and

WHEREAS, we understand that the great majority of the men graduated from this school have gone into active service at once, have rendered outstanding service to the cause of the United Nations, have suffered many casualties, and that more than sixty of them have been cited for exceptional conduct in action,

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

That this Commission hereby expresses to the officers and men of the Army Air Forces Navigation School at the University of Miami, and particularly to Frederick R. Merritt, Captain Air Corps, in command, its pleasure at having in Coral Gables such a splendid war activity, its appreciation of the fine civic attitude of the officers and men, past and present, both British and American, its admiration of their conduct and high character, and its pride in their achievements, and

BE IT FURTHER RESOLVED, that the City Clerk be instructed to send a copy of this resolution to Captain Frederick R. Merritt, and to his commanding officer.

was introduced and read.

Motion for its adoption by Commissioner Phillips, seconded by Commissioner Cray, the resolution was adopted by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

There being no further business, the meeting was adjourned.

APPROVED:

ATTEST:

Mayor

H. B. Jackson
City Clerk
H. B. Jackson

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION
ON MARCH 4, 1943

Pursuant to call of special meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables, convened in special session at the City Hall at 5:00 o'clock P.M. on Thursday, March 4, 1943. The purpose of the meeting was to take up business which ordinarily would have been discussed at the regular meeting on Tuesday, March 2, 1943, which had been postponed.

Mayor Whitley in the chair; Commissioners Bell, Cray, Mayes and Phillips present.

Minutes of February 2, 10 and 16, 1943 were read and approved.

RESOLUTION NO. 2295

A RESOLUTION APPROPRIATING CERTAIN AMOUNTS TO VARIOUS CITY DEPARTMENTS AND PROPERTIES TO ENABLE SALARY AND WAGE INCREASES.

WHEREAS, living costs and wage scales have advanced due to war conditions, and the City is having great difficulty in securing and keeping competent labor and help, due to higher wage scales paid by private businesses, and

WHEREAS, a schedule of proposed increases, in which an attempt has been made to adjust and equalize compensation in accordance with services rendered, and in line with salary and wage levels of neighboring cities, has been submitted by the City Manager and Director of Finance to the Commission and has been approved.

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

- 1. That the following unneeded balances be and the same are hereby returned to the Contingent Fund for the purpose of supporting other necessary appropriations therefrom:

	<u>CODE</u>	<u>AMOUNT</u>
City Commission	1800-1.1	\$ 90.00
City Manager	1810-1.1	1,015.00
Inspection	1815-1.1	1,261.00
City Hall	1820-1.1	448.00
Finance & Accounting	1830-1.1	1,130.00
Tax Assessor	1831-1.1	186.00
Streets	1845-1.1	3,000.00
Public Safety	1850-1.1	1,768.00
Salvadore Park	1861-1.1	660.00
News Bureau	1868	1,519.18
Golf Course	1881-1.2	310.00
		<u>\$ 11,387.18</u>

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2. The following amounts be and they hereby are appropriated from the Contingent Fund and/or previously unanticipated and unappropriated incomes and revenues, either of general or City properties, to the salary and wage appropriations of the departments named, and

The City Manager and Director of Finance be and they are hereby authorized to increase salary and wage accounts in accordance with schedule submitted.

	<u>CODE</u>	<u>AMOUNT</u>
Purchasing Agent	1832-1.1	\$ 101.00
Parks & Parkways	1840-1.2	6,103.00
Wastes & Garbage	1843-1.2	3,882.00
Streets	1845-1.2	1,633.00
Transportation	1880-1.1	2,662.00
"	1880-1.21	13,159.00
"	1880-1.22	1,200.00
Venetian Pool	1882-1.1	546.00
		<u>\$ 29,286.00</u>

was introduced and read.

Motion for its adoption by Commissioner Phillips, seconded by Commissioner Mayes, the resolution was passed by the following roll call.

"Yes" - Commissioner Bell
 Cray
 Mayes
 Phillips
 Mayor Whitley

ORDINANCE NO. 428

AN ORDINANCE AMENDING SECTION 6 OF ORDINANCE NO. 59 OF THE CITY OF CORAL GABLES ENTITLED: "AN ORDINANCE PROVIDING FOR THE REGISTRATION OF ELECTORS AND THE CONDUCT OF MUNICIPAL ELECTIONS", SO AS TO PROVIDE FOR CONTINUOUS REGISTRATION OF ELECTORS EXCEPT DURING CERTAIN PERIODS BEFORE ELECTIONS; AND REPEALING SECTION ONE OF ORDINANCE NO. 160, PREVIOUSLY AMENDATORY THERETO.

was read in full on second reading.

Motion for its adoption by Commissioner Bell, seconded by Commissioner Cray, the ordinance was passed by the following roll call.

"Yes" - Commissioner Bell
 Cray
 Mayes
 Phillips
 Mayor Whitley

Mayor Whitley then declared the ordinance adopted and approved and ordered its publication as Number 428.

RESOLUTION NO. 2296

RESOLUTION APPOINTING FRANKLIN F. BROOKS DEPUTY CITY CLERK

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

That Franklin F. Brooks be and he hereby is appointed Deputy City Clerk of The City of Coral Gables, to perform such duties of the City Clerk's office which may be required in the Municipal Court, said appointment filling the vacancy created by John Rosasco being transferred to another department.

was introduced and read.

Motion for its adoption by Commissioner Mayes, seconded by Commissioner Cray, the resolution was passed by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

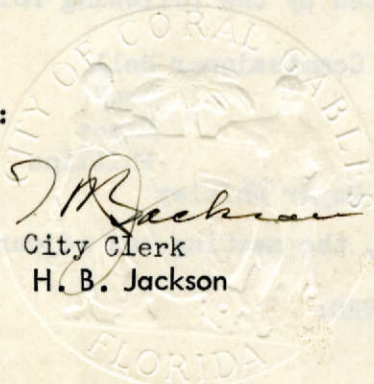
Commissioner Mayes advised that he had been requested to discuss with the Commission the matter of changing the name of Venetia Terrace to Venetia Avenue and Venetia Avenue, between Granada and Columbus Blvd., to Ortega Avenue so as to eliminate some confusion in locating street addresses. The City Manager was instructed to write the owners in the affected blocks asking their wishes in the matter.

Commissioner Mayes also brought up the matter of street lighting on Monterey Street, advising that there are twenty-six houses on this street and no street lights whatsoever. The matter was referred to the City Manager.

There being no further business, the meeting was adjourned.

APPROVED:

ATTEST:


H. B. Jackson
City Clerk

Mayor

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MINUTES OF MEETING OF THE CITY COMMISSION
ON MARCH 16, 1943

The Commission of The City of Coral Gables convened in regular session at 5:00 o'clock P.M. on Tuesday, March 16, 1943.

Mayor Whitley in the chair; Commissioner Bell, Cray, Mayes and Phillips present.

Minutes of meeting of March 4, 1943 were read and approved.

City Manager read a letter signed by a group of property owners on Venetia Avenue protesting against the changing of the name of that street.

City Manager, in reporting on street lighting on Monterey Street, introduced W. D. Fuller of the Florida Power & Light Company, who advised that due to priorities, wire of the type necessary for street lights could not be obtained.

RESOLUTION NO. 2297

A RESOLUTION APPOINTING A CLERK AND
INSPECTORS FOR THE ELECTION OF
APRIL 13, 1943.

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 April 13, 1943, in the capacities set opposite their names:

Lewis H. Fogle ✓	-	Clerk
R. J. Beaton		Inspector
E. G. Bishop ✓		Inspector
George Mugford, Sr. ✓		Inspector
H. R. Anderson		Inspector
Madeline Whitcher		Inspector
Joseph Blacker		Inspector
Don C. Westerfield ✓		Inspector
Ray Westcott ✓		Inspector
Wendell Sumner ✓		Inspector
William J. Tylee		Inspector

was introduced and read.

Motion for its adoption by Commissioner Bell, seconded by Commissioner Phillips, the resolution was adopted by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

There being no further business, the meeting was adjourned.

APPROVED:

ATTEST:

H. B. Jackson
City Clerk H. B. Jackson

Mayor

MINUTES OF SPECIAL MEETING OF CITY COMMISSION
ON MARCH 25, 1943

Pursuant to call of special meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 5:00 o'clock P.M. on March 25, 1943.

Mayor Whitley in the chair; Commissioners Cray, Mayes, Bell and Phillips present.

RESOLUTION NO. 2297 A

A RESOLUTION AUTHORIZING THE OPENING
AND MAINTAINING OF A RATION BANK ACCOUNT

RESOLVED, that a ration bank account, or accounts, as defined in General Ration Order No. 3, be opened and maintained in the name of this Corporation, to be known as "Ration Account, City of Coral Gables Fire and Jail Kitchen", with The Coral Gables First National Bank, which bank shall act as an agency of and under the direction and supervision of the Office of Price Administration and shall be responsible only to the Office of Price Administration; that any one of the following stewards

George W. Mugford
A. T. Kelley, Jr.

is hereby authorized, on behalf of this Corporation, and in its name; To sign ration checks as defined in said Order; to indorse ration checks, or other ration evidences, owned, or held by this Corporation, for deposit in said account: and

FURTHER RESOLVED, that the City Clerk shall certify to said Bank and the Office of Price Administration the names of such officers and employees at present, and shall from time to time hereafter, as changes in the personnel are made, immediately certify such changes to the bank and the Office of Price Administration; and

FURTHER RESOLVED, that The Coral Gables First National Bank be and it hereby is authorized to receive and honor all ration checks signed in accordance with the foregoing resolution and such certification by the City Clerk; and

FURTHER RESOLVED, that the foregoing resolution shall remain in full force and effect until written notice of their amendment or rescission shall have been received by said Bank, and

FURTHER RESOLVED, that the foregoing authorization and resolutions shall apply to any and all ration bank accounts which this Corporation now is or may at any future time be required or authorized by the Office of Price Administration to open or maintain, without further authorization from this Board of Commissioners; and

FURTHER RESOLVED, that the City Clerk be, and he is hereby authorized and directed to certify to said Coral Gables First National Bank and to the Office of Price Administration the foregoing resolution and that the provisions thereof are in conformity with the Charter of this Corporation.

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was introduced and read.

Motion for adoption by Commissioner Cray; seconded by Commissioner Phillips, the resolution was adopted by the following roll call.

"Yes"	-	Commissioner Bell
		Cray
		Mayes
		Phillips
		Mayor Whitley

There being no further business, the meeting was adjourned.

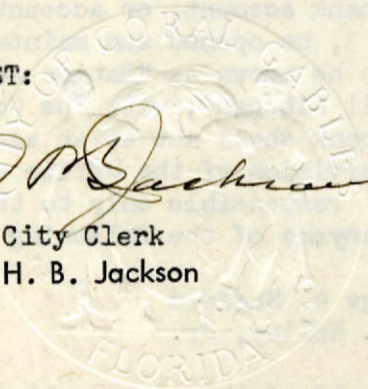
APPROVED:

ATTEST:

H. B. Jackson

City Clerk
H. B. Jackson

Mayor



MINUTES OF MEETING OF THE CITY COMMISSION
ON APRIL 6, 1943

The Commission of The City of Coral Gables convened in regular session at 5:00 o'clock P.M. on Tuesday, April 6, 1943.

Mayor Whitley in the chair; Commissioners Bell, Cray and Mayes present. Commissioner Phillips absent.

Minutes of the meetings of March 16 and 25, 1943 were read and approved.

Mr. George W. T. Snare appeared before the Commission and presented a copy of a letter he had written to Governor Spessard L. Holland regarding post-war developments in the Miami area, which was read.

Mr. Forrest J. Alvin, Managing Director of the Coral Gables Chamber of Commerce was introduced and made a brief talk, pledging his support to the City Administration and stressing the importance of post-war planning.

The City Manager discussed briefly the matter of handling and disposing of the properties acquired or to be acquired through tax foreclosures, stating that he had been approached by a representative of General Properties Inc. in this connection. The matter was referred to the City Manager and City Attorney to work out a plan to be submitted to the Commission.

RESOLUTION NO. 2298

A RESOLUTION APPROPRIATING THE SUM OF \$180.00
TO ASSIST THE LIBRARY IN MAKING CERTAIN SALARY
ADJUSTMENTS.

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

That the sum of \$180.00 be and the same is hereby appropriated from the Contingent Fund and/or unanticipated and unappropriated revenues, to the Coral Gables Library for the purpose of increasing salaries of its personnel.

was introduced and read.

Motion for its adoption by Commissioner Bell, seconded by Commissioner Cray, the motion was adopted by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Mayor Whitley
Commissioner Phillips absent.

RESOLUTION NO. 2299

A RESOLUTION WAIVING INTEREST ON SPECIAL
ASSESSMENT ON LOTS 19 & 20, BLOCK 223,
RIVIERA SECTION.

WHEREAS, A. E. Webber, owner of Lots 19 and 20, Block 223, Riviera Section, states that he purchased these lots between the dates of completion of the work and time special assessment was made and that he had no knowledge of this lien until recently when second notices were sent out, and

WHEREAS, he agrees to pay the face amount of this assessment in full at once if interest is waived.

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 instructed to accept in full payment the face amount of the Special Assessment Lien on Lots 19 and 20, Block 223, Riviera Section, and that the collection of interest in the amount of \$3.88 be waived.

was introduced and read.

Motion for its adoption by Commissioner Mayes, seconded by Commissioner Cray, the resolution was adopted by the following roll call.

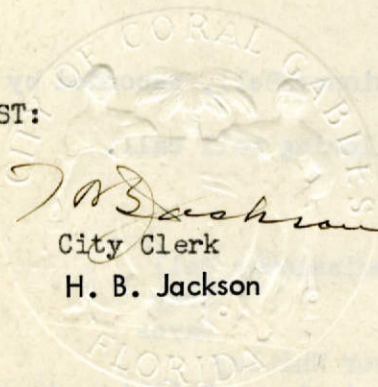
"Yes" - Commissioner Bell
Cray
Mayes
Mayor Whitley
Commissioner Phillips absent.

By unanimous vote of the Commission, the City Manager was instructed to give free transportation on the local bus lines, to all duly qualified electors going to and from the polling place, for the purpose of voting, on election day, April 13, 1943, between the hours of 10:00 o'clock A.M. and 3:00 o'clock P.M.

There being no further business the meeting was adjourned.

APPROVED:

ATTEST:



Mayor

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION
ON APRIL 15, 1943

Pursuant to call of special meeting by Mayor Whitley, and unanimous consent of the Commissioners, the Commission of The City of Coral Gables convened in special session at the City Hall at 5:00 o'clock P.M. on Thursday, April 15, 1943.

Mayor Whitley in the chair; Commissioners Bell, Cray, Phillips and Mayes present.

RESOLUTION NO. 2300

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 the requirement of written notice of special meeting for this date be and the same is hereby waived, and consent be and it is hereby given to the consideration and dispatch of any special business.

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by Commissioner Phillips, the resolution was adopted by the following roll call:

"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

City Clerk then presented to the Commission the return sheet and report of the Clerk and Inspectors of the General Municipal Election on Tuesday, April 13, 1943 showing a total of 1,997 votes cast in that election.

RESOLUTION NO. 2301

A RESOLUTION ACCEPTING THE RETURNS OF THE CLERK AND INSPECTORS OF THE GENERAL MUNICIPAL ELECTION OF APRIL 13, 1943 AND DECLARING THE RESULTS AS INDICATED THEREBY.

WHEREAS, the City Clerk, ex officio Supervisor of Registration, has submitted to the Commission, returns of the Clerk and Inspectors of the General Election of

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April 13, 1943 containing the oaths and certificates of said election officials and their sworn report of ballots cast in said election; and

WHEREAS, said return reports and certificates are fully and completely made in accordance with the law; and

WHEREAS, said certificates show the following results of the election

FOR COMMISSIONERS

<u>CANDIDATES</u>	<u>NO. OF VOTES</u>
Dennis A. Cray	1,084
Andrew N. Houston	1,468
W. Keith Phillips	1,410
Joe Whitley	1,342

FOR MAYOR

Thomas C. Mayes	1,006
Joe Whitley	957

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

That the Commission declares that the election was fairly and legally held, that the report of the Inspectors and Clerk is hereby accepted and approved, and the following are found to have been duly and legally elected at said election:

FOR COMMISSIONER FOR A PERIOD OF FOUR YEARS -
Messrs. Andrew N. Houston and W. Keith Phillips

FOR COMMISSIONER FOR A PERIOD OF TWO YEARS -
Mr. Joe Whitley

FOR MAYOR FOR A PERIOD OF TWO YEARS -
Mr. Thomas C. Mayes

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

Mayor Whitley surrendered the gavel to Commissioner Thomas C. Mayes and moved the adoption of the resolution. Motion was seconded by Commissioner Bell and was adopted by the following roll call.

"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

City Manager reported that Mrs. Renfree had requested permission to open a beauty parlor in the residence located at 2213 Red Road. The matter was referred to the Zoning Board.

The City Manager advised the Commission that a bill had been introduced in the Florida Legislature known as "House Bill No. 39" which classifies all cities according to their population. He further advised that he and the City Attorney have made a thorough study of this bill and in their opinion it would be to a very great disadvantage to Coral Gables.

RESOLUTION NO. 2302

A RESOLUTION REQUESTING AND URGING THE DADE COUNTY DELEGATION IN THE 1943 LEGISLATURE TO PREVENT THE PASSAGE OF HOUSE BILL 39, INTENDED TO PROVIDE FOR A STATE WIDE UNIFORM SYSTEM OF MUNICIPAL GOVERNMENT.

WHEREAS, there has been introduced in the 1943 session of the Legislature a bill, known as House Bill 39, the purpose of which is to classify cities according to population and provide standard forms of organization and government for each population class, and also among other things to provide for the assessment and collection of municipal taxes by County assessors and collectors;

AND WHEREAS, this Commission after due consideration feels that the best interest of local communities can be served best by permitting each community to determine what form of organization and class of municipal government it shall follow, without being hampered by State limitation and control,

AND WHEREAS, the Commission is also unwilling to have the assessment and collection of its taxes taken out from under the immediate control of the officers and people of the City,

AND WHEREAS, the proposed House Bill 39 would bring state wide turmoil in municipal government by unseating duly elected and appointed officials and requiring new elections in November, at considerable expense and with interruption of municipal processes and functions, particularly during this time of stress when continuous and experienced municipal administration is most necessary.

AND WHEREAS, the Commission is of the opinion that previous Legislatures and the people generally have reconsidered the proposal for uniform and regimented municipal government since the adoption of the 1933 Amendment, and that this amendment would be repealed, if again submitted to referendum.

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

AAJ299

That this Commission requests and strongly urges the senator and representatives from Dade County to work diligently to prevent passage of House Bill 39, misleadingly entitled "Uniform Municipal Home Rule Act of 1943", and to use equal efforts to prevent the adoption of any other Act attempting to take away from local communities their present privilege to determine their form of organization and government and their democratic right to develop their communities along the lines best suited to their own particular needs and requirements.

AND BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the governing body of each municipality of the state of Florida, with the request that they carefully study House Bill 39 and other similar proposals, and advise their legislative delegations of their wishes in the matter.

was introduced and read.

Motion for adoption by Commissioner Bell, seconded by Commissioner Phillips, the resolution was adopted by the following roll call:


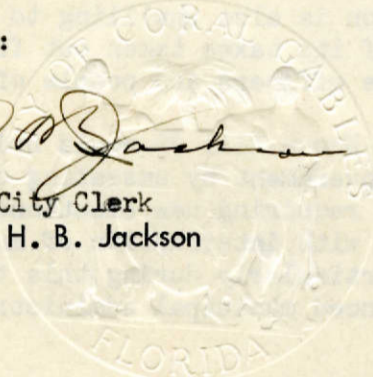
"Yes" - Commissioner Bell
Cray
Mayes
Phillips
Mayor Whitley

There being no further business, the meeting was adjourned.

APPROVED:

ATTEST:

Mayor


City Clerk
H. B. Jackson


MINUTES OF SPECIAL MEETING OF THE CITY COMMISSION
ON FRIDAY, APRIL 16, 1943

Pursuant to the requirements of the Charter, the Commission of The City of Coral Gables convened at 12:00 o'clock noon on April 16, 1943 at the City Hall, for the purpose of inducting into office the Mayor and Commissioners elected.

Mayor Whitley in the chair; Commissioners Bell, Cray, Mayes and Phillips present.


Invocation by the Reverend Carlock Hawk.

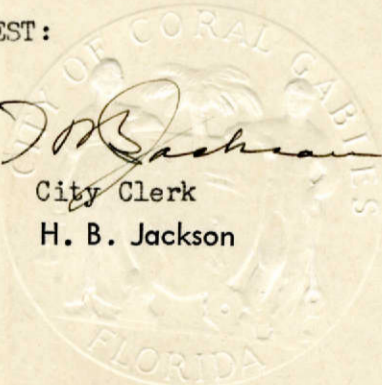
Mayor-elect Thomas C. Mayes was given the oath of office by the Honorable David J. Heffernan, Judge of the Civil Court of Records, and received the gavel and chair from the retiring Mayor, Joe Whitley; following which Commissioners-elect Whitley, Houston and Phillips were also sworn in by the Honorable David J. Heffernan, and assumed their places at the commission table.

After brief remarks by Commissioners Whitley, Phillips, Houston and Bell, retiring Commissioner Cray and Mayor Mayes, the meeting was adjourned.

APPROVED:

ATTEST:


City Clerk
H. B. Jackson



Mayor

AAJ299

MINUTES OF SPECIAL MEETING OF THE CITY COMMISSIONERS
ON FRIDAY, APRIL 10, 1923

Pursuant to the requirements of the Charter, the
Commission of the City of Coral Gables convened at 12:45 o'clock
noon on April 10, 1923 at the City Hall, for the purpose of
conducting business in the Mayor and Commissioners' office.

Mayor Phillips in the Chair; Commissioners Bell, Gray,
Hays and Phillips present.

Invocation by the Reverend Carlton Ross.

Mayor-elect James B. Hays was given the oath of
office by the Honorable David J. Holloman, Judge of the Circuit Court
of Dade County, and received the gavel and chain from the retiring Mayor,
the following following which Commissioners Bell, Hays and
Phillips were also sworn in by the Honorable David J. Holloman, and
received their oaths at the Commission table.

After brief remarks by Commissioner Bell, Phillips,
Hays and Bell, retiring Commissioner Ross and Mayor Hays, the
meeting was adjourned.

